

WARRANT

Burlington Town Meeting



September 27, 2021
7:30 P.M.

Burlington, MA
Burlington High School
Fogelberg Auditorium
and Virtual via WebEx

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BURLINGTON TOWN MEETING
MONDAY
SEPTEMBER 27, 2021**

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**WARRANT
BURLINGTON TOWN MEETING
MONDAY
SEPTEMBER 27, 2021
7:30 P.M.**

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 at the Burlington High School, Fogelberg Auditorium and virtual via WebEx, in said Town, Monday, the 27th of September 2021 at seven-thirty o'clock in the evening then and there to act on the following articles of the warrant.

GENERAL ARTICLES

ARTICLE #1

RE: Reports of Town Officers & Committees

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

Submitted by the Select Board at the request
of the Rules Committee

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE # 2

RE: Annual Town Election Date

To see if the Town will vote to set the Annual Town Election for April 9, 2022; or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

FINANCIAL ARTICLES - Continued

ARTICLE #3

RE: Will of Marshall Simonds

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds an amount of \$65,656.54, for the improvement of Simonds Park, same to be expended under the direction of the Recreation Commissioners; or to act in any other manner in relation thereto.

Amount: \$65,656.54

Submitted by the Select Board at
Request of the Recreation Commissioners

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #4

RE: Amend the FY22 Operating Budget

To see if the Town will vote to amend Article 3 of the June 2021 Annual Town Meeting, “Fund FY2022 Operating Budget”, by adjusting the amount appropriated in various lines by a sum of money; or to act in any other manner in relation thereto.

Amount: \$500,000

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #5

**RE: Francis Wyman Sewer Forcemain
Reconstruction**

To see if the Town will vote to borrow, transfer from available funds, or otherwise provide the sum of \$4,000,000 for the purpose of paying costs for Reconstruction of the Force Main at the Francis Wyman Sewer Pumping Station, and costs incidental or related thereto, same to be spent under the direction of the Town Administrator; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow \$4,000,000 pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes therefor; and further, that any premium received by the Town 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or to act in any other manner in relation thereto.

Amount: \$4,000,000

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

FINANCIAL ARTICLES - Continued

ARTICLE #6

RE: Mill Pond PFAS Filter Addition

To see if the Town will vote to borrow, transfer from available funds, or otherwise provide the sum of \$15,000,000 for the purpose of funding the construction of, and paying costs for designing, constructing, programming and configuration of Mill Pond PFAS Filter Addition and costs incidental or related thereto, same to be spent under the direction of the Town Administrator; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow \$15,000,000 pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes therefor; and further, that any premium received by the Town 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or to act in any other manner in relation thereto.

Amount: \$15,000,000

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #7

RE: Transfer from Affordable Housing Fund – Affordable Housing Needs Assessment

To see if the Town will vote to transfer from the affordable housing fund or otherwise provide the sum of \$30,000 or any other sum to fund consulting services for an affordable housing needs assessment, same to be spent under the direction of the Town Administrator and the Housing Partnership, or to act in any other manner in relation thereto.

Amount: \$30,000

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #8

RE: Fund Appellate Tax Board Decision

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of \$TBD to cover the cost of interest calculated on property tax abatements; or to act in any other manner in relation thereto.

Amount: \$TBD

Submitted by the Select Board at the request of the Town Treasurer-Collector

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

FINANCIAL ARTICLES - Continued

ARTICLE #9

RE: Phase 2A MWRA Water Connection

This is a house keeping measure requested by Bond Counsel – Originally voted in January 25, 2021

ACTION: Passed; 85 FOR; 5 AGAINST

To see if the Town will affirm their vote of Article 8 of the January 25, 2021 Town Meeting that the Town will appropriate \$9,900,000, to be expended under the direction of the Town Administrator, to pay costs of water connection construction under Phase 2A and MWRA entrance fees, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §8, or any other enabling authority, and to issue bonds or notes of the Town therefor. All or any portion of this borrowing may be undertaken through the Massachusetts Water Resources Authority's Loan Program ("MWRA"). The Treasurer, the Town Administrator, and the Select Board are authorized to execute and deliver any and all documents and agreements that may be required by the MWRA in connection with any borrowing through the MWRA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such 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 M.G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or to act in any other manner in relation thereto.

