

**ADJOURNED TOWN MEETING
MONDAY, JANUARY 24, 2022
POSTPONED UNTIL FEBRUARY 16, 2022
FOGELBURG PERFORMING
ARTS CENTER
BURLINGTON HIGH SCHOOL
AND VIRTUALLY**

Held as Hybrid following the requirements under the Special Act of 2022 Chapter 22, Section 26.

Regarding the running of a Representative Town meeting.

A quorum being present, the meeting was called to order at 7:37 PM, with 66 virtual on WEBEX and 29 in person for a total of 95 in attendance. The Moderator, Bill Beyer, called the meeting to order and lead the body in the Pledge of allegiance to the flag. The Moderator then recognized the passing of Anne Rowe and Gene Rossi. He recognized Rep Ken Gordon's efforts in getting the legislation passed so that we were able to continue with the virtual participation for this Town Meeting.

The Moderator then reviewed the process for having a hybrid Town Meeting. The Town Clerk requested a moment to thank those who help to make Town Meeting happen. There are many people that helped to pull this meeting together. Thanks to the Town IT team, Joe Bongiorno, Casey Silva, Jim Rounds, Linda Bellavia and from the Schools; Bob Cunha, Jose DeSousa and also, John Middleston-Cox. Also, BCAT who is again providing the video for our meetings, Jennifer Dodge, Rob Zahora and Chris Flaherty. Thanks to the staff of my office, Linda McNeill, Kate O'Shea and Kirstin Midgley as well as the Select Board office, led by Lyn Mills and from the Planning Office Brady Caldwell working here to manage the presentations and Jen Gelinias for helping with online questions. Finally, thank you to the AV this evening is being run by John Porter and Joe

Michedo. The Clerk would like to give her special Thanks to State Representation Ken Gordon for getting us the required legislation for having a Hybrid meeting.

The Moderator requested two motions at the beginning of the meeting. The first motion was accept voting via the WebEx polling tool and show of hand counts, and the second was Steven Morin for Deputy Moderator. This motion was made and seconded, and Passed by a Majority Now to the first Article:

GENERAL ARTICLES

ARTICLE #1 RE: Reports of Town Officers & Committees

MAIN MOTION: To hear and act on the reports of the Town Officers and Committees, or to act in any other manner in relation thereto.

- Dr. Ed Weiner – Introduced the new Assistant Health Director – Mike Green
- Barbara L'Heureux – spoke about the Sculpture Park and the progress and events that have been done.
- Melisa Tintocalis, Kristen Kassner, Dr. Ed Weiner, and Paul Sagarino presented on the working being done by the Eco Dev office and the Planning Board to bring more industry and Bio Med to Burlington.

ACTION: No voted required

ZONING ARTICLE

ARTICLE 2 RE: Modernizing Retail Uses: Education, Experiential and Interactive Uses

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article II and Article IV to permit additional Education, Experiential and Interactive uses as follows:

A. Amend Article II, Section 2.0 Definitions, by adding new sections as follows:

Section 2.5 E

Educational Use, For-Profit - Use for the establishment of a for-profit school or educational institution which may include, but not limited to: trade, music, dance, art, etc.

Section 2.18 R

Retail, Experiential & Commercial Interactive Venue – The use of a retail tenant space for experiential and participatory uses through engaging actives, sounds, motion, or special settings, including virtual reality and multimedia.

B. Amend Article IV, Principal Use Regulation Schedule, Section 4.2.0 by adding the following new uses :

4.2.6.32	Retail, Experiential & Commercial Interactive Venue 20,000 SF or less	By Right in the General Business District
4.2.6.33	Retail, Experiential & Commercial Interactive Venue above 20,000SF	SP in the General Business District
4.2.2.14	For Profit Educational Uses	By Right in the General Business District

or to act in any other manner in relation thereto.
Submitted by the Select Board at the request of
The Economic Development Director and Planning Director

MAIN MOTION: To see if the Town will vote to amend the Burlington Zoning Bylaws, Article II and Article IV to permit additional Education and Experiential and Interactive uses:

Proposed amendments to Article II, Section 2.0 Definitions, as follows:

Section 2.3 C

For Profit Educational Uses – For profit/taxable schools or educational uses for the operation of such as business which shall include, but not limited to the following uses: trade, music, dance, art.

