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TOWN OF BURLINGTON
ZONING BYLAW REVIEW COMMITTEE (ZBRC) MINUTES
April 13, 2022

Chair Shari Ellis called the April 13, 2022, Zoning Bylaw Review Committee to order at 6:30 PM remotely via Zoom.

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

Voting Members Absent: Mark Donahue

Non-Voting Members Present: Mark Dupell

Non-Voting Members Absent: Ernie Covino

Guests: Jeffrey Feldman, Peter Carbone, Todd Freemont-Smith, Susan Kadilak, Bob Buckley, Liz Bonventre, Kristin Kassner, Melissa Cushing, Kristin Kassner, Mark Vaughan, Karl Trieschman

1. Public Participation - None

2. May Zoning Warrant Articles

a. Town Center Multifamily District – Novaya Real Estate Ventures

- Peter Carbone updated the committee regarding some changes to the project. Shrunk down the sizing from 98 to 82 units, reduces the overall square footage by about 25,000 ft², increased buffer in back (green space), drive isle on the side will be emergency and took a floor off the back. They discussed eliminating retail.
 - Cathy asked for clarification as to where the parking spaces would be. Peter noted that currently they are about 15 spaces short of the zoning requirement. They are looking to add more than 15 spaces and are trying to figure out placing for these spots.
 - Sally asked regarding the prohibition for short-term rentals and how it can be enforced. Peter noted there are only two units, and the seller and other family are planning on living there. There will be provisions and in condo documents. After that, it would be up to the Town (Building Department).
 - Shari noted, there is no map and asked if there needs to be a reference map as part of the article to show Town Meeting what is being amended. Kristin noted that what is included in the existing text reflects the changes on the map when the map is updated. The map will be included when the changes are approved at Town Meeting. Peter added if it helps to clarify, it can be assessed.
 - Shari asked if there is a reason why waivers would be a majority versus super majority. Bob noted one is a higher hurdle to get over.
 - Cathy made amendment to the Use Table legend as follows:
- ** (4.2.1.17) Except permitted “As of Right” ~~only~~ in a TCM District ~~only~~, following subject to Town Meeting rezoning of the subject Premises to the TCM District. See Section 8.5.0 Town Center Overlay for additional requirements.



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- Article #35 – Betsey made a motion to approve Article #35 as amended. Seconded by Tamara. Roll call vote - unanimous
 - **Vote 7-0-0**
- Article #36 – Betsey made a motion to approve Article #36 as presented. Seconded by Tamara. Roll call vote - unanimous
 - **Vote 7-0-0**

b. Northwest Park PDD Amendment - Nordblom Development Company

- Todd updated the committee that they have been to the Planning Board and Land Use Committee with unanimous votes for recommendation. The Planning Board felt better about the proposal when all signage language was pulled out. They also added a section and language including community benefits.
 - Shari noted there are two sentences that seem to be stating the same thing. Bob noted if there is no harm in repeating these, then they should leave it to not confuse Town Meeting.
 - Shari asked if the definitions were the same as the ones in the Zoning Bylaw. Bob noted this was correct.
- Article #37 – Cathy made a motion to approve Article #37 as written. Seconded by Betsey.
 - **Vote 6-0-0** Roll call vote - unanimous

c. Groundwater Separation – Planning Department

- Liz updated the committee that there was not much change. She noted if you do hit the estimated seasonal high groundwater, you need to get a variance because it is dimensional. Also, you need to keep your basement above 2 feet about seasonal high groundwater and hire a soil scientist to dig, evaluate the soil and find out the line of where high groundwater is and to ensure the basement slab is not going to hit it. All needs to be updated with a building permit.
 - Committee decided they were not comfortable voting on this now. They would like this to be reviewed again before they vote.

Action Items:

3. Approval of Minutes: 03/09/22, 3/23/22

- 03/09/22 – Approved as amended
 - 03/23/22 – Approved as amended
-

Documents Referenced:

- 220413_Article #35 – Town Center Multi-Family Amendment
- DRAFT Development Agreement 135 Cambridge Street



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- 220413_Article #36 Amend Zoning Map, Town Center Overlay Map – ZBRC
- 220413_29060130v6 Zoning Article (#37) ZBRC
- 220413_Article #40) Groundwater Separation Zoning Bylaw - ZBRC

Motion to Adjourn: 8:29 pm

Respectfully Submitted,

Emily O'Donoghue, Recording Clerk

Approved: May 4, 2022 [5-0-0]