Amount: \$ 9,900,000.00

Submitted by the Select Board at the request of
the Town Clerk and Treasurer-Collector

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL ARTICLES - Continued

ARTICLE #10

RE: Home Rule Petition to Amend Chapter 686 of the Acts of 1970, as Amended

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Great and General Court amending Chapter 686 of the Acts of 1970, as amended by Chapter 549 of the Acts of 1978, Chapter 469 of the Acts of 1986, Chapter 160 of the Acts of 1993, Chapter 133 of the Acts of 2011 and Chapter 106 of the Acts of 2017, to amend Section 4.0 to be:

SECTION 4. There shall be a total of eighteen (18) Town Meeting Members elected from each precinct. When a new precinct is added, the six (6) candidates who receive the highest number of votes shall be declared elected to a three-year term. The six (6) candidates in the precinct who receive the next highest number of votes shall be declared elected to a two-year term. The six (6) candidates who receive the next highest number of votes shall be declared elected to a one-year term. Thereafter, all such Town Meeting Members shall be elected to three (3) year terms.

In the event of a tie vote for the office of Town Meeting Member, the Town Clerk shall, within seven days of the election, call together at a convenient place, all the representative Town Meeting Members from the precinct in which the tie vote occurs and the candidates for that office who are affected by such tie. Under the supervision of the Town Clerk, any such ties shall be resolved by ballots cast by the elected precinct Town Meeting Members present.

A town meeting member who is removed by a revision of precincts from the precinct from which the member was elected shall not retain membership after the next annual election as an elected member from the precinct from which the member has been removed. The term of a town meeting member who is not removed by a revision of precincts from the precinct from which the member was elected shall not be affected by the revision.

or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL ARTICLES - Continued

ARTICLE #11

RE: 117 South Bedford Street

To see if the Town will authorize the Select Board to sell, convey and otherwise transfer, the property and structure(s) thereon, located at 117 South Bedford Street for the purpose of providing affordable housing and to determine in their judgment, the best method to effectuate same and to authorize the Board to enter into any and all agreements needed to complete said sale including but not limited to an affordable housing deed restriction, and further that any funds received for the sale of said property be transferred into the affordable housing fund; or take any action related thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #12

RE: Affordable Housing Trust

To see if the Town will vote to accept G.L. c. 44 section 55C and amend the Town of Burlington General Bylaws by adding a new Article XV entitled Affordable Housing as follows:

Article XV – Affordable Housing

1.0 Affordable Housing Trust

1.1 Name of the Trust: The trust shall be called the “Town of Burlington Affordable Housing Trust Fund.”

1.2. Purpose: The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Burlington for the benefit of low and moderate income households. In furtherance of this purpose, the Trustees are hereby authorized, in accordance with the procedures set forth herein, to acquire by gift, purchase or otherwise real property, personal property, or money, both tangible and intangible, of every sort and description; to use such property, both real and personal, and money in such manner as the Trustees shall deem most appropriate to carry out such purpose, provided however, that all property and money held by the Trust and the net earnings thereof shall be used exclusively for the preservation and creation in the Town of Burlington of affordable housing for the purposes for which this Trust was formed.

