



TOWN OF BURLINGTON
ZONING BYLAW REVIEW COMMITTEE (ZBRC) MINUTES
March 9, 2022

RECEIVED
By Town Clerk's Office at 8:36 am, Apr 14, 2022

Chair Shari Ellis called the March 9, 2022, Zoning Bylaw Review Committee to order at 6:30 PM remotely via Zoom.

Voting Members Present: Shari Ellis, Cathy Beyer, Ed Parsons, Tamara Maniscalco, Greg Ryan, Sally Willard

Voting Members Absent: Betsey Hughes, Michael Murray, Mark Donahue

Non-Voting Members Present: Mark Dupell, Ernie Covino

Non-Voting Members Absent:

Guests: Jeffrey Feldman, Frank DiPietro, Peter Carbone, Melissa Cushing, Karl Trieschman, Jon Kadilak, Susan Kadilak Todd Freemont-Smith, Mark Vaughn, Robert Buckley, Marissa Valentino, Kristin Kassner

1. Public Participation - None

2. May Zoning Warrant Articles

a. Groundwater Separation – Planning Department

- Kristin gave update on proposal: Conservation Commission is also presenting a larger stormwater warrant article. Both articles are attempting to mitigate all the water challenges that are happening in town. This article is focused on the single family (RO) zoning district and to regulate the minimum requirement to new dwellings and additions of larger than 1,000 SF
- Ed asked who is responsible for determining the water table? How do we standardize these assessments? Kristin noted, Conservation Commission is looking to better define the costs. This is a standard estimated seasonal high ground water table and is a standard unit of measure. She also noted this is only for a new house build. The license soil evaluator will have a definition for registered engineer. If definition, can consider adding a definition of who the person is or “as defined by” a key professional. Frank added in regard to the qualified license type (soil evaluator) that there is a program offered by the state, where an individual, usually an engineer, completes a course to for certification from the state. The estimated seasonal high ground water is set depending on where the digging is and there is a standardize method for the process.
 - Ed asked who at town oversees this.
 - Frank added the Board of Health will observe the test. The test will then be filed with Board of Health.
- Sally asked regarding the amount of the addition and what counts within this. Would an outside deck count towards the square footage? Kristin noted in this Bylaw, it is not intended to count.



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- Tamara asked if this applies only to new construction. If you are creating a new addition does this apply. Kristin noted, this does apply to new construction and depending on the footprint itself.
- Cathy asked if this applies to in-ground pools. Kristin replied that this particular Bylaw does not apply to in-ground pools.

b. Northwest Park PDD Amendment - Nordblom Development Company

- Bob Buckley gave brief update: modifications to permit new buildings, additional structured parking and updating some definitions
- Ernie asked if the change in definitions applied in parcel 2. Bob noted they would. Ernie also asked how this would affect the assessors. Bob noted the assessors would look at the rent flow aspect.
- Shari asked on behalf of Ed what the existing gross square footage was. Bob noted they have a bit 2.1 of gross area. Ed also asked if the life science and solar definitions in the amendment congruent with the other Zoning Bylaws. Bob noted they are with one exception to make sure that there was no confusion with a medical application. Ed asked if the building height requirement exception for structure parking the same as recently added to the (I) Zone. Bob noted it is. Ed asked if signage regulations section 5A are grandfathered? Bob noted the signage is covered by the PDD.
- Greg asked if so much space is going to be used, how many parking structures are they considering. Todd noted, they aren't entirely set on the amount, but they are aiming towards one per building.

c. Town Center Multifamily District – Novaya Real Estate Ventures

- Mark Vaughn presented a brief update on the proposal. Town Meeting will control the expansion of this zone to add other parcels into this zone. Design criteria of Town Center Overlay is addressed in this new overlay zone. Underlying uses would continue to be allowed should that wish to be considered in the future.
- Cathy asked who owns the two properties and how long have they been abandoned. Peter noted the houses are for sale from the owners. Cathy added that the property seemed to be purchase with the idea to expand.
- Shari asked what the plan for re-zoning is if this doesn't pass. Mark noted the first article needs to pass for the second to move forward.
- Sally asked when bringing this forward, will a map be added. Mark noted, there is zoning map change as part of the second article.

3. Discussion of zoning bylaws and possible amendments for September 2022

a. Accessory Use - Definitions and Regulations



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- b. Signage
- c. Housing Choice Act - revised housing terms and regulations

Action Items: Postponed until future meeting

4. Approval of Minutes: 02/09/22

- Approved as amended
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Documents Referenced:

- Past meeting minutes: 02/09/2022
- May Town Meeting – Zoning Articles (located in Planning Department)
 - Groundwater Separation_
 - NWP PDD Warrant Article
 - Town Center Multi-Family District Warrant Article

Motion to Adjourn: 9:24 pm

*Respectfully Submitted,
Emily O'Donoghue, Recording Clerk*

Approved: April 13, 2022 [6-0-0]