Continued Hearing
2019-236
Wheeler
the petition of Yu 66 Corporation for property located at 1 Wheeler Road as shown on Map #56, Parcel #22-0 of the Burlington Assessor’s Map. The Applicant is seeking to demolish the existing mixed-use structure/building located at 1 Wheeler Road on a 79,260 s.f. parcel and construct a 22,000 s.f. mixed structure/building. The new building height is proposed to be 40.4 feet with an architectural tower detail feature at 73.4 ft. The proposed Impervious area of 54,910 s.f. and landscape/wooded area of 24,350 s.f or 31% of lot/parcel. The Proposed project is in violation of Burlington Zoning By Law Article 5, section 5.2.0, Density Regulations requires maximum building structure height within a B-G zone is 30’-0”. Burlington Zoning By Law Article 8, section 8.3.8.4, Impervious Surfaces within the Aquifer & Water Resource Districts not to be less than 40% of the lot shall be landscaped or if wooded may be left in a natural state. As Shown on plans filed on April 9, 2019 and a copy is on file with the Town Clerk’s Office.

New Hearing
2019-23
Experimax
The petition of Gregory Klein-Hertzel for Experimax for property located at 22D Third Avenue, Map # 45, Parcel # 23, as shown on the Burlington Assessor’s Maps. The Applicant is seeking six (6) signs:

Sign A is a Sign Band to be 34.37” x 10’-1 ½” (121.44”) to be located on the North elevation over the main entry door to read “Experimax COMPUTERS PHONES BUY SELL REPAIR”. Sign A would be violation of the Northwest Park PDD Article 7, Section e II- lettering used within the Sign band shall not exceed 24’ in height.

Sign B is a Window sign to be 1.78’ x 1.43’ located to the left of the entry door to read ‘PHONE & TABLET REPAIRS’ and at base of window to read 4.77’x 0.5’ Sign B is in violation of the NWP PDD Article 7, Section 3 IV – lettering on the first floor windows should not cover more than 10 % of the glass area.

Sign C is a Window Sign to be 2.36’ x 2.81’ to be located on the North Elevation to right of entry door to read ‘PRE-OWNED COMPUTERS’ with computer image graphics & at base of window to read 4.77’ x 0.5’ Sign C is in violation of the NWP PDD Article 7, Section 3 IV – lettering on the first floor windows should not cover more than 10 % of the glass area.

Sign D is a projecting Sign to be 18”height x 42” wide to be located on the East Elevation to the left of the windows to read ‘Experimax COMPUTERS PHONES BUY SELL REPAIR’ Sign D is compliant but was denied due to the Burlington Board of Appeals case 2015-83 prohibits any additional signage on the building even if by right.

Sign E is a Window Sign to be 1.42’ x 1.93’ to be located on the East elevation to read ‘BUY SELL TRADE REPAIR’ and at the base of window to read “CHARLOTTE CHERRY HILL”. Sign E is in violation of NWP PDD Article 7, section 3 IV. Lettering on the first-floor windows should not cover more than 10% of the glass area.
Sign F is a window sign to be 4.17’ x 0.5’ located on the East elevation in the middle window to read ‘PORTSMOUTH MANASSA’. Sign F is in violation of NWP PDD Article 7, Section 3 IV. Lettering on the first-floor windows should not cover more than 10% of the glass area.

Sign G is a window sign to be 4.17’ x 0.5’ to be located on the East elevation in the right-side window to read ‘BOULDER SALT LAKE CITY’. Sign G is in violation of NWP PDD Article 7, Section 13 IV lettering on the first-floor windows should not cover more than 10% of the glass area.

NWP PDD Article 7, Section f states each tenant within Middlesex Turnpike Corridor is permitted a maximum of two (2) signs.

As shown on plans filed on May 21, 2019 and a copy of which is on file with the Town Clerk's office.

New Hearing
2019-24
Oki Poke
The petition of Dong Lei for The Oki Poke for property located at 19 Third Ave, as shown on Map # 45. Parcel # 20-0, of the Burlington Assessor’s Map. The applicant is seeking a Special Sign Permit to install three (3) signs:

Sign A is a Sign Band to be 18” x 11’-0” to be located on the West Elevation over the main entrance to read ‘The Oki Poke’ with graphics on the right side (bowl, fish and chop sticks). Sign A is compliant.

