

WARRANT

Burlington Town Meeting



January 26, 2026
7:00 P.M.

Burlington, MA
Burlington High School
Fogelberg Auditorium

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Burlington Town Meeting
Monday
January 26, 2026

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CONSTABLE'S REPORT



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December 30, 2025

Bill Beyer, Town Moderator
Selectboard
Town of Burlington
29 Center Street
Burlington MA 01803

RE: January 26, 2026 Town Meeting

Dear Mr. Moderator and Members of the Selectboard;

Reference is made to the above captioned matter. In that connection, I have reviewed the Warrant for the January 26, 2026 Town Meeting and have found it legal as to form. I will note the following:

- Article 2 is a zoning article which requires a 2/3 vote under G.L. c. 40A §5.
- Articles 10 and 11 involve the change of use and disposition of interests in real property and therefore require a 2/3 vote under G.L. c. 40 sec. 15A.

Should you have any questions, please let me know. Otherwise, I will update this letter upon review of the final motions.

Respectfully submitted,

Lisa L. Mead

WARRANT

BURLINGTON TOWN MEETING

Monday, January 26, 2026

In accordance with the provisions of Chapter 686 of the Acts of 1970 of the Commonwealth of Massachusetts, you are hereby notified that the Town Meeting Representatives of the Town of Burlington will meet in general assembly within locations at the Burlington High School, Fogelberg Auditorium, in said Town, the 26th of January 2026 at seven o'clock in the evening then and there to act on the following articles of the warrant.

GENERAL ARTICLES

ARTICLE NUMBER - 1

ARTICLE NAME - REPORTS OF TOWN OFFICERS & COMMITTEES

AMOUNT - N/A

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

Requested by the Rules Committee

Passed Failed Other

ZONING ARTICLES

ARTICLE NUMBER - 2

ARTICLE NAME - AMEND ZONING ARTICLES TO ADD A DEFINITION FOR SETBACK AMOUNT - N/A

To see if the Town will vote to amend Burlington Zoning Bylaws Article II: Definitions by adding a new definition “Setback” and amend Article V: Dimensional Requirements, Section 6.1.2 “Non-Conforming Structures and Premises” Section 10.1.0 “Additional Regulations for Home Occupations” and Section 11.6.4 “Minimal Dimensional Requirements” as follows (where **underline and bold** is new and ~~strikethrough~~ is removed):

ARTICLE II: DEFINITIONS

2.19

Setback

The minimum distance by which any building or structure must be separated from a lot line.

ARTICLE V: DIMENSIONAL REQUIREMENTS

5.1.3 Limitation of Area of Accessory Uses

5.1.3.3 In RO districts, no accessory use or uses shall occupy part of the required front or side yards **setback** and not more than twenty (20) percent of the rear yard, other than required off-street parking.

5.1.3.4 In all districts except RO, no accessory use shall occupy any part of the required minimum yard **setback** adjacent to RO and RG districts.

5.1.4 Density Requirements for Religious and Educational Uses and Child Care Facilities

In RO and RG districts, churches or educational uses and their related facilities shall be subject only to: the required front, side and rear minimum yards **setback** and minimum lot frontage as required in RO districts; to a twenty-five (25) percent maximum aggregate building to ground area percentage; to the parking regulations as provided in Article VII; and to Site Plan approval as provided by Sections 9.3.0 through 9.3.6.

SECTION 5.2.0 DENSITY REGULATION SCHEDULE:

No building or structure shall be constructed nor shall any existing building or structure be enlarged or altered except in conformance with the Density Regulation Schedule, as to lot coverage, lot area, land area per dwelling unit, lot width, front, side and rear setbacks, and maximum height of structures except as may otherwise be provided elsewhere herein.⁴

	RO	RC	RC	BN	BL	BG	BT	IG	I	IR	MCMOD	MIX
Minimum Lot Area ⁹	20,000 sf	120,000 sf	100,000 sf	5,000 sf	10,000 sf	10,000 sf	10,000 sf	40,000 sf	120,000 sf	18 Acres	None	
Minimum Lot Frontage	100 ft	100 ft	100 ft	50 ft	100 ft	100 ft	100 ft	150 ft	100 ft	400 ft	None	
Minimum Front Yard Setback	25 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	15 ft ⁵	15 ft ⁵	25 ft ⁵	25 ft ⁵	100 ft	25 ft	
Minimum Side Yard Setback	15 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	100 ft	15 ft					
Minimum Rear Yard Setback	15 ft	50 ft	25 ft	10 ft ⁵	15 ft ⁵	100 ft	15 ft					
Minimum Lot Width	20 ft	20 ft	20 ft	N/A	N/A	N/A	N/A	N/A	N/A	N/A	None	
Minimum Yard Adjoining RO & RG, OS and Residentially Zoned Land in Contiguous Municipalities ¹⁰	None	50 ft	50 ft depth of lot	20% depth of lot ⁶	100 ft depth of lot	20% depth of lot ⁶	None					
Maximum Aggregate Building-to-Ground Area Percentage	None	25%	25%	33 1/3%	33 1/3%	33 1/3%	33 1/3%	25%	25%	25%		
Maximum Building & Structure Height ¹¹	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft ⁸	30 ft ⁷	30 ft ⁸	35 ft ¹³	
								80 ft ⁸	90 ft ^{7,12}	80 ft ⁸		
Minimum Feet Between Buildings	None	50 ft	20 ft	None	None	None	None	None	50 ft	None	None	
Maximum Floor Area Ratio (FAR)	None	None	None	None	None	None	None	.15 ^{2,3}	.15 ^{2,3}	None	None	

