



TOWN OF BURLINGTON
Zoning Bylaw Review Committee (ZBRC) Minutes
March 10, 2021

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By Town Clerk's Office at 11:23 am, Apr 29, 2021

Call the Meeting to Order

Chair Shari Ellis called the 3/10/2021 Zoning Bylaw Review Committee to order as a remote meeting at 6:30PM and noted that the meeting was being recorded.

Voting Members Present: Shari Ellis, Betsy Hughes, Tamara Maniscalco, Sally Willard, Michael Murray, Ed Parsons, Greg Ryan, and Mark Donahue

Voting Members Absent: Cathy Beyer

Non-Voting Members Present: Ernie Covino and Andy Ungerson

Non-Voting Members Absent: None

Also Present: Kristin Kassner, Planning Director and Tayla Moore, Recording Clerk

1. Public Participation

- None.
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2. Housing Discussion: Accessory Use and In-Law Apartment - Kristin, Andy

- The purpose of this discussion is to find a path to allow in-law apartments to convert to accessory use apartments with regulations and policies in mind.
- Andy will research the Town of Billerica's regulations regarding recording accessory apartments in deeds.
- Greg suggested putting a time limit on the permit for an in-law apartment to be renewed within a certain number of years. This would allow building inspectors to verify that it is being used appropriately and not illegally. Time limits are not allowed in zoning or through the Building Department.
- The Assessor's Office categorizes a single family with an in-law area and a single family as Land Use Code 101 (One Family). A single family with an accessory apartment and a two-family home are categorized as 104 (Two Family). Burlington, currently, has no districts zoned R2 (multi-unit).
- The issues with the conversions are that they are happening with no oversight and there may be safety concerns regarding access to the home and other code compliance issues.
- In-law apartments and accessory apartments do not fall under SHI.
- Question: How Census is including in-law apartments and accessory apartments in Burlington's census?
- Without a building permit, the only way to know there is an in-law apartment or accessory apartment in a single dwelling is if there is an emergency response, the home is refinanced, or the home is for sale. The lending institute calls the Building Department and inquires about a home when it is being refinanced.



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- Michael suggested zoning language should specify a deed restriction on in-law apartments for new homebuyers to make them aware of the potential of their purchase.
 - ZBRC, will continue this discussion, in the hope of creating a change (through a zoning bylaw change), could be proposed at Town Meeting.
 - Tamara suggested making the requirements of having an in-law apartment more similar to the requirements of having an accessory apartment; thus making the conversion simpler
 - Greg suggested making the requirements of converting an in-law apartment to an accessory apartment stricter.
 - Ed suggested that Burlington's community should identify a goal (market research), in-law apartments vs. accessory apartments, or two housing units on a property as an R2 use, and for the bylaw to then incorporate what best serves the town.
 - Zoning Bylaws should correlate with and have guidance from the master plan.
 - Housing Partnership Committee should be incorporated in this discussion moving forward.
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3. ZBL Amendment for September - Article II and IV - Entertainment uses

- Current bylaws reflect dance halls, billiards, gyms which are outdated and do not align with new and advancing entertainment needs. Example: APEX in Marlborough, MA.
 - In the ZBL, if it is not not defined or regulated, it is not permitted. Thus, we need to broaden the specification of entertainment uses.
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4. May Warrant Article update - Planning Board Amendments

- Joint Meeting with the Planning Board, ZBRC and LUC scheduled for March 18th, 6:00PM.
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5. Style Guide - update from Cathy Beyer

- Shari and Cathy have not been able to meet. No update.
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6. Signage Subcommittee - update from Sally Willard

- Progress is being made.
- Shari and Ed suggested creating visual images or visual surveys and to display them to the town for the public's opinion.



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7. Approval of Minutes - 1/13/2021; 2/10/2021

- 1/13/2021 ZBRC meeting. **Approved** (8-0-0)
- 2/10/2021 ZBRC meeting. **Approved** (8-0-0)

Documents Referenced:

- Entertainment uses - ZBRC document
- In-law and Accessory Uses - ZBRC document

Motion to Adjourn: 8:15PM

Respectfully Submitted,
Tayla A. Moore, Recording Clerk

Approved: [4/28/21] ZBRC meeting [9-0-0]