BACKUP MATERIALS
FOR
ARTICLES 2, 3, 4 & 5

Burlington Town Meeting
Warrant

January 27, 2020
7:30 P.M.

Burlington High School
Fogelberg Auditorium
123 Cambridge Street
Burlington, MA
List of Materials

Section I: History of High Rise Industrial
Section II: Zoning Bylaw Text Amendment
Section III: Planning Board Recommendations
Section IV: Burlington Life Science Initiative
Section V: Jones Lang LaSalle Life Science Market Report
Section VI: Applicants’ Letter to Town Meeting Members
Section VII: Proposed New IH Zones
Section I

History of High Rise Industrial
High Rise Industrial (IH) Zoning District

Where did it come from?
The Idea...

Towers in the Park *Modernism in Urban Planning* opted for the mechanization of the city, the functionality, the order, the zoning to distinguish separation of uses.

*LE CORBUsIER, 1923. A CITY OF TOWERS*

The towers are placed amidst gardens and playing-fields. The main arteries, with their motor-tracks built over them, allow of easy, or rapid, or very rapid circulation of traffic.
Constitution Plaza in 1965, Harford, CT (above)
Scollay Sq. Boston, bulldozed to make room for Government Center and City Hall (below)

Freeways and giant skyscrapers in the center of the modern metropolis, at the Futurama exhibit of the New York World’s Fair, 1939. The model of tall towers in green malls in the 1920s, was implemented in Urban Renewal plans and private development throughout the 50s and 60s.
Urban Renewal: Public Housing

Mega Blocks
Not human scale
Greens turned to asphalt
Lacking pride of place and identity
Burlington Adopted the “Tower in the Park” zoning model with the construction of the Bay Bank Tower at 7 New England Executive Park. The 1977 Zoning Bylaw Dimensional Regulation Schedule for the High Rise Industrial (IH) Zoning District was directly based off the modernist model of development.
**1977 Zoning Bylaw**

### (ART.V) SECTION 5.2.0 Density Regulations Schedule

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>RO</th>
<th>RG</th>
<th>BN</th>
<th>BL</th>
<th>BG</th>
<th>BY</th>
<th>IG</th>
<th>IH</th>
<th>IR</th>
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<td>10,000 sf</td>
<td>10,000 sf</td>
<td>10,000 sf</td>
<td>40,000 sf</td>
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<td>100 feet</td>
<td>100 feet</td>
<td>100 feet</td>
<td>150 feet</td>
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<td>15 feet*</td>
<td>15 feet</td>
<td>15 feet</td>
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<td>15 feet</td>
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<tr>
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<td>15 feet</td>
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<td>50 feet*</td>
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<td>20% of</td>
<td>20% of depth of</td>
<td>20% of</td>
<td>20% of</td>
<td>100 feet</td>
<td>20% of depth of</td>
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<td>33 1/3%</td>
<td>33 1/3%</td>
<td>33 1/3%</td>
<td>25%</td>
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<tr>
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<td>33 1/3%</td>
<td>33 1/3%</td>
<td>33 1/3%</td>
<td>25%</td>
<td>25%</td>
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<td>30 feet</td>
<td>30 feet</td>
<td>30 feet</td>
<td>30 feet</td>
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<td>None</td>
<td>None</td>
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<td>None</td>
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</tbody>
</table>

See notes for density regulation table immediately following.
Existing 1977 High Rise Industrial (IH) Zoning District Setbacks
High Rise Industrial (IH) Development Pattern

Creates a sprawling wide open non-pedestrian scale development pattern
Reaction against modernism

• lack of human scale
• high crime rates and social problems.

Single Use
Planning now concentrates on human scale and interaction, mixed use and diversity in society and the economy, emphasizing walkable communities not high speed highways.

Experience V. Efficiency
What we want...

How do we get there...
Revised High Rise Industrial (IH) Zoning District

✓ Reduces allowable height from 155 to 90 to more closely align with the height and character of existing commercial development in Burlington.

