



Town of Burlington
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Jane L. Chew, Town Clerk
Amy E. Warfield, Assistant Town Clerk

Daniel C. McCormack
Archivist/Records Manager

Post 1/27/10 – 2/10/10

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 were approved by the Attorney General on January 20, 2010. Any claims of invalidity by reason of any defect in the procedure of adoption or amendment may be made no later than May 10, 2010.

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

Attest:

Jane L. Chew
Town Clerk

**ADJOURNED TOWN MEETING
WEDNESDAY, SEPTEMBER 30, 2009
FOGELBERG AUDITORIUM – BHS**

ARTICLE 5 RE: Amend Article II/Representative Town Meeting, Section 1.0, Subsection 1.2/Warrants

To see if Town Meeting will vote to amend General Bylaw Article II as follows:

1.0 In accordance with a vote on March 6, 1971, there is established in the Town of Burlington a Representative Town Meeting form of government, whereby 108 members shall be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the Town. All powers of the Town shall be vested in the Town Meeting except as provided otherwise by law. The Town Meeting shall provide for the exercise of all the powers of the Town and for the performance of all duties and obligations imposed upon the Town by law.

1.1 The Town Meeting shall be a continuous body, but it may adjourn for periods not exceeding 150 days; **provided, however, that all petitions regarding proposed amendments to the Town's Zoning Bylaws shall be received by the Board of Selectmen and a copy of the petition sent to the Planning Board, no later than ninety days before the meeting for which the amendment is proposed.** It shall meet at such times and places as the meeting may determine by rule. Special meetings may be held on the call of the Moderator, or ten or more members, and upon written notices no less than seven days in advance delivered to the place of residence of each member and that of the Moderator. Copies of said notice shall also be posted seven or more days in advance on the Town bulletin board.

1.2 Warrants

Warrants for Town Meeting sessions shall be issued by the Board of Selectmen to the Town Meeting Members, Moderator and Town Clerk, and a copy shall be posted on the Town Bulletin Board at least fourteen (14) days before the meeting is to convene. The Selectmen shall include in the warrant all subjects which are requested of them in writing by any elected Town Meeting Member, the Moderator, the School Committee, or any other person authorized by State Statute or Town Bylaw.

The date by which the Board of Selectmen shall receive Zoning articles, by petition or otherwise, for inclusion in the warrant for Town Meeting shall be no later than ninety (90) days before the meeting notwithstanding the provisions of Chapter 686 of the Acts of 1970, Section 12(a) relating to Special Town Meetings. Pursuant to MGL Chapter 40A, Section 5, The Board of Selectmen shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the Planning Board for review. No zoning ordinance or by-law or amendment thereto shall be adopted until after the Planning Board has held a public hearing, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the Planning Board. No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by the Planning Board. The Board of Selectmen is not prohibited from inserting in the warrant, after that date, articles which, in the Board's opinion, are of such importance to the welfare of the Town as to make their consideration at such meeting necessary or desirable.

The date by which the Selectmen shall receive all other articles, by petition or otherwise, for inclusion in the warrant for Town Meeting shall be no later than forty-five days before the meeting notwithstanding the provisions of Chapter 686 of the Acts of 1970, Section 12(a) relating to Special Town Meetings. The Board of Selectmen are not prohibited from inserting in the warrant, after that date, articles which, in the Board's opinion, are of such importance to the welfare of the Town as to make their consideration at such meeting necessary or desirable; or to act in any other manner in relation thereto.

ACTION: MAJORITY APPROVED MAIN MOTION AS AMENDED

ARTICLE 6 RE: Amend Article IV/Selectmen, Section 3.0/ Board of Public Works, Subsection 3.1.1 of Subsection 3.1

To see if Town Meeting will vote to amend the General Bylaw Article IV/Selectmen, Section 3.0 by **adding a new paragraph** to the end of Subsection 3.1.1 of Subsection 3.1, as follows:

The Board of Public Works is hereby authorized to promulgate regulations relative to the use of water in the Town's water distribution system. Violation of any regulations promulgated under authority of this bylaw may be enforced through any lawful means in law or in equity by the Board of Public Works or the Superintendent of Public Works, or their designees, including but not limited to enforcement by non-criminal disposition in accordance with Article I, Section 4.0 of the General Bylaws. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300 per violation; or to act in any other manner in relation thereto.

ACTION: MAJORITY APPROVED MAIN MOTION

**ADJOURNED TOWN MEETING
MONDAY, OCTOBER 5, 2009
FOGELBERG AUDITORIUM – BHS**

ARTICLE 17 RE: Amend Zoning Map/Rezone Property to Planned Development (PD) District (90 Middlesex Turnpike)

To see if the Town Meeting will vote to amend the Zoning Map of the Town of Burlington, as most recently amended, by rezoning a certain parcel of land from a General Industrial (IG) District to a Planned Development (PD) District. Said parcel of land is generally identified as the Burlington Dodge and located at 90 Middlesex Turnpike. The property is more specifically identified on the Town of Burlington Assessors Map as follows: Map 52, Parcel 8-0; or to act in any other manner in relation thereto.

ACTION: BY A ROLL CALL VOTE OF 54 IN FAVOR AND 17 OPPOSED. THE MAIN MOTION CARRIED.

ARTICLE 18 RE: Amend Zoning Map/Rezone 201 Middlesex Turnpike/IG to BG

To see if Town Meeting will vote to amend the Zoning Map of the Town of Burlington, as most recently amended, by rezoning a certain parcel of land from a General Industrial (IG) District to a General Business (BG) District. Said parcel is generally identified as 201 Middlesex and is further identified on the Town of Burlington Assessors Map as Map 33, Parcel 72-0; or to act in any other manner in relation thereto.

ACTION: BY A VOTE OF 73 IN FAVOR AND 0 OPPOSED, THE MAIN MOTION CARRIED.

**ARTICLE 19 RE: Amend Zoning Map/Rezone Property to Planned Development (PD)
District (New England Executive Park)**

To see if Town Meeting will vote to amend the Zoning Map of the Town of Burlington, as most recently amended, by rezoning certain parcels of land from a General Industrial (IG) District and High Rise Industrial (IH) District to a Planned Development (PD) District. Said parcels of land are generally identified as being located within New England Executive Park and as further identified on the Town of Burlington Assessors Map as follows: Map 46, Parcels 43, 44, 45, 47, 48, 50, 51, 52, 53 and Map 52, Parcels 13, 14 and 15 together with any fee interest in any adjacent private ways or passageways possessed by all of these parcels more commonly referred to as New England Executive Park Drive and Park Place; or to act in any other manner in relation thereto.

ACTION: BY A VOTE OF 54 IN FAVOR AND 17 OPPOSED, THE MAIN MOTION CARRIED.