

Warrant Article Submission Form

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PETITION OF TEN REGISTERED VOTERS FOR INSERTION OF ARTICLE INTO THE WARRANT FOR THE 2015 ANNUAL TOWN MEETING.

File Completed Form with the Board of Selectmen's Office no later than Friday, January 30, 2015, 12:00/Noon.

We, the undersigned registered voters (10 for Annual, 100 for Special) of the Town of Arlington, hereby petition the Board of Selectmen pursuant to MGL c.. 39, § 10 to insert the following article(s) into the warrant for the Annual Town Meeting.

ARTICLE

Proposed Title: Documented Zoning Reviews

To see if the Town will vote to amend the Zoning Bylaw to require that all applications for building permits, special permits, and variances undergo review for compliance with the Zoning Bylaw by the Inspector of Buildings, that the results of such reviews be documented and kept on file by the Inspector of Buildings, and that the documented reviews be provided to the Arlington Redevelopment Board and the Zoning Board of Appeals before they take action on any applications requiring their comment or approval, or take any action related thereto.

Requested by: Christopher Loreti

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Email: cloreti@verizon.net

For Office Use Only - Do Not Write In This Area

Proposed Name/Subject Matter: _____

The primary motion for this article will come from:

Board of Selectmen Redevelopment Board Finance Committee

The following groups will comment on this article:

Board of Selectmen Redevelopment Board Finance Committee

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Proposed Zoning Bylaw Change
Documented Zoning Reviews

Current Zoning Bylaw

[Italicized annotations are not part of the bylaw.]

Section 10.02 - Permit Required

It shall be unlawful for any owner or person to erect, construct, reconstruct, or alter a structure or change the use or lot coverage, increase the intensity of use, or extend or displace the use of any building, other structure or lot without applying for and receiving from the Inspector of Buildings the required building permit therefor. For purposes of administration, such permit and application procedure involving a structure may be made at the same time and combined with the permit required under the Building Code.

[Permit for zoning compliance from the Building Inspector is required.]

An application for a permit shall be accompanied by a plan, accurately drawn, showing the actual shape and dimensions of the lot to be built upon, the exact location and size of all buildings or structures already on the lot, the location of new buildings or structures to be constructed, together with the lines within which all buildings or structures are to be erected, the existing and intended use of each building or structure and such other information as may be necessary to provide for the execution and enforcement of this Bylaw. A record of all applications, plans, and permits shall be kept on file by the Inspector of Buildings. The Inspector of Buildings shall take action on an application for a permit, either granting the permit or disapproving the application, within thirty (30) days of receipt of the application.

[Building Inspector is required to keep applications and permits on file.]

No permit shall be issued under this section if the building, structure or lot as constructed, altered, relocated or used would be in violation of any provision of this Bylaw. Whenever such permit or license is refused because of some provisions of this Bylaw, the reason therefor shall be clearly stated in writing.

[Written documentation is required when a permit is denied in cases of non-compliance with the Zoning Bylaw.]

**Proposed Changes to
Section 10.02 - Permit Required**

No changes to the first paragraph. Proposed additions to second and third paragraph are shown below in ***bold italics***.

An application for a permit shall be accompanied by a plan, accurately drawn, showing the actual shape and dimensions of the lot to be built upon, the exact location and size of all buildings or structures already on the lot, the location of

new buildings or structures to be constructed, together with the lines within which all buildings or structures are to be erected, the existing and intended use of each building or structure and such other information as may be necessary to provide for the execution and enforcement of this Bylaw. A record of all applications, plans, and permits shall be kept on file by the Inspector of Buildings. **Said file shall contain written documentation that the application has been reviewed by the Inspector of Buildings and found to comply with the use, dimensional and density, open space, signage, and parking provisions of this Bylaw, as applicable, before a permit is issued.** The Inspector of Buildings shall take action on an application for a permit, either granting the permit or disapproving the application, within thirty (30) days of receipt of the application.

No permit shall be issued under this section if the building, structure or lot as constructed, altered, relocated or used would be in violation of any provision of this Bylaw. Whenever such permit or license is refused because of some provisions of this Bylaw, the reason therefor shall be clearly stated in writing. **Whenever the same matter, or any other application that requires a variance or special permit, is referred to the Zoning Board of Appeals or the Redevelopment Board, the Inspector of Buildings shall provide the respective boards with a clearly written explanation of the reasons a variance or special permit is required prior to the boards holding their required public hearings on the matter.**

Christopher Loreti
February 25, 2015