SEE ARTICLE XIV

See notes for Density Regulation Table immediately following

NOTES FOR DENSITY REGULATION TABLE

- 1 but not less than required by the State Building Code
- 2 Except that the Planning Board pursuant to a "Site Plan" or "Special Permit" as described in Section 9.2.0 and 9.3.0 of Article IX, may permit the Maximum Floor Area Ratio (FAR) to increase to .25 if such application or applications meets the performance criteria specified in Section 5.1.5.1 of Article V and further may permit the Maximum Floor Area Ratio (FAR) to increase to .50 if such application or applications meets the performance criteria specified in Section 5.1.5.2 of Article V.
- 3 The Net Floor Area of any structure or building in which a child care facility is to be operated as an accessory or incidental use shall be excluded from the Maximum Floor Area Ratio (FAR) calculation, such that the otherwise allowable FAR of such structure or building shall be increased by an amount equal to the floor area of such child care facility up to a maximum increase of ten (10%) percent. All terms and conditions of M.G.L. Chapter 40A, Section 9 (C) shall apply.
- 4 Reference Section 8.5.5 for additional criteria applicable to the CC and CBD Districts.
- 5 Unless its outside walls are of fireproof construction and any openings in such walls are protected by a suitable fire resistive door or shutter or water curtain device, subject to the approval of the Inspector of Buildings. There shall extend across the rear of every building or structure an open area at least 10 feet wide for firefighting purposes.
- 6 20% of the average depth of the lot measured perpendicularly from the common lot boundary line but not less than 10 feet and not more than 100 feet. Not less than 75% shall be landscaped or, if wooded, left in a natural state. Screening may be placed on the remaining 25%.
- 7 Within 200 feet of RO or RG 30 feet; for each 100 feet in excess of 200 feet from RO or RG 15 additional feet, with a maximum of 90 feet, except that no structure located within 1,800 feet of the center point of the intersection of Cambridge Street and Route 128 shall exceed 80 feet in height.
- 8 Same as I except maximum equals 80 feet.
- 9 Land use principally for a coordinated, integrated retail or industrial use (for example, a shopping center or an industrial park) shall be deemed to be one lot for density regulation and parking purposes notwithstanding that legal ownership in the land is divided, by lease, in fee or otherwise, among two or more owners.
- 10 For any proposed use in the Business or Industrial Districts on property that is adjacent to an Open Space or primarily residential Planned Development District, which requires a special permit as set forth in the Principal Use Regulation Schedule, the Planning Board may require a greater setback (in feet) than is set forth in this Density Regulation Schedule.

If the useable square feet of residential space plus the useable square feet of any amenities useable by occupants of the residential component are equal to or more than the useable square feet of non-residential space, then the entire development shall be considered "primarily residential"

- 11 Within 50 feet of OS 30 feet.
- 12 Within 400 feet of an RO or RG use or residentially-zoned land in a contiguous municipality, Structured Parking directly under the finished floor area of a building to a maximum of one level of parking use above the average finished grade around the building can be excluded when calculating structure height.

Beyond 400 feet of an RO or RG use or residentially-zoned land in a contiguous municipality, Structured Parking directly under the finished floor area of a building to a maximum of two levels of parking use above the average finished grade around the building can be excluded when calculating structure height.

The equivalent footprint of the parking footprint under the finished floor area of a building shall be set aside as green space unless, through a finding by the Planning Board pursuant to a "Site Plan" or "Special Permit" as described in Section 9.2.0 and 9.3.0 of Article IX, they determine an alternative public benefit.

