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TOWN OF BURLINGTON
ZONING BYLAW REVIEW COMMITTEE (ZBRC) MINUTES
July 9, 2025

Zoning Bylaw Review Committee called to order at 6:30 PM via Zoom.

Voting Members Present: Ernie Covino, Jeff DiBona, Betsey Hughes, Alex Rutfield, Sally Willard, Cathy Beyer

Voting Members Absent: Mark Smukler, Mark Donahue

Non-Voting Members Present: Marty Allan, Joe Impemba

Non-Voting Members Absent: Mark Dupell

Also Present: Liz Bonventre, Todd Freemont-Smith, Robert Buckley, Esq.

1. **Betsey called the meeting to order at 6:30 p.m.** Quorum was established.
2. **Introduction of new members**
 - a. Mark Smukler
3. **Announced that the Attorney General approved all but the Signage and ADU articles from January.**
 - a. Asked for more time to review those. Jennifer Priest will advise.
4. **September Warrant Article Review and Discussion**
 - a. Amend Article VIII. Section 8.6.0 MBTA Communities Multi-Family Overlay District – article
 - i. Todd Fremont-Smith, Nordblom and Bob Buckley were in attendance for this agenda item.
 - ii. Nordblom made all of the requested changes from our prior meeting to their article to amend Article 8 8.6.0 MBTA Communities Multi-Family Overlay district. As the Planning Board will not close the hearing until Aug 8, ZBRC will defer voting on the matter until our August 13 meeting.
 - iii. Todd said that the first stepback is 44' and that the second stepback is 58'.
 - iv. Todd agreed to distribute documents after the meeting.
 - v. The Planning Board will have a special meeting on August 7 at which time they will close the public hearing and make a recommendation. It was agreed to await the outcome of the Planning Board process before the ZBRC votes on this matter.
 - vi. **Motion:** To defer the vote until the ZBRC August meeting by Sally. Seconded by Cathy. Voted 6-0-0:
 - b. ZBRC Amendment DRAFT – Definitions
 - i. Betsey said that she made edits based on feedback from the last meeting. The references used for definitions was the Planner's dictionary as well as language from the zoning bylaw.
 - ii. There was a discussion on building height in that building height should be measured from the ground at pre-construction.
 - iii. Ernie inquired about how to measure height if a sloped lot were filled. It was stated that such a situation may qualify for a variance. Jeff said that this is outside of the purview of the ZBRC. Sally agreed. Alex disagreed.
 - iv. Sally said mean finished grade is what is existing at permit application.



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v. Jeff said that this is a building code issue.

Motion: To remove Section 2.19 'Building Height' out of the proposed Article II definitions by Jeff. Seconded by Betsey. Voted 6-0-0.

vi. The definition of structure was obtained in the Planner's Dictionary.

vii. Ernie inquired if a setback is measured from a structure or a part of a structure. Marty indicated that it is measured from a structure.

Motion: To accept the article as revised Article II by Cathy. Seconded by Sally. Voted 5-0-1: Aye: Ernie, Cathy, Sally, Alex, Betsey Abstain: Jeff.

viii. Betsey said that she would revise the proposed article and forward it to Liz for inclusion on the Planning Board's July 14 meeting agenda.

5. Approval of June Meeting Minutes

a. **Motion:** To accept the minutes of the June meeting as amended by Sally. Seconded by Jeff. Voted 4-0-2: ; Aye: Sally, Alex, Jeff, Betsey, Abstain: Ernie. Cathy.

6. Business Representative Opening discussion

a. Betsey said that the ZBRC needs a member from business.

b. Jeff said that he has someone in mind to ask.

7. Jennifer Priest has a new version of open meeting rules which have changed.

a. All ZBRC members need to sign a certification form to attest to their having read the updated law.

8. Adjournment

i. **Motion:** To adjourn at 8:30. by Sally. Seconded by Jeff. Voted 6-0-0.

The next meeting of the ZBRC will take place on August 13, 2025 at 6:30 p.m.

Documents Referenced:

*Respectfully Submitted,
Michelle R. Blanchette, Recording Clerk 7/16/2025*