Section 2.18 R

Experiential Retail & Commercial Interactive Venue – The use of a retail tenant space for in-store experiential uses through engaging activities, sounds, motion, or special settings, including virtual reality and multimedia. Includes interactive uses that may be immersive and or allow for participation such as small-scale bowling, sport-oriented, theaters which may only be permitted in combination with a Restaurant or Fast Order Food Establishment as defined herein

Proposed amendments to Article IV, Principal Use Regulation Schedule, Section 4.2.0

4.2.6	Retail, Consumer, and Trade Uses	RO	RG	RC	BN	BL	BG	BT	IG	I	IR	OS	A	WR	CC	CBD
4.2.6.32	Retail, Experiential & Commercial Interactive Venue 20,000 SF or less	NO	NO	NO	SP	SP	YES	YES	NO	SP	YES	NO	YES	YES	YES	YES
4.2.6.33	Retail, Experiential & Commercial Interactive Venue above 20,000SF	NO	NO	NO	SP	SP	SP	SP	NO	SP	SP	NO	YES	YES	SP ₁	SP ₁
4.2.2.14	Educational Use, For Profit	NO	NO	NO	SP	YES	YES	SP	SP	SP	SP	NO	YES	YES	YES	YES

RECOMMENDATIONS: Planning: Unanimous; ZBRC 7-0-0; Land Use 5-0-0
Select Board 5-0-0

ACTION: Passed by 2/3rds; Virtual vote 64 For / 1 Against, Unanimous in the person

ARTICLE #3 RE: Outdoor Seating

To see if the Town will vote to amend Article X of the Town of Burlington Zoning Bylaw by adding a new section 10.10, Outdoor Seating, as follows:

10.10 Outdoor Seating

10.10.1 Purpose: The purpose of this section is to enhance safe and attractive outdoor seating options for local qualified businesses to address health conditions, enliven commercial spaces, and promote business activity.

10.10.2 Procedure: An Applicant for an outdoor seating permit shall submit the required application to the Inspector of Buildings who may, notwithstanding any other requirement under this bylaw or any existing special permit or site plan review for the applicant or its establishment or the property on which

it is located, issue a permit for outdoor seating if the threshold requirements are met per section 10.10.3. The Inspector of Buildings shall be authorized to promulgate regulations consistent with this bylaw which shall, at a minimum, set forth specific procedures and required submittals for any permit hereunder.

10.10.3 Requirements for the Issuance of an Outdoor Seating Permit

10.10.3.1 The outdoor seating capacity shall not exceed 50% of the authorized internal capacity and shall not exceed the number of seats in total for which bathrooms are provided at the establishment.

10.10.3.2 The outdoor seating shall be located on the parcel and adjacent or near the building.

10.10.3.3 The outdoor seating, if adjacent to a street or parking lot, shall be protected by barriers approved by the police department for safety of the customers per regulations.

10.10.3.4 The Inspector of Buildings shall have the discretion to determine if the proposed change to any parking requirements is consistent with public safety including but not limited to pedestrian and traffic safety.

10.10.3.5 If the Applicant for a permit for outdoor seating is someone or some entity other than the owner of the real property, the owner of the real property shall also sign the application.

10.10.3.6 If the location for which the outdoor seating is sought is located on real property or in a building where there is more than one tenant, then the property owner shall have the responsibility to manage all parking between tenants of the real property of building.

10.10.3.7 If alcohol is served at the premises, prior to issuing a permit hereunder, the Inspector of Buildings shall require proof of modification of the alcohol license.

10.10.3.8 All outdoor seating proposed hereunder shall be temporary in nature as determined by the Inspector of Buildings. In the event it is determined that the proposed outdoor seating is permanent, then the Applicant is required to seek a modification to any existing permits which govern the use of the property or establishment.

10.10.3.9 The Inspector of Buildings may include conditions to any permit issued hereunder and which are consistent with the intent and purpose of this bylaw.

10.10.4 Term of Permit. Any permit issued by the Inspector of Buildings hereunder shall be valid for the term written in the regulations so long as there are no changes to the number of seats or configuration of the seating area of the establishment. In the event there are any changes to the foregoing, the Applicant must reapply for a new permit.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of The Economic Development Director

MAIN MOTION: To see if the Town will vote to amend Article X of the Town of Burlington Zoning Bylaw by adding a new section 10.10, Outdoor Seating, as follows:

10.10 Outdoor Seating

10.10.1 Purpose: The purpose of this section is to enhance safe and attractive outdoor seating options for local qualified businesses to address health conditions, enliven commercial spaces, and promote business activity.

