

Arlington Town Meeting — Motion to Amend

ARTICLE NO. 53

Dated: May 11, 2026

I, Eugene B. Benson, do hereby submit the following Motion to Amend the Macaluso Substitute Motion for Article 53:

To amend the Macaluso substitute motion by deleting the words “building area of the proposed building” and replacing them with “total area covered by a structure’s perimeter projected onto the ground plane, including cantilevered portions, excluding roof edges and balconies that overhang an exterior wall.”

Comment:

The effect of this amendment is that the following sentence is added to the end of Section 5.8.4.E(1) of the Zoning Bylaw of the Town of Arlington to read as follows (deletions are in strikeout and additions underlined):

For purposes of this subsection 5.8.4.E.(1), “ground floor at street level” refers to the gross floor area of the ground floor but shall in no case be less than 50% of the ~~Building Area of the proposed building.~~ total area covered by a structure’s perimeter projected onto the ground plane, including cantilevered portions, excluding roof edges and balconies that overhang an exterior wall.

The reason for this change is that the Macaluso substitute motion uses the term, Building Area, and the word, building, in specifying the 50% requirement (“Building Area of the proposed building”). In pertinent part, Building is defined by the Zoning Bylaw as being enclosed by walls and thus a Building Area is an area enclosed by walls. Also, in pertinent part, gross floor area is defined by the Zoning Bylaw as an area enclosed by walls. Thus, the Macaluso substitute motion, without this amendment, would require 60% of the area enclosed by walls to have certain types of commercial uses, and 50% of the area enclosed by walls to have the same certain types of commercial uses. That is an internal contradiction in the Zoning Bylaw that will lead to confusion and uncertainty in application. This amendment clears up that confusion by making it clear that the 50% area would include areas not enclosed by walls but within the footprint of the structure.

Date Voted: _____

Action Taken: _____

Respectfully submitted,

/s/ *Eugene B. Benson*

Precinct 10