✓ Creates more pedestrian friendly set-backs and flexible site design
  • Front: 25
  • Side/Rear: 15

✓ Incentivizes under building parking, allowing for design flexibility and additional green space

✓ Preserves residential setback protections of 100 feet.
Section II

Zoning Bylaw Text Amendment
To see if the Town will vote on the petition of The Planning Board to amend Article V: Dimensional Requirements of the Burlington Zoning Bylaw to modify the height and dimensional requirements of the High-Rise Industrial (IH) Zoning District as follows:

See notes for Density Regulation Table immediately following.

### SECTION 5.2.0 DENSITY REGULATION SCHEDULE:

No building or structure shall be constructed nor shall any existing building or structure be enlarged or altered except in conformance with the Density Regulation Schedule, as to lot coverage, lot area, land area per dwelling unit, lot width, front, side and rear yard setbacks, and maximum height of structures except as may otherwise be provided elsewhere herein.  

<table>
<thead>
<tr>
<th>Minimum Lot Area</th>
<th>IG</th>
<th>IH</th>
<th>IR</th>
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<th>IR</th>
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<tbody>
<tr>
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<th>IR</th>
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<tbody>
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<table>
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<td>25%</td>
<td>25%</td>
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<table>
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<td>.15 2,3</td>
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<td></td>
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</table>
NOTES FOR DENSITY REGULATION TABLE

1. but not less than required by the State Building Code.

2. Except that the Planning Board pursuant to a "Site Plan" or "Special Permit" as described in Section 9.2.0 and 9.3.0 of Article IX, may permit the Maximum Floor Area Ratio (FAR) to increase to .25 if such application or applications meets the performance criteria specified in Section 5.1.5.1 of Article V and further may permit the Maximum Floor Area Ratio (FAR) to increase to .50 if such application or applications meets the performance criteria specified in Section 5.1.5.2 of Article V.

3. The Net Floor Area of any structure or building in which a child care facility is to be operated as an accessory or incidental use shall be excluded from the Maximum Floor Area Ratio (FAR) calculation, such that the otherwise allowable FAR of such structure or building shall be increased by an amount equal to the floor area of such child care facility up to a maximum increase of ten (10%) percent. All terms and conditions of M.G.L. Chapter 40A, Section 9 (C) shall apply.

4. Reference Section 8.5.5 for additional criteria applicable to the CC and CBD Districts.

5. Unless its outside walls are of fireproof construction and any openings in such walls are protected by a suitable fire resistive door or shutter or water curtain device, subject to the approval of the Inspector of Buildings. There shall extend across the rear of every building or structure an open area at least 10 feet wide for fire fighting purposes.

6. 20% of the average depth of the lot measured perpendicularly from the common lot boundary line but not less than 10 feet and not more than 100 feet. Not less than 75% shall be landscaped or, if wooded, left in a natural state. Screening may be placed on remaining 25%.

7. Within 200 feet of RO or RG - 30 feet; for each 100 feet in excess of 200 feet from RO or RG - 15 additional feet, with a maximum of 90 feet, except that no structure located within 1,800 feet of the center point of the intersection of Cambridge Street and Route 128 shall exceed 80 feet in height.

8. Same as IH except maximum equals 80 feet.

9. Land use principally for a coordinated, integrated retail or industrial use (for example, a shopping center or an industrial park) shall be deemed to be one lot for density regulation and parking purposes notwithstanding that legal ownership in the land is divided, by lease, in fee or otherwise, among two or more owners.

10. For any proposed use in the Business or Industrial Districts on property that is adjacent to an Open Space or primarily residential Planned Development District, which requires a special permit as set forth in the Principal Use Regulation Schedule, the Planning Board may require a greater setback (in feet) than is set forth in this Density Regulation Schedule. If the useable square feet of residential space plus the useable square feet of any amenities useable by occupants of the residential component are equal to or more than the useable square feet of non-residential space, then the entire development shall be considered "primarily residential"

11. Within 50 feet of OS 30 feet.

12. Within 400 feet of an RO or RG use or residentially-zoned land in a contiguous municipality, Structured Parking directly under the finished floor area of a building to a maximum of one level of parking use above the average finished grade around the building can be excluded when calculating structure height.