1.3. Board of Trustees: There shall be a board of trustees of the Burlington Affordable Housing Trust Fund, in this section called the board, which shall include five (5) Trustees, including two (2) members of the Select Board, with the Trustees to be appointed by the Select Board. Trustees shall serve for a term not to exceed two years. A quorum is to be three (3) authorized trustees of the board. Only persons who are residents of the Town of Burlington shall be eligible to hold the office of Trustee. Trustees shall serve for a term of two years, except that two of the initial trustee appointments shall be for a term of one year, and may be re-appointed at the discretion of the Select Board. Any Trustee who ceases to be a resident of the Town of Burlington shall cease to be a

Trustee hereunder and shall promptly provide a written notification of the change in residence to the Board and to the Town Clerk. Any Trustee may resign by written instrument, signed and acknowledged by such Trustee and duly filed with the Town Clerk. If a Trustee shall die, resign, or for any other reason cease to be a Trustee hereunder before his/her term of office expires, a successor shall be appointed by the Select Board to fill such vacancy provided that in each case the said appointment and acceptance in writing by the Trustee so appointed is filed with the Town Clerk. Upon the appointment of any succeeding Trustee and the filing of such appointment the title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees. Reference to the Trustee shall mean the Trustee or Trustees for the time being hereunder.

1.4. Meetings of the Trust: The Trust shall meet at least quarterly at such time and at such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, G.L. Chapter 39, Sections 23A, 23B and 23C. A quorum at any meeting shall be a majority of the Trustees, qualified and present in person.

1.5. Powers of Trustees: The powers of the board of trustees, all of which shall be carried on in furtherance of the purposes set forth in G. L. c.44 section 55C, shall include the following:

1.5.1 To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any ordinance or by-law or any general or special law or any other source, including money from G. L. c. 44B; provided, however, that any such money received from G.L. c. 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the trust, and such funds shall be accounted for separately by the trust; and provided further, that at the end of each fiscal year, the trust shall ensure that all expenditures of funds received from said chapter 44B are reported to the community preservation committee of the city or town for inclusion in the community preservation initiatives report, form CP-3, to the department of revenue;

1.5.2 To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

1.5.3 To sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

1.5.4 To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

1.5.5 To employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

1.5.6 To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

1.5.7 To apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

1.5.8 To participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

1.5.9 To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

1.5.10 To carry property for accounting purposes other than acquisition date values;

1.5.11 To borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

1.5.12 To make distributions or divisions of principal in kind;

1.5.13 To comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

1.5.14 To manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

1.5.15 To hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

1.5.16 To extend the time for payment of any obligation to the trust; and

1.5.17 To adopt rules and regulations from time to time not inconsistent with this bylaw or G.L. c. 44 sec 55C.

1.6. Acts of Trustees: A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may vote to allow the Chair to execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

1.7. Liability: Neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town, except in the manner specifically authorized herein. The Trust is public employer and the Trustees are public employees for the purposes of G.L. Chapter 258. The Trust shall be deemed a municipal agency and the Trustees special municipal employees for the purposes of G.L. Chapter 268A.

1.8. Custodian of Funds: The Town Treasurer shall be the custodian of the funds of the Trust. The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities.

1.9. Duration of the Trust: This Trust shall be of indefinite duration, until terminated in accordance with applicable law. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

1.10. Titles: The title to the various Articles herein are for convenience only and are not to be considered part of said Articles nor shall they affect the meaning or the language of any such Article.

or take any other action related thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL BYLAW ARTICLES

ARTICLE #13

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 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 M.G.L. Section 40B, Sections 20-23 projects or other housing laws and regulations, the Select Board shall hold a public hearing. The Select Board shall vote on the matter at a subsequent meeting.

1.14.1 Public Hearing: Notice of the public hearing shall be advertised in a local newspaper and on the Town website not less than twenty-one (21) days prior to the scheduled date of the hearing and shall include the date, time, place and purpose of the hearing and a description of the residential project(s) under consideration.

1.14.2 Notifications: Details of the housing project(s) provided to the Select Board shall be sent to the Town Clerk and to all Town officers; the Town Meeting Moderator; the Building, Planning, and Conservation Departments; the Housing Partnership; the Town Meeting Land Use and Zoning Bylaws Review Committees; and town public safety agencies as soon as practicable.

1.14.3 Vote: A vote of the Select Board to approve or disapprove the housing project(s) shall be taken at a meeting of the Select Board not less than five (5) days subsequent to the public hearing. The vote shall be recorded and filed with the Town Clerk.

or to act in any other manner in relation thereto.