Sign B is an Awning Sign to be 45” h x 7’-0” w to be located on the West Elevation over the window to read the same as graphic images as Sign A.

Sign C is a Marquee Sign to be 45” h x 15’-0: wide to be located on the West Elevation over the entry door to read the same as graphic images as in Sign A and B.

The proposed signs B and C are in violation of Town of Burlington Board of Appeals decision (2015-98) placed a condition that no additional signage is permitted on the building even if by right without the Board of Appeals approval.

As shown on plans filed on May 20, 2019 and a copy of which is on file with the Town Clerk’s office.

Minutes
Adjourn
MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA
June 18, 2019

The meeting was held in the Main Town Hall Meeting Room, 2nd Floor, and 29 Center Street, Burlington, MA.

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

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

Continued Hearing
2019-236
Wheeler
Legal notice previously read into record.
Attorney Thomas Murphy introduced himself, representing the applicant, along with John White, the engineer and John Russo, the architect.
Mr. Russo described the recent changes made to the plan reflecting the Board’s comments from the last meeting. It stated the towers were down to 4 tower signs which reduces it by 2 feet. A request was made to add the dimensions language to the plan.
Ms. Rappaport stated she liked the towers.
Mr. Sullivan expressed he does not like the towers and would like to see if there was a way to continue to make it smaller and suggested the cap be smaller.
Mr. Russo stated that was a traditional cap.
Mr. Sullivan also stated he felt they were really roof signs because inside the tower is empty so they could call them Wall signs.
Mr. Murray questioned the material and was informed it was a metal panel- a panelized system.
He also stated he would like to see it lower.

Hearing opened to the public. Public hearing to remain open.

Attorney Murphy asked if we could put a limit on the size, such as no higher than.
Mr. Murray stated he would like to see it reduced and to submit plans with the dimensions and elevations listed.
Ms. Rappaport requested to see plans without the tower and heights and materials without the signage.
Attorney Murphy stated they are not ready to lock themselves into the material.
Ms. Rappaport commented if they come back for signage, modifications can be made then.

Motion made and seconded to keep the public hearing open. All members in favor.

Motion made and seconded to continue the hearing until July 2, 2019. All members voted in favor.
New Hearing
2019-23
Experimax
The petition of Gregory Klein-Hertzel for Experimax for property located at 22D Third Avenue, Map # 45, Parcel # 23, as shown on the Burlington Assessor’s Maps. The Applicant is seeking seven (7) signs:

Sign A is a Sign Band to be 34.37” x 10’-1 ½” (121.44”) to be located on the North elevation over the main entrance door to read “Experimax COMPUTERS PHONES BUY SELL REPAIR”. Sign A would be a violation of the Northwest Park PDD Article 7, Section e II- lettering used within the Sign band shall not exceed 24’ in height.

Sign B is a Window sign to be 1.78’ x 1.43’ located to the left of the entry door to read ‘PHONE & TABLET REPAIRS’ and at base of window to read 4.77’ x 0.5’ Sign B is in violation of the NWP PDD Article 7, Section 3 IV – lettering on the first floor windows should not cover more than 10 % of the glass area.

Sign C is a Window Sign to be 2.36’ x 2.81’ to be located on the North Elevation to right of entry door to read ‘PRE-OWNED COMPUTERS’ with computer image graphics & at base of window to read 4.77’ x 0.5’ Sign C is in violation of the NWP PDD Article 7, Section 3 IV – lettering on the first floor windows should not cover more than 10 % of the glass area.

Sign D is a projecting Sign to be 18”height x 42” wide to be located on the East Elevation to the left of the windows to read ‘Experimax COMPUTERS PHONES BUY SELL REPAIR’ Sign D is compliant but was denied due to the Burlington Board of Appeals case 2015-83 prohibits any additional signage on the building even if by right.

Sign E is a Window Sign to be 1.42’ x 1.93’ to be located on the East elevation to read ‘BUY SELL TRADE REPAIR’ and at the base of window to read ‘CHARLOTTE CHERRY HILL’. Sign E is in violation of NWP PDD Article 7, section 3 IV. Lettering on the first-floor windows should not cover more than 10% of the glass area.