Beyond 400 feet of an RO or RG use or residentially-zoned land in a contiguous municipality, Structured Parking directly under the finished floor area of a building to a maximum of two levels of parking use above the average finished grade around the building can be excluded when calculating structure height.

The equivalent footprint of the parking footprint under the finished floor area of a building shall be set aside as green space unless, through a finding by the Planning Board pursuant to a "Site Plan" or "Special Permit" as described in Section 9.2.0 and 9.3.0 of Article IX, they determine an alternative public benefit.
And further to amend Article 10.5.0 of the Zoning Bylaw to delete the existing language in its entirety.

**SECTION 10.5.0 ADDITIONAL REGULATIONS FOR BIOTECHNOLOGY**

The Planning Board may grant a Special Permit for a Biotechnology use, subject to the following restrictions:

10.5.1 Purpose and Intent
Applications for Biotechnology uses shall be subject to the following additional criteria.

10.5.2 Procedures
All requests for consideration by the Planning Board for a Special Permit pursuant to this section shall be consistent with Section 9.2.0 “Special Permit” of this bylaw, except that the Board of Health shall have 65 days under Section 9.2.2.1 to complete its review.

10.5.3 Approval Criteria
The Planning Board shall not make a finding and determination upon the application until it has received the recommendation of the Board of Health, or 65 days have passed without such recommendation, and until a public hearing has been held, pursuant to MGL 40A, §11. In addition to the approval criteria for Special Permits pursuant to Section 9.2.4 of this bylaw, the Planning Board shall incorporate the recommendations of the Board of Health as conditions of approval for any Biotechnology Special Permit.

An unfavorable recommendation from the Board of Health shall result in a denial of any biotechnology special permit application.

or to act in any other manner in relation thereto.

Submitted by the Planning Board

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )
Section III

Planning Board Recommendations
MEMO TO: Amy E. Warfield, Town Clerk  
FROM: Planning Staff  
DATE: January 2, 2020  
RE: Recommendations to Town Meeting

At its meeting of January 2, 2020 the Planning Board made the following motions:

Article #2: RE: Dimensional requirements of the High-Rise Industrial (IH) Zoning District - Submitted by the Planning Board

MOTION – To close the public hearing on this matter.  
APPROVED – 5-0-0

MOTION – To recommend favorably on Article 2, as amended, of the January 2020 Town Warrant on the Petition to amend Article V: Dimensional Requirements of the Burlington Zoning Bylaw to modify the height and dimensional requirements of the High-Rise Industrial (IH) Zoning District – Submitted by the Planning Board.  
APPROVED – 5-0-0

Article #3: Petition to rezone property to the High Rise Industrial (IH) District – 400-600 Summit Drive – Gutierrez Company, Applicant

MOTION – To close the public hearing on this matter.  
APPROVED – 5-0-0

MOTION – To recommend favorably on Article 4, the petition to rezone the property at 400-600 Summit Drive to the High Rise Industrial (IH) District.  
APPROVED – 5-0-0
Article #4: Petition to rezone property to the High Rise Industrial (IH) District – 3 Van de Graaff Drive – American Landmark III, LLC, Applicant

MOTION – To close the public hearing on this matter.
APPROVED – 5-0-0

MOTION – To recommend favorably on Article 3, the petition to rezone the property at 3 Van de Graaff Drive to the High Rise Industrial (IH) District
APPROVED – 5-0-0

Article #5: Petition to rezone property to the High Rise Industrial (IH) District – 60 Blanchard Road – 60 Blanchard Owner, LLC, Applicant

Staff Recommendation:

MOTION – To close the public hearing on this matter.
APPROVED – 5-0-0

MOTION – To recommend favorably on Article 5, the petition to rezone the property at 60 Blanchard Road to the High Rise Industrial (IH) District.
APPROVED – 5-0-0
Section IV

