

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 uses a combination of air-source, ground-source or exhaust-source heat pumps or other heating system with a Coefficient of Performance (COP) greater than 1.0 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.