Submitted by the Land Use Committee of Town Meeting

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL BYLAW ARTICLES - Continued

ARTICLE #14

RE: Amending the General Bylaws –Article II

To see if the Town will vote to amend Article 2, Section 2.0 Town Meeting Members, paragraph 5 as follows:

~~At the annual town election of 2012 t~~There shall be a total of eighteen (18) Town Meeting Members elected from ~~each precinct. the newly created 7th precinct.~~ **When a new precinct is added, t**The six (6) candidates who receive the highest number of votes shall be declared elected to a three-year term. The six (6) candidates in the precinct who receive the next highest number of votes shall be declared elected to a two-year term. The six (6) candidates who receive the next highest number of votes shall be declared elected to a one-year term. Thereafter, all such Town Meeting Members shall be elected to three (3) year terms.

In the event of a tie vote for the office of Town Meeting Member, **the Town Clerk shall, within seven days of the election, call together at a convenient place, all the representative Town Meeting Members from the precinct in which the tie vote occurs and the candidates for that office who are affected by such tie. Under the supervision of the Town Clerk,** any such ties shall be resolved by ballots cast by the elected precinct Town Meeting Members present.

or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL BYLAW ARTICLES - Continued

ARTICLE #15

RE: General Bylaw Housekeeping Amendment

To see if the Town will vote to amend the General Bylaws, Article XIV, Section 6.0 Erosion and Sedimentation Control as follows: (highlighted in RED)

Correction the numbering of sections:

- 6.14.1 Pre-construction Meeting to **6.15.1 Pre-construction Meeting**
- 6.14.2 Commission/Board Inspections to **6.15.2 Commission/Board Inspections**
- 6.14.2.1 to **6.15.2.1** . . .
- 6.14.2.2 to **6.15.2.2** . . .
- 6.14.3 Permittee Self-Inspections to **6.15.3 Permittee Self-Inspections**
- 6.14.4 Access Permission to **6.15.4 Access Permission**

- 6.15 Surety to **6.16 Surety**

- 6.16 Final Reports to **6.17 Final Reports**

- 6.17 Enforcement to **6.18 Enforcement**
- 6.17.1 Orders to **6.18.1 Orders**
- 6.17.1.1 to **6.18.1.1** . . .
- 6.17.1.2 to **6.18.1.2** . . .
- 6.17.2 Criminal Penalty to **6.18.2 Criminal Penalty**
- 6.17.3 Non-Criminal Disposition to **6.18.3 Non-Criminal Disposition**
- 6.17.4 Appeals to **6.18.4 Appeals**
- 6.17.5 Remedies Not Exclusive to **6.18.5 Remedies Not Exclusive**

- 6.18 Certificate of Completion to **6.19 Certificate of Completion**

- 6.19 Severability to **6.20 Severability**

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of the Town Clerk, the Conservation Commission and the Bylaw Review Committee

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL BYLAW ARTICLES - Continued

ARTICLE #16

**RE: Amendment to the Town General Bylaws –
Article II, Section 1.2 - Warrants**

To see if the Town will vote to add a new paragraph (1.2.3) between the paragraphs 2 and 3 of Article II, Section 1.2 – Warrants and add numbering to the paragraphs as follows:

1.2 Warrants

1.2.1 Warrants for Town Meeting sessions shall be issued by the Select Board to the Town Meeting Members, Moderator and Town Clerk, and a copy shall be posted on the Town Bulletin Board at least fourteen (14) days before the meeting is to convene. The Select Board shall include in the warrant all subjects which are requested of them in writing by any elected Town Meeting Member, the Moderator, the School Committee, or any other person authorized by State Statute or Town Bylaw.

