Town of Burlington
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Notice of Public Meeting – (As required by G.L. c. 30 A, c. §18-25)

DEPT./BOARD: ZBRC
DATE: Wednesday July 24, 2019
TIME: 6:00 PM
PLACE: Town Hall Annex Meeting Room B

AGENDA
1. Recording Secretary request
2. Approval of 6-26-19 Minutes / Confirm next meeting 8-28-19
3. New Member update
4. Small Cell Wireless – General Bylaw revisions - update from BRC member Dave Miller
5. Northwest Park PDD Zoning Amendment - discussion
6. Zoning Amendment Coordination; Planning, ZBRC and LUC rolls and goals - update
7. Bylaw Review and Prioritization; recommendations from Departmental overviews
8. Public Participation
9. Adjourn
Call the Meeting to Order

Chairman Shari Ellis called the July 24, 2019 Zoning Bylaw Review Committee to order at 6:03 PM in the Town Hall Annex Basement, Room B, 25 Center Street.

Members Present: Shari Ellis, Sally Willard (Late Arrival), Michelle Prendergast, Michael Murray, Edward Parsons, Cathy Beyer - Betsey Hughes (joined via tele-conference)

Members Absent: Ernest Covino and Gregory Ryan

Non-Voting Members Present: Andrew Ungerson (Late Arrival), David Miller, Resident and Bill Beyer, Town Moderator

1. Recording Secretary Request

Ms. Ellis stated that the Recording Secretary has asked if she could audio record the meetings to help in her transcribing. After discussion, the committee agreed to have the meetings recorded.

2. Approval of Minutes – 06/26/19 – Confirm Next Meeting 8/28/19

MOTION - Ms. Prendergast made a motion to approve the Zoning Bylaw Review Committee Minutes of June 26, 2019 as presented. The motion was seconded by Mr. Parsons and unanimously voted 4-0-1. Ms. Beyer abstained from voting.

Ms. Ellis stated that the next meeting will be August 28th and there may have to be additional meetings prior to Town Meeting.

Mr. Ungerson joined the meeting at 6:08 PM.

3. New Member Update

Mr. Beyer stated that they are still trying to find a member from Precinct 4. Ms. Ellis stated that hopefully we will get an updated by the August 28th meeting.

4. Small Cell Wireless – General Bylaw Revisions – Update from BRC Member David Miller

Mr. Miller handed out the newly approved General Bylaw for Small Wireless Facilities and explained the process of reviewing and revising the proposal.

Ms. Willard joined the meeting at 6:16 PM.

Mr. Parsons stated that this this is similar to the process followed for the accompanying zoning bylaw change, and we’ve made progress in coordination. However, there were small differences in the final language. If such a situation happened in the future, we should make further efforts to harmonize review and language between the General bylaw and the Zoning bylaw.

5. Northwest Park PDD Zoning Amendment – Update from June 20th Joint Meeting

Robert Buckley from Riemer & Brawnstein appeared for discussion on the Northwest Park PDD Zoning Amendment. Mr. Buckley gave an update:

- Land Use had to repost the meeting, so they will be before them on July 30th.
- They will go before the Planning Board after the Land Use meeting.
They are looking at being creative for senior housing because Burlington does not have to worry about the State requirement for 10% affordable housing.

The residential units would be inter-generational living but they are looking to add affordable units for seniors.

The committee discussed:

- Looking at creating guidelines that are fair and equitable to keep residents in Burlington.
- Look at State regulations for income in case of job loss.
- The Northwest Park PDD stipulates that 10% of residential units are affordable “in accordance with the local, state, or federal guidelines”.
- Various definitions of affordability exist
- Would a change to the warrant article specifying amendment to the special conditions be a substantial change? Mr. Beyer stated that if it is more restrictive it should be ok.
- Requesting 300 units in A and 300 units in B rather than allow 600 units total in A & B.
- What is the scope of the committee? Review of the structure of the zoning article and review any potential change in zoning and how it affects any Special Conditions.
- Look at creating and adopting the affordability housing aspect into the bylaw with inclusionary zoning. This is a general action, not just in the PDD district. This should be kept on the agenda.

Mr. Parson indicated that he had not seen sufficient evidence in favor to recommend that the bylaw specify 300 units in A and 300 units in B. Ms. Hughes was in favor of spreading them out.

Ms. Hughes stated that they are still working the language of this bylaw once the Planning Board receives the final draft, this committee will receive and review it and make a final recommendation.

Ms. Ellis stated that she would like to schedule an additional meeting on September 11, 2019 prior to Town Meeting.

Mr. Buckley left the meeting at 7:17 PM.

6. **Zoning Amendment Coordination – Planning, ZBRC and LUC Rolls and Goals Update**

Ms. Ellis presented a draft work flow chart for zoning changes. The Planning Board did not want to be involved in the decision process; however, they will review what is presented to them. Ms. Ellis stated that MGL dictates some of this flow. Ms. Ellis added that the Land Use Committee will review this at their July 30th meeting.

The committee discussed and noted changes needed in the flow chart.

The committee discussed possible mechanisms for notification between Committees and Boards.

- Notification from Board of Selectmen will go to the Chairs and they will notify their committees /board.
- The notification to the Planning Board from ZBRC and LUC regarding attendance at the public hearing should require a Y or N response. It should not just be left open.
Ms. Ellis will investigate return receipt options and determine how the Board of Selectmen currently notifies other committees.

- Adding an electronic notification in a general bylaw amendment.
- Sally Willard created a Gmail account for the committee. This has been set up for notification only, not for group discussions. Until the process is approved by Planning, it will not be used.

- Discussions relating to a Burlington.org email ended with committee ruling out the idea for numerous reasons.

Returning to the general discussion of the committee’s scope:

- The recommendations of this committee are to Town Meeting.
- Comments and concerns can be given to the Planning Board and Land Use Committee but all committees and Boards present separate recommendations to Town Meeting.

Returning to the Northwest Park PDD amendment article and process:

- It is not yet clear if changes to the PDD’s Special Conditions will be made or if there will be a side agreement to address affordable housing. We await the final article.
- Any Covenants and Memorandum of Understanding should be presented to Town Meeting.
- Changes need to be consistent with the Master Plan.

7. Bylaw Review and Prioritization – Recommendation from Departmental Overviews

There was no discussion on Agenda Item 7 and this was tabled

8. Public Participation

There was no public participation.

9. Adjournment

MOTION: Mr. Murray made a motion to adjourn at 8:16 PM. The motion was seconded by Ms. Willard and unanimously voted 6-0-0.

Respectfully Submitted by Dawn Cathcart,
Recording Clerk

Approved on: September 11, 2019 ZBRC meeting (6-0-0)