10.10.2 Procedure: An Applicant for an outdoor seating permit shall submit the required application to the Inspector of Buildings who may, notwithstanding any other requirement under this bylaw or any existing special permit or site plan review for the applicant or its establishment or the property on which it is located, issue a permit for outdoor seating if the threshold requirements are met per section 10.10.3. The Inspector of Buildings shall be authorized to promulgate regulations consistent with this bylaw which shall, at a minimum, set forth specific procedures and required submittals for any permit hereunder.

10.10.3 Requirements for the Issuance of an Outdoor Seating Permit

10.10.3.1 The outdoor seating capacity shall not exceed 50% of the authorized internal capacity and

shall not exceed the number of seats in total for which bathrooms are provided at the establishment.

10.01.3.2 The outdoor seating shall be located on the parcel and adjacent or near the building.

10.10.3.3 The outdoor seating, if adjacent to a street or parking lot, shall be protected by barriers approved by the police department for safety of the customers per regulations.

10.10.3.4 The Inspector of Buildings shall have the discretion to determine if the proposed change to any parking requirements is consistent with public safety including but not limited to pedestrian and traffic safety.

10.10.3.5 If the Applicant for a permit for outdoor seating is someone or some entity other than the owner of the real property, the owner of the real property shall also sign the application.

10.10.3.6 If the location for which the outdoor seating is sought is located on real property or in a building where there is more than one tenant, then the property owner shall have the responsibility to manage all parking between tenants of the real property-

10.10.3.7 If alcohol is served at the premises, prior to issuing a permit hereunder, the Inspector of Buildings shall require proof of modification of the alcohol license.

10.10.3.8 All outdoor seating proposed hereunder shall be temporary in nature as determined by the Inspector of Buildings. In the event it is determined that the proposed outdoor seating is permanent, then the Applicant is required to seek a modification to any existing permits which govern the use of the property or establishment.

10.10.3.9 The Inspector of Buildings may include conditions to any permit issued hereunder and which are consistent with the intent and purpose of this bylaw.

10.10.4 Term of Permit. Any permit issued by the Inspector of Buildings hereunder shall be valid for the term written in the Outdoor Seating Permit Regulations and Guidelines, so long as there are no changes to the number of seats or configuration of the seating area of the establishment. In the event there are any changes to the foregoing, the Applicant must reapply for a new permit.

An Amendment was made to section 10.10.4 by John Iler: as follows:

10.10.4 Term of Permit. Any permit issued by the Inspector of Buildings hereunder shall be valid for the term, **which shall not exceed one year**, written in the Outdoor Seating Permit Regulations and Guidelines, so long as there are no changes to the number of seats or configuration of the seating area of the establishment. In the event there are any changes to the foregoing, the Applicant must reapply for a new permit.

A motion was made and seconded

Passed; Virtual vote 34 For / 9 Against, Called 2/3rds in person.

RECOMMENDATIONS: Planning: 3-3-1
Select Board 5-0-0
ZBRC 8-0-0
Land Use 5-0-0

ACTION: Passed by 2/3rds; Virtual vote 56 For / 11 Against, counted 28 For / 1 Against in the person

ARTICLE #4 RE: Article II Definitions

To see if the Town will vote to amend the Zoning Bylaw, Article II by adding the following sections:

2.1 A

Awning, Continuous

A roof like covering, as of canvas, stretched upon a frame that is affixed to a building to cover more than one business front and used above or before any place as a shelter from rain or sun.

2.2 B

Building Front

A building front is the side of a building that is nearest to the street.

2.16 P

Parapet

A parapet is a wall or railing that runs along the edge of the roof of a building.

Pedestrian Scale

The proportional relationship between the dimensions of a building or building element, street, outdoor space or streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.

2.19 S

Storefront

A storefront is the front side of a store or store building facing a street

and to place same in the appropriate alphabetical order within section 2.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of Zoning Bylaw Review Committee

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Planning: 5-0
ZBRC 6-0-0
LandUse 5-0-0

ACTION: Passed by 2/3rds; Virtual vote 59 For / 2 Against, Call Unanimous in person.

