Continued Hearing for Sign 7
2019-228
The petition of Burlington S&S LLC and Bellwether Properties of Massachusetts LP for property located at 75 Middlesex Turnpike as shown on Map #46, Parcel # 24-0 and Map# 52, Parcel 2-0 of the Burlington Assessor’s Map. The applicant is seeking a Special Sign Permit pursuant Article XIII, Sections 13.1.3.2, 13.1.3.4 and 13.2.0 of the Zoning Bylaws.

Sign/Entrance 7 (noted as entrance 7B on the Sign Plans) - Wall sign to be 4’-0” x 18’-7 1/2” to be located on the east elevation between CVS/Lord & Taylor to the left of Arhaus Furniture to read “BURLINGTON MALL – A SIMON MALL” with graphic symbol above black panel and direction arrow pointing to entry door. The sign is in violation of the Zoning By-laws Article XIII, Section 13.1.3.2.1., The proposed sign will be the 2nd Wall sign for this elevation.
As shown on Plans submitted February 26, 2019 and is on review at the Town Clerk’s Office.

New Hearing
2019-230
Garrity
The petition of Nathan Landry for property at 4 Garrity Road as shown on Map # 27, Parcel # 46 of the Burlington Assessor’s Maps. The applicant is seeking a variance to remove the existing house and construct a new one. The proposed house is to be built on a lot size of 19,730.8. The Town of Burlington requires lot sizes to be 20,000 square feet, Article 5, Section 5.2.requiring a variance from the Board of Appeals.
As Shown on plans filed on March 7, 2019 and a copy is on file with the Town Clerk’s Office.

New Hearing
2019-231
Rahway
The petition of Melissa and Sean O’Dowd for property at 19 Rahway Road as shown on Map # 16, Parcel # 113 of the Burlington Assessor’s Maps. The applicant is seeking a variance to construct a second-floor addition with a Farmer’s Porch along with expansion of the garage. The Town of Burlington requires side setbacks to be 15 feet and the proposed right –side addition is 13.7. In addition, the Town of Burlington required front setback requirement is 25 feet and the proposed is 21.3 feet. Both requests are in violation of Article 5, Section 5.2.0 requiring a variance from the Board of Appeals.
As Shown on plans filed on March 7, 2019 and a copy is on file with the Town Clerk’s Office.
New Hearing
2019-232
Frank Pepe’s

The petition of Frank Pepe’s of Burlington, LLC for property located at 75 Middlesex Turnpike as shown on Map #52, Parcel # 2-0 of the Burlington Assessor’s Maps. The applicant is seeking a Special Sign Permit pursuant to Article XIII, Sections 13.1.3.2, 13.1.3.3 and 13.2.0 of the Zoning By-Laws for the installation of 3 signs.

Sign 1 - Wall sign to be 21 3/4” in height by 32’-4 ½” in length and to be located on the side (west) elevation over the exterior entry door to read “FRANK PEPE PIZZERIA NAPOLETANA’. Sign 1 is compliant with the Town of Burlington Sign By-Law.

Sign 2 - Projecting sign on an awning to be 68 ½” in height by 76” wide by a 36” projection to be located on the side (west) elevation over the exterior window on the right-hand side of tenant space to read “EST. 1925” with graphic symbols on either side. The area of signage/graphic on the awning is 7 ½” in height x 76” in length (3.96 sq. ft. area). Sign 2 is compliant with the Town of Burlington Sign By-Law.

Sign 3 - Wall sign to be 24” in height by 36” in length to be located on the side (west) elevation to the left of the exterior door to read “FRANK PEPE PIZZERIA NAPOLETANA EST. 1925”. The sign would be the second Wall Sign on the same elevation as Sign 1 and would be in violation of the Zoning By-Laws, Article XIII, Section 13.1.3.2. which permits one Wall sign for each business side of the building.

In addition, the applicant is seeking a modification to the prior Burlington Zoning Board of Appeals decisions #2016-127 Arhaus Furniture and #2017-169 The Friendly Toast.

As shown on plans submitted on March 11, 2019 and a copy may be reviewed at the Town Clerk’s Office.

