



Town of Burlington
29 Center Street
Burlington, MA 01803

Phone (781)270-1660
FAX (781)238-4692

Office of the Town Clerk - Passport Acceptance Agent

clerk@burlmass.org

Amy E. Warfield, CMC
Town Clerk

Daniel C. McCormack
Archivist/Records Manager

Post 6/1/11-6/15/11

Pct. 1 Fox Hill School
Pct. 2 Sammy's Superette
Pct. 3 Town Hall
Pct. 4 Francis Wyman School
Pct. 5 Fire Dept.
Pct. 6 Pine Glen School

LEGAL NOTICE

The following bylaws of the January 24, 2011 TM were approved by the Attorney General on May 24, 11. Any claims of invalidity by reason of any defect in the procedure of adoption or amendment may be made no later than September 15, 2011.

Copies of these bylaws may be examined/obtained at the Town Clerk's Office.

Attest:

Amy E. Warfield
Town Clerk

Attached 5 pages:

ARTICLE 18 RE: Amend General Bylaw Article XIV, ENVIRONMENT

Voted to amend General Bylaw Article XIV, ENVIRONMENT, as follows:

by amending Section 3.1.6 as follows to delete the word “Fee” and replace it with the word “Free” so that the provision will state: “3.1.6 A Free Standing Sign means any sign that is supported independently from any building”, and by amending Section 3.2.2.1 to delete the phrase “Board of Appeals” and replace it with the phrase “a court of jurisdiction” so that the provision will state: “3.2.2.1 A person aggrieved by any decision of the Building Inspector may appeal to a court of jurisdiction; and

(NOTE:changes appear in bold lettering)

by amending Section 3.2.4.2 (a) as follows:

3.2.4.2 (a) Flashing and **computerized electronic signs** are prohibited; and

by adding **Section 3.2.4.7 (a)** as follows:

3.2.4.7 (a) Any and all signs must be removed by a tenant within 30 days of the tenant vacating said tenant space; And

by adding **Section 3.2.4.8** as follows:

3.2.4.8 On any side of a building, wall signage shall be permitted either at the first floor level or on upper floors, but not both;

MAJORITY APPROVED

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ARTICLE 19 RE: Amend General Bylaw Article XIV, ENVIRONMENT, by adding Section 9, “Conservation of Natural Resources”

Voted to amend General Bylaw Article XIV, ENVIRONMENT, as follows:

9.0 CONSERVATION OF NATURAL RESOURCES

- 9.1 To advocate that all future outdoor lighting be of energy efficient designs to reduce glare disability, waste of energy, and production of greenhouse gases that result from this wasted energy use;
- 9.2 To support light pollution reduction efforts and glare reduction methods at the local Town level; and
- 9.3 To support efforts to ensure all future outdoor lighting be of a fully shielded design or similar non-glare design to improve the safety of town roadways, sidewalks, and by-ways for all, and especially for vision-impaired drivers;

MAJORITY APPROVED

ARTICLE 21 RE: Amend Zoning Bylaw Article IV, Section 4.2.0 Principal Use Regulation Schedule – Town Center Multifamily (Housekeeping)

Voted to amend Zoning By-Law Article IV, Section 4.2.0 Principal Use Regulation Schedule, Sections 4.2.1.2 “Garden Apartment Dwelling Units” and 4.2.1.17 “Multi-Family Housing other than 4.2.1.2” by striking SP₁ and replacing with a NO within the Civic Center (CC) and Central Business (CBD) districts as follows:

4.2.0 PRINCIPAL USE REGULATION SCHEUDLE																
	USE DESIGNATION	DISTRICT											OVERLAY DISTRICTS			
4.2.1	RESIDENCE USES	RO	RG	RC	BN	BL	BG	BT	IG	IH	IR	OS	A	WR	CC	CBD
4.2.1.2	Garden Apartment dwelling units	NO	SP	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	NO
4.2.1.17	Multi-Family other than 4.2.1.2	NO	SP	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	NO

APPROVED BY A VOTE OF 67 IN FAVOR AND 2 OPPOSED

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Voted to amend Zoning Bylaw Article V, Dimensional Requirements, Section 5.2.0, Density Regulation Schedule by adding introductory text and renumbering the footnotes for consistency, but not amending the text, within the table as shown on the following page:

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 setbacks, and maximum height of structures except as may otherwise be provided elsewhere herein.⁴

	RO	RG	RC	BN	BL	BG	BT	IG	IH	IR	
Minimum Lot Area ⁹ *****	20,000 sf	120,000 sf	100,000sf	5,000 sf	10,000 sf	10,000 sf	10,000 sf	40,000 sf	120,000 sf	18 Acres	
Minimum Lot Frontage	100 ft	100 ft	100 ft	50 ft	100 ft	100 ft	100 ft	150 ft	100 ft	400 ft	
Minimum Front Yard	25 ft	50 ft	25 ft	10 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	25 ft ^{5a}	50 ft ^{5a}	100 ft	
Minimum Side Yard	15 ft	50 ft	25 ft	10 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	50 ft ^{5a}	100 ft	
Minimum Rear Yard	15 ft	50 ft	25 ft	10 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	15 ft ^{5a}	50 ft ^{5a}	100 ft	
Minimum Yard Adjoining RO & RG, and Residentially Zoned Land in Contiguous Municipalities	None	50 ft	50 ft	20% depth of lot ⁶ ***	20% depth of lot ⁶ ***	20% depth of lot ⁶ ***	20% depth of lot ⁶ ***	20% depth of lot ⁶ ***	20% depth of lot ⁶ ***	100 ft	20% depth of lot ⁶ ***
Maximum Aggregate Building-to-Ground Area Percentage	None	25%	25%	33.33%	33.33%	33.33%	33.33%	25%	25%	25%	
Maximum Building & Structure Height	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft ⁸ **** 80 ft ⁸ ****	30 ft ⁷ *** 155 ft ⁷ ***	30 ft ⁸ **** 80 ft ⁸ ****	
Minimum Feet Between Buildings	None	50 ft	20 ft ^{1e}	None	None	None	None	None	50 ft	None	
								(1)(2)	(1)(2)		
Maximum Floor Area Ratio (FAR)	None	None	None	None	None	None	None	0.15 ^{2,3}	0.15 ^{2,3}	None	

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 5.1.10 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 155 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,

UNANIMOUSLY APPROVED