ARTICLE #5

RE: Article XIII Sign Regulations

To see if the Town will vote to amend the Zoning Bylaw, Article XIII by amending Section 13.1.0 as follows (remove indicated by ~~cross-out~~, remainder is new):

~~13.1.0 SIGNS~~

~~For the purpose of this section, SIGN shall include any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, person or activity, whatever the nature of material and manner of composition or construction.~~

13.1.0 **Signs Purpose**

The purpose of this sign bylaw is the following:

- A. To facilitate efficient communication to ensure that people receive the information they need or want;
- B. To encourage signs which are harmonious with both the buildings, the sites where they are displayed and their larger environs;
- C. To protect public and private investments in buildings and open spaces;
- D. To support business vitality by accomplishing the above objectives without burdensome procedures and restrictions.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of Zoning Bylaw Review Committee

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Planning: 5-0
ZBRC 6-0-0
Land Use 0-4-1

ACTION: Passed by 2/3rds; Virtual vote 49 For / 8 Against, Call 2/3rds in person.

FINANCIAL ARTICLES

ARTICLE #6

RE: Replenish Reserve Fund

To see if the Town will vote to transfer from Free Cash to the budget line item 87 - Reserve Fund, the sum of \$100,000, or to act in any other manner in relation thereto.

Amount: \$100,000

Submitted by the Select Board the request of the Town Administrator

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 11-0-0

ACTION: Passed; Virtual vote 54 For / 7 Against, Call Majority in person.

ARTICLE #7 RE: Transfer from Free Cash to Water Stabilization Fund

To see if the Town will vote to transfer from Free Cash the sum of \$802,040 to the Water Stabilization Fund, or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of the Town Administrator.

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 11-0-0

ACTION: Passed; Virtual vote 56 For / 1 Against / 1 Abstention , Call Majority in person.

ARTICLE #8 RE: Transfer from Free Cash to Stabilization Fund

To see if the Town will vote to transfer from Free Cash the sum of \$150,000 to the Stabilization Fund, or to act in any other manner in relation thereto.

Amount: \$150,000

Submitted by the Select Board at the request of the Town Administrator.

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 11-0-0

ACTION: Passed; Virtual vote 49 For / 0 Against, Call Majority in person.

ARTICLE #9 RE: Transportation Infrastructure Fund

To see if the Town will transfer the sum of \$12,001.10 from Receipts Reserved for Appropriation-Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation

infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in section 1 of chapter 90I of the General Laws and other programs that support alternative modes of transportation or to act in any other manner in relation thereto.

Amount: \$12,001.10

Submitted by the Select Board at the request of the Town Administrator

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 11-0-0

ACTION: Passed; Virtual vote 58 For / 0 Against, Call Majority in person.

ARTICLE # 10 RE: Repurpose Article 25 of June 2020 - Economic Development Study

To see if the Town will vote to repurpose the funding originally appropriated in Article 25 at June 2020 Annual Town Meeting for an economic development study or otherwise provide the sum of \$35,000, or any other sum, for the purpose of supporting communications and marketing through the Economic Development departments online and social media outreach, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

Amount: \$35,000

Submitted by Select Board at the request of the Town Administrator

MAIN MOTION: That the Town repurpose the funding originally appropriated in Article 25 at June 202 Annual Town Meeting for an Economic Development study and provide said sum of \$35,000, for the purpose of supporting communications and marketing through the Economic Development Departments inline and social media outreach, same to be spent under the direction of the Town Administrator.

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 11-0-0
Capital Budget 6-0

ACTION: Passed; Virtual vote 47 For / 2 Against / 1 Abstention , Call Majority in person.

ARTICLE #11 RE: Fox Hill School Feasibility Study

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee for the Fox Hill feasibility study, Fox Hill Elementary School, Fox Hill Road in Burlington, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Amount: \$1,500,000

Submitted by the Select Board at the request of the School Committee.

MAIN MOTION: To see if the Town will vote to appropriate the amount of one million five hundred thousand (\$1,500,000) dollars for the purpose of paying costs of the Fox Hill feasibility study, Fox Hill Elementary School, Fox Hill Road in Burlington, including the payment of all costs incidental or related thereto, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Town Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA; and further that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

RECOMMENDATIONS: Select Board: 5-0-0
Ways & Means: 10-1
Capital Budget: 4-0-2
School: 5 – 0 -0

ACTION: Passed; Virtual vote 50 For / 3 Against, Call Majority in person.