Burlington Life Science Initiative
Burlington Life Science Initiative  

January 2020 Town Meeting

**History**


**Market/Competition**


**Locations:** While the Life Science lab market is concentrated in Cambridge, there is significant supply and growth in Boston (primarily the Seaport) and in the suburbs including Waltham, Lexington, Bedford, Billerica and Woburn ([https://www.bizjournals.com/boston/news/2019/07/24/new-life-sciences-building-in-waltham-gets-local.html](https://www.bizjournals.com/boston/news/2019/07/24/new-life-sciences-building-in-waltham-gets-local.html)). Many surrounding communities sell their proximity to amenities in Burlington when recruiting companies in this industry group.

**Readiness:** To participate and compete in the Life Science market, Towns are increasing allowable density, encouraging parking structures and approving speculative development ([https://lexington.wickedlocal.com/news/20180523/lexington-re-imagines-hartwell-summit](https://lexington.wickedlocal.com/news/20180523/lexington-re-imagines-hartwell-summit)). As-of-right and pre-permitted projects are critical to landing Life Science companies due to the complicated construction and need to occupy quickly.

**Benefits:** As compared to office buildings, Life Science projects include higher value buildings, infrastructure and personal property resulting in higher assessments and greater tax revenue; higher paying jobs with increased spending in the community; and fewer employees per square foot of space resulting in less parking, less traffic and less of a burden on community resources.

**Burlington’s Next Steps**

**Adjust Life Science (IH) Zone to bring more in line with current Town limits and needs:**

Lower the maximum allowable building height to protect the community from new towers, encourage structured parking to facilitate better design and adjust setbacks to match other existing office zones.

**Expand Life Science Opportunities:**

Only three parcels are currently zoned for Life Science development: the Burlington Marriott, the Hilton Garden Inn and the most recent Oracle Building. Three new parcels to be added: 3 Van de Graaff Drive, 60 Blanchard Road and 400-600 Summit Drive.
Section V

Jones Lang LaSalle Life Science Market Report
BURLINGTON LAB MARKET
CLUSTER OVERVIEW
Winter 2019
Life science job and wage growth outpaces overall employment

Source EOLWD, data includes Essex, Middlesex, Norfolk, Plymouth, Suffolk counties only
Where is Boston’s Lab Supply?

282 buildings & 31.1 msf in Greater Boston
### Breaking Down Boston’s micro-clusters

<table>
<thead>
<tr>
<th>Cluster Location</th>
<th>Total SF</th>
<th>Buildings</th>
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<tbody>
<tr>
<td>East Cambridge</td>
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<tr>
<td>Middlesex Turnpike</td>
<td>2,559,502</td>
<td>32</td>
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<tr>
<td>South Shore</td>
<td>2,437,500</td>
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<tr>
<td>Natick/Framingham</td>
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<td>LMA</td>
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<td>Seaport</td>
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<td>93 North</td>
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<td>Waltham</td>
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<td>Hayden / Spring</td>
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<tr>
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<td>North Shore</td>
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<td>West Cambridge</td>
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<td>Mid Cambridge</td>
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<td><strong>Total</strong></td>
<td><strong>31,071,204</strong></td>
<td><strong>282</strong></td>
</tr>
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Includes Bedford, Billerica & Burlington

- **Cambridge**
  - SF: 11.3 msf
  - Buildings: 65
- **West**
  - SF: 3.2 msf
  - Buildings: 31
- **South**
  - SF: 2.4 msf
  - Buildings: 22
- **Boston**
  - SF: 3.5 msf
  - Buildings: 9
- **North**
  - SF: 2.5 msf
  - Buildings: 20

**Takeaways:**

- More product outside of Cambridge than inside.
- Suburban supply is larger than the total Research Triangle.
- Majority of Lab inventory in the Suburban market is underserved by amenities.
- 6.5 Million SF plus in Cambridge pipeline will be significantly more expensive than suburban market.
Lab Tenant Timing

**September 2017**

- 81% of lab tenants in the market look to occupy within 12 months of entering the market.