1.2.2 The date by which the Select Board shall receive Zoning articles, by petition or otherwise, for inclusion in the warrant for Town Meeting shall be no later than ninety (90) days before the meeting notwithstanding the provisions of Chapter 686 of the Acts of 1970, Section 12(a) relating to Special Town Meetings. Pursuant to MGL Chapter 40A, Section 5, The Select Board shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the Planning Board for review. No zoning ordinance or by-law or amendment thereto shall be adopted until after the Planning Board has held a public hearing, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the Planning Board. No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by the Planning Board. The Select Board is not prohibited from inserting in the warrant, after that date, articles which, in the Board’s opinion, are of such importance to the welfare of the Town as to make their consideration at such meeting necessary or desirable.

1.2.3 The date by which the Select Board shall receive General By-law articles, by petition or otherwise, for inclusion in the warrant for Town Meeting shall be no later than ninety (90) days before the meeting notwithstanding the provisions of Chapter 686 of the Acts of 1970, Section 12(a) relating to Special Town Meetings. The Select Board is not prohibited from inserting in the warrant, after that date, articles which, in the Board’s opinion, are of such importance to the welfare of the Town as to make their consideration at such meeting necessary or desirable.

1.2.4 The date by which the Select Board shall receive all other articles, by petition or otherwise, for inclusion in the warrant for Town Meeting shall be no later than forty-five days before the meeting notwithstanding the provisions of Chapter 686 of the Acts of 1970, Section 12(a) relating to Special Town Meetings. The Select Board are not prohibited from inserting in the warrant, after that date, articles which, in the Board’s opinion, are of such importance to the welfare of the Town as to make their consideration at such meeting necessary or desirable.
or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

GENERAL BYLAW ARTICLES- Continued

ARTICLE #17

**RE: Amendment to the Town General Bylaws --
Rename the Bylaw Review Committee**

To see if the Town will vote to amend the Burlington General Bylaws as follows:

- Table of Contents, Article V, Section 2.0 – Moderator Appointments, 2.3 – Change the title to General Bylaw Review Committee;
- Article I, Section 1.0, § 1.1 – Change in each place that the Bylaw Review Committee is named, to General Bylaw Review Committee; and
- Article 5, Section 2.0 – Change in each place that the Bylaw Review Committee is named, to General Bylaw Review Committee.

or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ZONING ARTICLES

ARTICLE #18

**RE: An Act Relative to Changing the
Name of the High-Rise Industrial (IH)
District to the Innovation (I) District
in the Town of Burlington**

To see if the Town will vote to amend the Town of Burlington Zoning Bylaws and Zoning Map by deleting the words “High-Rise Industrial” each time it appears in said bylaws and inserting the words “Innovation” in place thereof, and further, deleting the word “(IH)” each time it appears and inserting in place thereof the term “I” or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
the Planning Board

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #19

**RE: Amend Zoning Map and Rezone Property to the
High-Rise Industrial (IH) District**

To see if the Town will vote to amend the Zoning Map of the Town of Burlington to rezone certain property located at:

- 1 Rounder Way, said land is further identified as being the parcel as shown generally on the Town of Burlington Assessor’s Map 52 Parcel 5-0. To rezone from the General Industrial (IG) District to the **High-Rise Industrial (IH) District**, consisting of approximately 3.50 acres.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
David Reinfeld, Plover Capital, LLC and
Lou Frate, Nils Anthony, LLC

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ZONING ARTICLES - Continued

ARTICLE #20

RE: Amend Zoning Map and Rezone Property to the High Rise Industrial (IH) District

Life Science Cluster “D-1”

To see if the Town will vote to amend the Zoning Map of the Town of Burlington to rezone certain property located at:

- 1 Wall Street, said land is further identified as being the parcel as shown generally on the Town of Burlington Assessor’s Map 48 Parcel 37-2. To rezone portion of parcel from the General Industrial (IG) District and the General Business (BG) District to the High Rise Industrial (IH) District, specifically excluding the portion of parcel in the Planned Development (PD) District, consisting of approximately 6.0 acres, and
- 20 Wall Street said land is further identified as being the parcel as shown generally on the Town of Burlington Assessor’s Map 48 Parcel 37-3. To rezone from the General Business (BG) District to the High Rise Industrial (IH) District, consisting of approximately 2.9 acres,

