

**ARTICLE 17**

**AMEND ZONING BYLAW - SUSTAINABLE DESIGN  
FOR HARTWELL AVENUE (Citizen Petition)**

To see if the Town will vote to amend the Zoning Bylaw to alter and/or supplement dimensional, Sustainable Design, and other standards to limit the use of on-site fossil fuel combustion for heating, ventilation, and air conditioning (HVAC) systems for the CM district, or act in any other manner in relation thereto.

*(Inserted by Cynthia Arens and 99 or more other registered voters)*

**DESCRIPTION:**

The proposed changes under this article would create an additional zoning incentive for new construction in the CM district to use non-fossil-fuel-combustion-based HVAC systems. Buildings that do not use on-site fossil-fuel-combustion-heating or have a first stage of heating that delivers a minimum capacity of heat without on-site combustion are allowed to exceed sixty-five (65) feet in height.

**PROPOSED MOTION:** To amend Section 7.4.4 of the Zoning Bylaw, Section 135 of the Code of the Town of Lexington, to insert a new Section 135-7.4.4.2 after Section 135-7.4.4.1, as follows, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington:

7.4.4.2. Buildings over sixty-five (65) feet shall utilize a heating, ventilation, and air conditioning (HVAC) system with a first stage of heating that does not use on-site fossil fuel combustion and which has a minimum heating capacity of five (5) British thermal units (Btu) per hour per gross square foot or equal to the building's design heating load, whichever is lower.

- a. Any additional stage of heating capacity above five (5) British thermal units (Btu) per hour per gross square foot may utilize on-site combustion, provided the HVAC and building management systems are designed and programmed such that normal operation initially relies on the non-combustion system to serve all building heating loads as the first stage before using any on-site combustion heating systems to supplement in a subsequent stage.
- b. This subsection 7.4.4.2 shall not apply to systems not related to building heating, such as emergency backup power generators, humidification, and process equipment.