- 13 Reference Section 8.6.0 for additional criteria applicable to the MCMOD District

SECTION 6.1.2 NON-CONFORMING STRUCTURES AND PREMISES

6.1.2 Nonconforming Structures and Premises.

6.1.2.1 The Planning Board may issue a special permit to allow for the reconstruction, extension, or alteration, of a nonconforming structure or premises in accordance with this section only if it determines that such reconstruction, extension or alteration is not substantially more detrimental than the existing nonconforming structure to the premises, neighborhood and environment. The following including but not limited to types of changes to nonconforming structures may be considered by the Planning Board:

1. Reconstruction, extension or structural change of a nonconforming structure, including an increase to existing nonconformity, which does not create a new nonconformity. Each side yard setback shall be considered separately in the determination of the nature of the nonconformity.
2. Extension of an exterior wall at or along the same nonconforming distance within a required yard **setback**.

SECTION 10.1.0 ADDITIONAL REGULATIONS FOR HOME OCCUPATIONS

An occupation conducted in a dwelling unit, provided that:

- (d) No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and ~~other than in a required front yard~~ **outside of the required front yard setback**.

SECTION 11.6.0 OPEN SPACE RESIDENTIAL DEVELOPMENT

11.6.4 Minimum Dimensional Requirements

- (c) Every single family detached dwelling is placed upon a lot with the height, frontage, side and rear yard **setback** requirements in accordance with the requirements of Table 11.6.8. ~~Dimensional Requirements Open Space Residential.~~ **Open Space Residential Dimensional Requirements.**

, or to act in any other manner in relation thereto.

Requested by the Zoning Bylaw Review Committee

Passed Failed Other

FINANCIAL ARTICLES

ARTICLE NUMBER - 3

ARTICLE NAME – TRANSFER FROM FREE CASH TO WATER STABILIZATION FUND

AMOUNT - \$2,375,037

To see if the Town will vote to transfer from Free Cash the sum of \$2,375,037 to the Water Stabilization Fund, or to act in any other manner in relation thereto.

Requested by the Town Administrator

Passed Failed Other

ARTICLE NUMBER - 4

ARTICLE NAME – TRANSFER FROM FREE CASH TO WAYS AND MEANS RESERVE FUND

AMOUNT - \$100,000

To see if the Town will vote to transfer from Free Cash to the FY2026 budget line item 86 - Reserve Fund, the sum of \$100,000, or to act in any other manner in relation thereto.

Requested by the Town Administrator

Passed Failed Other

ARTICLE NUMBER - 5

ARTICLE NAME – AUTHORIZE TRANSPORTATION INFRASTRUCTURE FUNDS

AMOUNT - \$43,148.40

To see if the Town authorize the sum of \$43,148.40 to be spent from the 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.

Requested by the Town Administrator

Passed Failed Other

FINANCIAL ARTICLES

ARTICLE NUMBER - 6

**ARTICLE NAME – FUND BURLINGTON INTERNATIONAL FIREFIGHTERS’
ASSOCIATION CONTRACT**

AMOUNT - TBD

To see if the Town will vote to transfer from FY2026 Negotiated Settlement Account a sum of money for the purpose of funding the FY2026 amount approved Collective Bargaining Agreement between the Town of Burlington and the Burlington International Firefighters’ Association for FY2026, FY2027, and FY2028, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

Requested by the Town Administrator

Passed Failed Other

ARTICLE NUMBER - 7

**ARTICLE NAME – GOVERNMENT REVIEW COMMITTEE SURVEY EXPENSES
AMOUNT - \$20,000**

To see if the Town will vote transfer from available funds the sum of \$20,000 or any other sum for the purpose of funding expenses related to the Government Review Committee’s community survey, resident engagement, postal costs, and any other expenses for the furtherance of the Committee’s work, or to act in any other manner in relation thereto.

Requested by the Burlington Government Review Committee

Passed Failed Other

FINANCIAL ARTICLES

ARTICLE NUMBER - 8

**ARTICLE NAME – REPURPOSE PREVIOUSLY APPROVED FUND TO THE
OVERLOOK PARK PROJECT**

AMOUNT - \$250,000

To see if the Town will vote to re-purpose \$250,000 of previously authorized funds appropriated within Article 4, the FY2026 Capital Improvement Program, for the Town Common Bandstand and Walkway Renovations, and instead authorize those funds to be used as part of the Overlook Park Project, or to act in any other manner in relation thereto.

Requested by the Town Administrator

Passed Failed Other

ARTICLE NUMBER - 9

ARTICLE NAME – RECREATION SENSORY TRAILER

AMOUNT - \$25,000

To see if the Town will transfer from Free Cash the sum of \$25,000, for the purchase of a sensory trailer, same to be expended under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

Requested by the Recreation Commission

Passed Failed Other

GENERAL ARTICLES

ARTICLE NUMBER – 10

ARTICLE NAME – SEWER EASEMENT RELEASE

AMOUNT – N/A

To see if the Town will authorize the Select Board to change the use of the easement shown as "20' Sewer Easement" shown on a plan of land entitled "Plan of Easement in Burlington, Mass. Burlington Water and Sewer District" dated March 3, 1967, prepared by Whitman & Howard and recorded in the Middlesex South Registry of Deeds in Book 11314, Page 164, to land for disposition and thereafter authorize the Select Board to terminate or otherwise dispose of same and to authorize the Select Board to enter into and negotiate all necessary documents as the Select Board deems appropriate, in order to effectuate the change of use of said easement, or take any action relative thereto.