ARTICLE # 12 RE: Fox Hill School Feasibility Study Non-MSBA Project

To see if the Town will vote transfer from available funds the sum of \$TBD or any other sum for the purpose of funding a feasibility study for a potential Fox Hill School Project outside of the MSBA program, or to act in any other manner in relation thereto.

Amount: \$TBD

Submitted by the Select Board at the request of School Committee

MAIN MOTION:

ACTION: WITHDRAWN

The Moderator asked for a motion to take Articles 13 and 14 together. Its was moved and seconded.

GENERAL BYLAW ARTICLES

ARTICLE #13 RE: Amendment to the Town General Bylaws – Article II, Section 2.0 – Town Meeting Members

To see if the Town will vote to petition the Legislature to amend Chapter 686 Special Act to amend the Burlington General Bylaws, Article II, Section 2.0, paragraph 2 by replacing the existing paragraph with the following:

Any incumbent Town Meeting Member may become a candidate for re-election by giving written notice thereof to the Town Clerk not later than twenty-one (21) day prior to the last day and hour for filing nomination papers, provided the Town Meeting Member has been in attendance for fifty percent (50%) or more of the individual days of Town Meeting held during their term of office, whether or not a quorum is present or any business is conducted. Otherwise, the incumbent shall follow the same guidelines as a non-incumbent candidate for Town Meeting.

or to act in any other manner in relation thereto.

MAIN MOTION: RE: Request the Legislature to Amended Special Chapter 686 Acts of 1970

To see if the Town will vote to petition the Legislature to amend Chapter 686 Special Acts to

amend Section 2.0(b), paragraph 3 by replacing the existing paragraph with the following:

Any incumbent Town Meeting Member may become a candidate for re-election by giving written notice thereof to the Town Clerk not later than twenty-one (21) day prior to the last day and hour for filing nomination papers, provided the Town Meeting Member has been in attendance for fifty percent (50%) or more of the individual days of Town Meeting held during their term of office, whether or not a quorum is present or any business is conducted. Otherwise, the incumbent shall follow the same requirements as a non-incumbent candidate for Town Meeting.

RECOMMENDATIONS:

General Bylaw Review: 4-0

ACTION: Passed; Virtual vote 38 For /14 Against, Call Majority in person.

ARTICLE #14 RE: Amendment to the Town General Bylaws – Article II, Section 2.0 – Town Meeting Members

To see if the Town will vote to amend the Burlington General Bylaws, Article II, Section 2.0, paragraph 2 by replacing the existing paragraph with the following:

Any incumbent Town Meeting Member may become a candidate for re-election by giving written notice thereof to the Town Clerk not later than twenty-one (21) day prior to the last day and hour for filing nomination papers, provided the Town Meeting Member has been in attendance for fifty percent (50%) or more of the individual days of Town Meeting held during their term of office, whether or not a quorum is present or any business is conducted. Otherwise, the incumbent shall follow the same guidelines as a non-incumbent candidate for Town Meeting.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of Betsey Hughes – Town Meeting Member, P7

MAIN MOTION: To see if the Town will vote to amend the Burlington General Bylaws, Article II, Section 2.0, paragraph 2 by replacing the existing paragraph with the following:

Any incumbent Town Meeting Member may become a candidate for re-election by giving written notice thereof to the Town Clerk not later than twenty-one (21) day prior to the last day and hour for filing nomination papers, provided the Town Meeting Member has been in attendance for fifty percent (50%) or more of the individual days of Town Meeting held during their term of office, whether or not a quorum is present or any

business is conducted. Otherwise, the incumbent shall follow the same requirements as a non-incumbent candidate for Town Meeting.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of Betsey Hughes – Town Meeting Member, P7

RECOMMENDATIONS:

General Bylaw Review: 4-0

ACTION: Passed; Virtual vote 41 For /12 Against, Call Majority in person

ARTICLE #15 RE: Select Board Public Hearing Requirement

To see if the Town will vote to amend Article IV of the General Bylaws of the Town of Burlington to add the following language:

1.14 Residential Housing Process: Before the Select Board can approve, disapprove, send a letter of support, or commit any other action which involves the construction of four (4) or more residential units, pursuant to housing projects proposed under M.G.L. Section 40B, Sections 20-23 the Select Board shall hold a public hearing.