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of the Gutierrez Company

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE #21

RE: Amend Zoning Map and Rezone Property to the High Rise Industrial (IH) District

Life Science Cluster “D-2”

To see if the Town will vote to amend the Zoning Map of the Town of Burlington to rezone certain property located at:

- 2 Wall Street, said land is further identified as being the parcel as shown generally on the Town of Burlington Assessor’s Map 48 Parcel 37-0. To rezone portion of parcel from the General Industrial (IG) District and the General Business (BG) District to the High Rise Industrial (IH) District, specifically excluding the southerly portion of the parcel containing the existing building, patio and entrance, consisting of approximately 1.0 acre, as shown as Parcel 13-A on a plan entitled Wall Street – Proposed Life Science Cluster, dated August 26, 2021, and
- 10 Wall Street said land is further identified as being the parcel as shown generally on the Town of Burlington Assessor’s Map 48 Parcel 37-1. To rezone from the General Business (BG) District to the High Rise Industrial (IH) District, specifically excluding the southerly portion of the parcel containing

the existing building, walkway and entrances, consisting of approximately 1.8 acres, as shown as Parcel 16-A on a plan entitled Wall Street – Proposed Life Science Cluster, dated August 26, 2021.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
the Gutierrez Company

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

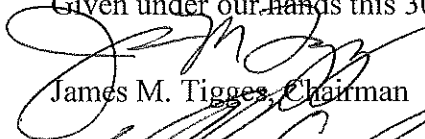

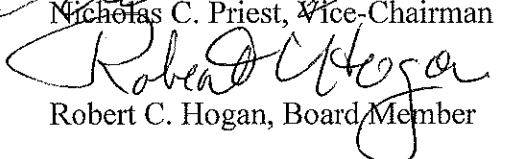
THE COMMONWEALTH OF MASSACHUSETTS

To either of the Constables of the Town of Burlington in the County of Middlesex, Greeting.

You are hereby directed to serve this warrant by posting up attested copies thereof at the designated billboard at the Town Hall, Town of Burlington website page <http://www.burlington.org> and Burlington High School, in said Town, at least fourteen days before the Town Meeting of Monday, September 27, 2021 at Fogelberg Auditorium, Burlington High School.

HEREOF FAIL NOT, to make due return of the warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 30th day of August in the year of our Lord 2021.


James M. Tigges, Chairman

Nicholas C. Priest, Vice-Chairman

Robert C. Hogan, Board Member

Michael S. Runyan, Board Member



Joseph E. Morandi, Board Member


SELECT BOARD OF BURLINGTON, MASSACHUSETTS

A true copy attest: _____ Constable _____

Dated _____

Middlesex ss

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Burlington by posting up an attested copy of the same at the designated location at Burlington Town Hall, Town of Burlington website page <http://www.burlington.org/> and Burlington High School and as within directed, at least fourteen days before Town Meeting date of Monday, September 27, 2021.

s/s _____
Constable of Burlington

A copy of the warrant was mailed to each Town Meeting Member, the Town Moderator and the Town Clerk on the 10th day of September, 2021.

Attest: Amy E. Warfield, Town Clerk



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www.mtclawyers.com

August 31, 2021

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

RE: September 27, 2021 Town Meeting Warrant (“Warrant”)

Dear Mr. Moderator and Members of the Board of Selectmen;

Reference is made to the above captioned matter. In that connection, I have reviewed the Warrant as approved by the Board on August 30, 2021 for the September 27, 2021 and have found it legal as to form.

I will note that:

- **Articles 5, 6 and 9** require a 2/3 vote in accordance with G.L. c. 44 §8 for a borrowing;
- **Article 11** requires a 2/3 vote in accordance with G.L. c. 40 § 15 for the sale of land;
- **Articles 18, 19, 20 and 21** require a 2/3 vote in accordance with G.L. c. 40A §5 to amend a zoning bylaw.

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

Regards,

A handwritten signature in blue ink, appearing to be 'Lisa L. Mead', written in a cursive style.

Lisa L. Mead
Town Counsel

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400