Minutes
Adjourn
MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA

April 2, 2018

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, Brenda Rappaport John Sullivan. Alternates Jim Sheridan and Michael Espejo

Absent: none

Chairman Michael Murray, Jr. called the meeting of the Burlington Board of Appeals to order at 7:30 pm.

Continued Hearing for Sign 7
2019-228

The petition of Burlington S&S LLC and Bellwether Properties of Massachusetts LP for property located at 75 Middlesex Turnpike as shown on Map #46, Parcel # 24-0 and Map# 52, Parcel 2-0 of the Burlington Assessor’s Map. The applicant is seeking a Special Sign Permit pursuant Article XIII, Sections 13.1.3.2, 13.1.3.4 and 13.2.0 of the Zoning Bylaws.

Sign/Entrance 7 (noted as entrance 7B on the Sign Plans) - Wall sign to be 4’-0” x 18’-7 1/2” to be located on the east elevation between CVS/Lord & Taylor to the left of Arhaus Furniture to read “BURLINGTON MALL – A SIMON MALL” with graphic symbol above black panel and direction arrow pointing to entry door. The sign is in violation of the Zoning By-laws Article XIII, Section 13.1.3.2.1. The proposed sign will be the 2nd Wall sign for this elevation.

As shown on Plans submitted February 26, 2019 and is on review at the Town Clerk’s Office. Legal ad read into record.

Attorney William Proia from Reimer and Braunstein reintroduced himself and Justin Feldhouse from Simon Properties. Attorney Proia presented a new rendering of the sign reflecting the changes the Board requested. The sign will be closer to the entrance.

Motion made and seconded to close the public hearing. Members voted in favor.

Motion made and seconded to grant a Special Sign Permit to install a wall sign as shown on drawings titled Partial Elevation @ Mall Entrance 7, # 80.07a and 80.07b dated March 27, 2019 to read ‘Burlington Mall - A Simon Mall with graphic symbol’. The sign is granted with the condition the illumination is not to exceed 90 lumens per square foot. Members voted in favor.

New Hearing
2019-230

Garrity

The petition of Nathan Landry for property at 4 Garrity Road as shown on Map # 27, Parcel # 46 of the Burlington Assessor’s Maps. The applicant is seeking a variance to remove the existing
house and construct a new one. The proposed house is to be built on a lot size of 19,730.8. The Town of Burlington requires lot sizes to be 20,000 square feet, Article 5, Section 5.2 requiring a variance from the Board of Appeals. As Shown on plans filed on March 7, 2019 and a copy is on file with the Town Clerk’s Office.

Nathan and Lara Ashley Landry introduced themselves and explained they were looking to tear down the existing home and rebuild.

Mr. Burke explained the hardship requirements. The lot requirement is to be 20,000 square feet. The assessors map has a discrepancy and he feels it is a self-created hardship.

Mr. Viveiros asked about when they purchased the house were they aware of the discrepancy and Mr. Landry stated the old plot plan states there was 20,000 square feet.

Ms. Rappaport state the propose plot plan it will be a 2 story house.

Public hearing
Peter from 2 garrity Rd stated he lives next to the Landry’s home and he is in support of the house. He added the hardship is there was a problem with the surveyor in 1953, he recorded the lots as 20,000 square feet and many are short.

Motion made and seconded to close the public meeting. 5-0 in favor
Further discussion stated it is more of a housekeeping issue because the original plan shows 20,000 square feet.

Motion made and seconded to grant a variance to Nathan and Lara Ashley Landry for property located at 4 Garrity Road for a lot size variance to construct a 2 story home. AS shown on plans pr-1, 81, A-6 5-0

New Hearing
2019-231
Rahway
The petition of Melissa and Sean O’Dowd for property at 19 Rahway Road as shown on Map # 16, Parcel # 113 of the Burlington Assessor’s Maps. The applicant is seeking a variance to construct a second-floor addition with a Farmer’s Porch along with expansion of the garage. The Town of Burlington requires side setbacks to be 15 feet and the proposed right -side addition is 13.7. In addition, the Town of Burlington required front setback is 25 feet and the proposed is 21.3 feet. Both requests are in violation of Article 5, Section 5.2.0 requiring a variance from the Board of Appeals.
As Shown on plans filed on March 7, 2019 and a copy is on file with the Town Clerk’s Office