1.14.1 Public Hearing: Notice of the public hearing shall be published in a local newspaper and on the Town website not less than fourteen (14) days prior to the scheduled date of the hearing and shall include the date, time, place and purpose of the hearing and a brief description of the residential project(s) under consideration.

1.14.2 Notifications: At least seven (7) days prior to the Public Hearing, details of the housing project(s) provided to the Select Board shall be sent to the Town Clerk and to: the Building Commissioner, Planning Director, and Conservation Agent; the Chair of the Housing Partnership; the Chairs of the Town Meeting Land Use and Zoning Bylaws Review Committees; and the Fire Chief and Police Chief. Notification of the public hearing shall be sent not less than seven (7) days prior to the Public Hearing, by regular first-class mail to all abutters as defined in G.L.c.40A sec. 11.

1.14.3 Vote: A vote of the Select Board to provide a letter of support or not to provide a letter of support shall be taken at a meeting of the Select Board, which is not the same date as the Public Hearing, but which is not less than three (3) days subsequent to the public hearing. A letter of

any determination of the Board shall be recorded and filed with the Town Clerk.

1.14.4 Comments: The Select Board may vote to issue comments with the letter of support or letter of no support at the same meeting.

or to act in any other manner in relation thereto.

Submitted by the Land Use Committee of Town Meeting

MAIN MOTION: To see if the Town will vote to amend Article IV of the General Bylaws of the Town of Burlington to add the following language:

1.14 Residential Housing Process: Before the Select Board can approve, disapprove, send a letter of support, or commit any other action which involves the construction of four (4) or more residential units, pursuant to housing projects proposed under M.G.L. Section 40B, Sections 20-23 the Select Board shall hold a public hearing.

1.14.1 Public Hearing: Notice of the public hearing shall be published in a local newspaper and on the Town website not less than fourteen (14) days prior to the scheduled date of the hearing and shall include the date, time, place and purpose of the hearing and a brief description of the residential project(s) under consideration.

1.14.2 Notifications: At least seven (7) days prior to the Public Hearing, details of the housing project(s) provided to the Select Board shall be sent to the Town Clerk and to: the Building Commissioner, Planning Director, and Conservation Agent; the Chair of the Housing Partnership; the Chairs of the Town Meeting Land Use and Zoning Bylaws Review Committees; and the Fire Chief and Police Chief. Notification of the public hearing shall be sent not less than seven (7) days prior to the Public Hearing, by regular first-class mail to all abutters as defined in G.L.c.40A sec. 11.

1.14.3 Vote: Not less than three (3) days subsequent to the public hearing, the Select Board shall vote to recommend or not to recommend the project. Subsequent to the vote, a letter with the results of the vote will be filed with the Town Clerk and sent pursuant to M.G.L. Seciton 40B, Sections 20-23.

1.14.4 Comments: The Select Board may vote to issue comments with the letter of support or letter of no support at the same meeting.

RECOMMENDATIONS: Land Use: 6-0-0

General Bylaw Review 3-0

ACTION: Virtual vote 43 For / 2 Against / 1 Abstention, Call Majority in person.

ARTICLE 16 RE: Amend Section of Bylaw Regarding Land Use Committee

To see if the Town will vote to amend Article V of the General Bylaws of the Town of Burlington to replace the second paragraph of Section 2.6 Land Use Committee with the following language:

The committee shall annually elect a chairperson and vice-chairperson and appoint a secretary. The secretary shall not be a member of the committee. The committee shall define the duties of the secretary and fix the compensation thereof.

or to act in any other manner in relation thereto.

Submitted by the Land Use Committee of Town Meeting

MAIN MOTION: AS PRINTED IN THE WARRANT

RECOMMENDATIONS: General Bylaw: no vote

ACTION: Passed; Virtual vote 45 For /3 Against, Call Majority in person.

The business of the Town being concluded, a motion was made to adjourn, seconded and voted unanimously. Meeting was adjourned at 11:16 PM.

Respectfully Submitted

Amy E. Warfield
Town Clerk