Requested by the Town Administrator

Passed Failed Other

ARTICLE NUMBER - 11

ARTICLE NAME – DISPOSITION/SALE OF SURPLUS TOWN PROPERTY

AMOUNT – N/A

To see if the Town will vote to transfer the care, custody, management and control of the land and buildings and land identified on the Town's Assessor's Maps as Map 34, Parcel 31, (0 Polk Street) for the purposes of selling such real property and the buildings thereon, which has been deemed land of a low value and surplus town property, and authorize the Select Board, or their duly appointed designee, to sell of the above-described property, or a portion of the above-described property in the best interests of the town and execute any documents required to effectuate same, or take any action related thereto.

Requested by the Town Administrator

Passed Failed Other

GENERAL BYLAW ARTICLES

ARTICLE NUMBER – 12

ARTICLE NAME – AMEND GENERAL BYLAW ARTICLE XIII, PUBLIC SAFETY, PROHIBITION OF CRYPTOCURRENCY AUTOMATED TELLER MACHINES

AMOUNT – N/A

To see if the Town will vote to amend the General Bylaws Article XIII to include the following language:

10.0 Prohibition on Cryptocurrency Automated Teller Machines (ATMs)

10.1 Purpose and Intent

The Town, acting upon reports of the Burlington Police Department, finds that unregulated cryptocurrency Automated Teller Machines (ATMs) pose risks to consumers, including financial fraud, money laundering, and lack of recourse for users. Virtual currency ATMs are able to convert currency into virtual currency instantaneously and irreversibly, which exposes the most vulnerable of our citizens to unnecessary risk. The Town further finds that the current absence of sufficient federal and state consumer protections and regulatory oversight for such devices necessitates a municipal prohibition to safeguard residents and preserve public safety. The purpose of this article is to prohibit the use of Cryptocurrency ATMs within the Town in an effort to protect our citizens.

10.2 Definitions

For purposes of this Bylaw, the following terms shall have the meanings indicated:

(a) **Cryptocurrency:** A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, LiteCoin, Ripple, ZCash, Ethereum, and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.

(b) **Cryptocurrency Automated Teller Machine (Cryptocurrency ATM):** Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine using cash, debit card, credit card, or other means of payment.

10.3 Prohibition of Cryptocurrency Automated Teller Machines

No person, business, or entity shall install, operate, maintain, or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the Town of Burlington. All Cryptocurrency ATMs existing in the Town of Burlington as of the Effective Date of this Bylaw must be removed within sixty (60) days after the Effective Date.

10.4 Enforcement and Penalties

This Bylaw shall be enforced by the Burlington Police Department, the Building Department or any other authorized designated agent of the Town Administrator.

Any person or entity found to be in violation of this bylaw shall be subject to a fine of three hundred dollars (\$300.00) per day, per device, enforceable under the non-criminal disposition pursuant to G.L. c. 40, § 21D.

Each day during which a violation continues shall constitute a separate offense.

10.5 Severability

If any provision of this ordinance is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect, or to act in any other manner in relation thereto.

Requested by the Burlington Police Department

Passed Failed Other

ARTICLE NUMBER - 13

ARTICLE NAME – AMEND BYLAW ARTICLE ONE TO LIMIT REPEAT ARTICLES

AMOUNT – N/A

To see if the Town will vote to amend Article I of the Town of Burlington General bylaws by adding a new Section 1.2 as follows:

1.2 No proposed General Bylaw which has been unfavorably acted upon by Town Meeting shall be considered by Town Meeting within one year after the date of such unfavorable action, unless such proposed General Bylaw contains substantive and/or material changes, and is recommended to be resubmitted to Town Meeting by a majority vote of both the General Bylaw Review Committee and the Select Board.

, or act in any other manner in relation thereto.

Requested by the General Bylaw Review Committee

Passed Failed Other

And you are directed to serve this Warrant by posting attested copies thereof at the Town Hall and in at least three other public places in the Town at least 14 days before the time of said meeting.

Hereof fail not and make return of this Warrant with your doings thereon at the time and place of said meeting. Given under our hands this 15th day in December in the year Two Thousand Twenty Five

SELECT BOARD of Burlington

Michael Espejo, Chair

James Tigges, Vice Chair

Joseph Morandi, Member

Nicholas Priest, Member

Sarah Cawley, Member

A true copy

Attest:

Constable

I have served this Warrant by posting attested printed copies thereof at the Town Hall and three other places in Town.

Constable

, 2026

Month and Day