Continued Hearing
2019-37
65 Network Dr

The petition of Stantec for property located at 65 Network Drive as shown on Map # 32, Parcel #3-1 of the Burlington Assessor’s Maps.
The Applicant is seeking a Special Sign Permit to install one Wall Sign to be 4'-0” x 15'-0” to be located on the West elevation below the roof line to read ‘Stantec with 4'-0” diameter circular design on the left’. The sign is in violation of Burlington Zoning By Laws/ Network Drive Planned development District Article 5, Section e.i, states Wall signs above the first floor cannot exceed 6'-0” x 10'-0”.

As shown on plans filed on September 23, 2019 and a copy of which can be reviewed at the Town Clerk Office.

New Hearing
2019-40
58 Macon Road

The petition of Louis Magliozzi for property located at 58 Macon Road as shown on Map # 16, Parcel #15 of the Burlington Assessor’s Maps. The Applicant is seeking a variance to construct a rear addition, deck and front porch. The addition is in violation of Burlington Zoning By-law, Article 5, section 5.2.0. The side setback required is 15 feet, and the proposed is 10.0 foot at the right side of the porch and the proposed right side of the rear addition is 7.7 feet.

As shown on plans filed on October 1, 2019 and a copy of which can be reviewed at the Town Clerk’s Office.

New Hearing
75 and 85 Middlesex Turnpike
2019-41

The petition of Shake Shack Massachusetts LLC, for property located at 75 and 85 Middlesex Turnpike (Burlington Mall Unit # 1550) as shown on Map #52, Parcel #2-0 and Map # 46, Parcel # 24-0 on the Burlington Assessor's Map. The applicant is seeking a Special Sign Permit pursuant to Article XIII, Section 13.1.3.4 and 13.2.0 of the Burlington Zoning Bylaws to permit the installation of a Marquee Sign proposed to be 2'-0” in height x 20'-0” in length (40 square feet) to be located on the front (west) elevation over the
exterior tenant space entry, to read as follows: “SHAKE SHACK” with a hamburger graphic on the left of the proposed sign. The proposed sign is to be installed on a raceway as shown on the plans. The sign was also denied due to previous Board of Appeals decisions, Case # 2016-127 and Case# 2017-169, which prohibited all other signs on the building, even if by right.

As shown on plans filed on November 9, 2019 and a copy of which is on file with the Town Clerk's office.

Minutes from November 5, 2019
Adjourn
Chairman Michael Murray called the meeting of the Burlington Board of Appeals to order at 7:30 p.m.
The meeting was held in the Main Town Hall Meeting Room, 2nd Floor, and 29 Center Street,
Burlington, MA.

Present: Chairman: Michael Murray, Jr., Charles Viveiros, Mark Burke, John Sullivan, and Jim Sheridan
Absent: Adam Tigges

Continued Hearing
Stantec
2019-37
Chairman Murray stated the applicant for Stantec has requested the application be withdrawn without
prejudice.
Motion made and seconded to withdraw the application without prejudice. 5-0 in favor.

New Hearing
2019-40
58 Macon Rd

Legal notice read into record.

Mr. Magliozi introduced himself and explained he was looking to add a front porch and a deck along
with extending the bedroom. He stated the Building department informed him he needed to come in front
of the board because the addition would encroach the property setbacks.

Mr. Sullivan asked for clarification on the addition and was informed it was going to be a front porch, an
uncovered deck in the back and he was looking to expand the garage and bedroom into a master suite
with a two-car garage under it.
Mr. Burke asked if he had plans because he didn’t want to make a decision without seeing them.
Mr. Viveiros stated he would also like to see plans and questioned if he had a copy of the plot plan that was
stamped. Mr. Magliozi provided the Board with a stamped copy. Mr. Viveiros asked when the house
was built and if he had a copy of the original plot plan. He was informed it was built in the 60’s and he
didn’t have another plot plan.
Mr. Sullivan asked for clarification on how they would drive into the garage and was informed they
would turn right into it.

Mr. Murray asked what the hardship was, and he also would like to see the floor plans allowing them to
see if there were any other options without encroaching on the setbacks.
Mr. Magliozi stated the lot was like a triangle.

Public hearing opened to the public. No one present to speak for or against. Public hearing to remain
open.
Motion made and seconded to continue the hearing until December 17, 2019. 5-0 vote in favor.

New Hearing
2019-41
75 & 85 Middlesex Turnpike

Legal notice posted as required and sent to abutters and surrounding communities.
Kristine Hung introduced herself from Reimer and Braunstein introduced herself as representing the applicant and Joe, the sign contractor and explained the Sear’s portion of the Burlington’s Mall is becoming mixed use with restaurants and retails, and the Shake Shack is the first tenant to lease a space. She described the restaurant as a casual high-quality hamburger fries and custard chain. She explained the sign was a marque sign that is compliant in the height, however the length of the sign is out of compliance. She stated the sign would be a wayfinding sign for motorist on the road and in the parking lot.

Mr. Viveiros confirmed the restaurant would be in the previous Sear’s portion of the mall and questioned how many signs would be on the wall, because he was concern with the different signage covering the whole wall. He added he was hoping someone from Simon’s would be at the meeting to answer some questions. Ms. Hung explained it is the Sear’s area and Shake Shack was the first tenant going into the space. She said that she was not sure how many tenants there will be, but it looks like 5 tenants and a corridor. Mr. Viveiros stated he would like to see a sign plan as in the past, before he approves the signage.

Mr. Sullivan asked about the logo color and was informed the hamburger logo was internally lit with a green element outline. It is very subtle. Mr. Sullivan also asked for clarification on the length and if it would be placed over the main door. He asked if other locations have the logos on the signs. Ms. Hung responded the length of the sign is 20 feet long and explained there is a jog in the building and the sign would be flush with the jog out. She stated that if they shorten the sign it would affect the font of the sign. Mr. said that the have the hamburger logo is the standard sign.

Mr. Burke agreed he would like to know what the rest of the signage plan is. He added he would like to see some conformity. Ms. Hung stated that because he was the first tenant that was not available at this time.

Mr. Viveiros stated at previous hearings, the applicant was able to make a presentation of the whole area without the names of tenants. Mr. Murray stated Sign 2 is an interior sign and Sign 3 is not visible from the outside, therefore it is only Sign 1 the marque sign that we need to make a decision on. He stated that a wall sign and marque sign have different requirements and if it was a wall sign it would be compliant. Mr. Sullivan stated that if they were to go to a wall sign, they still would need to come in front of the Board, because of the restrictions, no other signs even if by right.

Hearing open to the public. No one present to speak for or against. Public hearing to remain open.

Motion made and seconded to continue the hearing until December 3, 2019. All members voted in favor. Motion made and seconded to approve the minutes. 5-0 in favor. Motion made and seconded to adjourn. 5-0 in favor.