Sign F is a window sign to be 4.17’ x 0.5’ located on the East elevation in the middle window to read ‘PORTSMOUTH MANASSA’. Sign F is in violation of NWP PDD Article 7, Section 3 IV. Lettering on the first-floor windows should not cover more than 10% of the glass area.

Sign G is a window sign to be 4.17’ x 0.5’ to be located on the East elevation in the right-side window to read ‘BOULDER SALT LAKE CITY’. Sign G is in violation of NWP PDD Article 7, Section 13 IV lettering on the first-floor windows should not cover more than 10% of the glass area.

NWP PDD Article 7, Section f states each tenant within Middlesex Turnpike Corridor is permitted a maximum of two (2) signs.

As shown on plans filed on May 21, 2019 and a copy of which is on file with the Town Clerk's office.

Legal notice posted as required and sent to abutters and surrounding communities

Mr. Gregory Klein-Hertzel introduce himself and Crosby Nordbloom Assistant Manager Asset. Mr. Klein-Hertzel stated he was the owner of Experimax and provided a brief description of the store and where he the signage would go. He stated the Blade Sign is going down the alley. He explained the window panels are just over the requirement.

Mr. Sullivan state the location is unique and feels the signs are appropriate, however he would request no signs be placed in the windows.

Mr. Burke stated he would like to see them smaller than shown and doesn’t feel they need them all.

Ms. Rappaport stated she was fine with the sign above the side elevation, however she didn’t feel it was necessary to have all the locations listed and the middle computer sign.
Mr. Sheridan if they would be in compliance if they got rid of the green signage.
Mr. Klein- Hertzel provided the Board members with a new rendering.
Ms. Rappaport questioned if the windows would be clear and was informed yes, there is a film on them presently.
Mr. Murray stated he liked the look much better and the signs’ lumens cannot be more than 90 lumens per square foot. He asked what the depth of the blade sign would be and was told it was 4 inches in depth.

Hearing Opened to the Public. No one present to speak for or against. Motion made and seconded to close the public hearing. 5-0 in favor

Motion made and second to approve the sign permit, Sign D, the blade sign as depicted on renderings dated 3-26-2019 submitted with the application and window signs B,C,E,F and G signs as depicted on plans dated 5-8-19, submitted at the 6-18-2019 meeting.
The signs was conditioned to illumination cannot exceed 90 lumens per square foot.
All members voted in favor.

New Hearing
2019-24
Oki Poke
The petition of Dong Lei for The Oki Poke for property located at 19 Third Ave, as shown on Map # 45. Parcel # 20-0, of the Burlington Assessor’s Map. The applicant is seeking a Special Sign Permit to install three (3) signs:
Sign A is a Sign Band to be 18” x 11’-0” to be located on the West Elevation over the main entrance to read ‘The Oki Poke’ with graphics on the right side (bowl, fish and chop sticks).
Sign A is compliant.
Sign B is an Awning Sign to be 45” h x 7’-0” w to be located on the West Elevation over the window to read the same as graphic images as Sign A.
Sign C is a Marquee Sign to be 45” h x 15’-0: wide to be located on the West Elevation over the entry door to read the same as graphic images as in Sign A and B.

The proposed signs B and C are in violation of Town of Burlington Board of Appeals decision (2015-98) placed a condition that no additional signage is permitted on the building even if by right without the Board of Appeals approval.
As shown on plans filed on May 20, 2019 and a copy of which is on file with the Town Clerk’s office
Legal notice posted as required and sent to abutters and surrounding communities

Dong Lei and Crosby Nordbloom explained the store would be placed where there was formally an ice cream shop and the signs would be similar to the previous signs. It was stated she needed to come in front of the Board because of the condition, no other signs without the Board’s approval.
Mr. Sullivan stated he felt the signage fits into the bands and has no problem with the signage. The only request was the whoopee sign be removed.
Open to the public. No one present to speak or against. Motion made and seconded to close the public hearing. 5-0 in favor.

Motion made and seconded to approve the signage package with the condition the illumination is no greater than 90 lumens per square foot and the signage presently in the store is removed. 5-0 in favor.

Motion made and seconded to approve the minutes. 5-0 in favor to approve the minutes. Motion made and seconded to adjourn. 5-0 in favor