**August 2018**

- 83% of lab tenants in the market look to occupy within 12 months of entering the market.

**305K**
SF of lab demand with **AS SOON AS POSSIBLE** time frame

**22**
Lab tenants looking to occupy within the next twelve months

**1.2M**
SF of notable lab tenants looking for 60,000 SF+ are in the market with 2021 timing due to supply delivery timing.
Section VI

Applicants’ Letter to Town Meeting Members
December 20, 2019

Burlington Town Meeting Members
Burlington Town Hall
Burlington, MA 01803

Re: Rezoning Petition to High-Rise Industrial (IH)

Dear Town Meeting Members:

The Gutierrez Company, Nordblom Company and American Landmark Partners are pleased to be working cooperatively with you to help grow the life science industry in the Town of Burlington. Each of us believes the adjustments to the IH Zoning District will help attract life science companies to locate and grow in the community. Furthermore, the adoption of the IH District to our sites will position these properties to be able to provide high value laboratory space for the growing life science industry.

We recognize this proactive, industry-oriented zoning approach is not new for Burlington. One need only look at the zoning changes that led to the former Sun Microsystem Campus, now Oracle; the redevelopment of Northwest Park; and Keurig on Second Avenue to see examples of successful planning and zoning changes adopted by Town Meeting.

The current life science zoning proposal with changes to the IH District, like those prior proactive zoning successes, will help bring new high-paying jobs to town as well as expand and diversify the commercial tax base. This property tax growth and diversification of the commercial tax base allow the Town to better weather economic downturns and continue to fund a high-level of local services to its residents.

A year ago, recognizing the rapidly growing life science industry as a major economic driver in Massachusetts, Town Meeting approved changes to the zoning bylaw and the IH District to better define and promote life science businesses in the Town. Representing the #1 life science business cluster in the U.S., if not the world, the Massachusetts Biotechnology Council recently recognized Burlington’s efforts by naming the Town a “Platinum” level Bio-Ready Community affording the Town the opportunity to be marketed to companies around the world with the message that Burlington is “open and ready” to the life science industry.

With all of these recent successes, however, one element has been missing: locations where life science businesses can locate and grow. Today, there are only three properties with the IH Zoning designation in Town: the Burlington Marriott Hotel, the Hilton Garden Inn on Wheeler Road and the recently completed third building for Oracle on Van de Graaff Drive. None of these
properties are available for life science companies. While there are several life science companies currently located in Town, adding our properties to the IH District will help increase the presence of life science companies and grow the industry in Town.

The three properties proposed to be zoned to the IH District are all within the business park areas, south of Route 128/I-95, adjacent to the highway and provide for expansion and redevelopment potential. The Burlington Summit site is the current home to Millipore Sigma, the Town’s largest life science company, and is a logical location to allow for the continuation and potential expansion of life science uses. The building at 60 Blanchard Road, the DataCon site, has been previously approved for redevelopment and offers a location for new and growing life science companies. And lastly, 3 Van de Graaff Drive, currently housing Samsung Pay, provides the opportunity add life science lab space to complement and grow existing tenants. Any life science lab activities on these properties would result in less parking and traffic than comparable office use and would still require approval by the Planning Board, Board of Health and other Town Boards and departments.

Life science lab companies require significant investment in buildings, infrastructure and equipment and are unable to occupy many existing office buildings in Town. With these significant investments in their host community, once located, life science companies are likely to remain, grow and actively participate in the community for many years. With the change to the IH Zoning District, these parcels can help further grow Burlington’s life science industry and continued commercial property and Town tax revenue success.

For these reasons and to continue to work cooperatively with the Town, we respectfully ask for your support of the IH Zoning District changes and for inclusion of these properties in the IH District.

Sincerely,

Scott Weiss
Vice President of Development

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Section VII

Proposed New IH Zones