Board of Selectmen Present: Daniel Grattan, Chairman; Christopher Hartling, Vice-Chairman; Robert Hogan; Michael Runyan; Joseph Morandi

Also Present: John Petrin, Town Administrator

The agenda items were not all taken in order. Chairman Grattan was not present for a brief time which is reflected in the votes.

GENERAL SESSION

Pledge of Allegiance
The Chairman called the Board of Selectmen (BOS) meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

053 Approval: Warrant for April Election
Town Clerk Amy Warfield was present seeking BOS approval to hold the annual local election at Burlington High School on April 8, 2017 from 8:00 a.m to 8:00 p.m. There are a number of contested seats and there remain openings for candidates for library trustees.

Motion: Selectman Runyan moved to approve the Warrant for the April 8, 2017 local election. Seconded by Selectman Morandi and approved. (5-0-0)

054 Interview/Appointment: Board of Appeals
This item was postponed to the Meeting of March 27, 2017.

055 Public Hearing Approval/Earth Moving Permit, 154-160 Cambridge Street and Curb Discussion
1. Earth Moving
2. Curb & Roadway
3. Signage

Present representing the applicant at the continued public hearing were Attorney Mark Vaughan, Riemer & Braunstein and Frank DiPietro, Engineer, BSC Group.

1. Earth Moving Permit: Attorney Vaughan said the property owner is intending to commence construction activities related to its mixed use redevelopment project. The applicant is seeking BOS approval for the removal of approximately 18,000 cubic yards of clean underground dirt, sand and gravel from the premises to accommodate the site design. No issues were received from staff.
Selectman Hogan asked about permits for Cambridge Street, and Mr. DiPietro said they are required to also file an application with MassDot. Selectman Morandi asked that trucks not be moving soil during peak traffic hours. Mr. DiPietro said they would start at 9:00 a.m. and end at 3:00 p.m. Conservation supplied comments on erosion control.

**Motion:** Selectman Hogan moved to close the public hearing for Earth Moving Permit. Seconded by Selectman Morandi and approved. (4-0-0)

**Motion:** Selectman Hogan moved to approve the request for an Earth Moving Permit for 154-160 Cambridge Street for the removal of approximately 18,000 cubic yards of earth. Seconded by Selectman Morandi and approved. (4-0-0)

2. **(Layout of Center Street) Curb Discussion:** Modifications reviewed for curb and Center Street roadway changes for the terminus of Center Street at the location of the driveway of the premises. The owners of the neighboring business expressed concern about the layout of the original plan which included a cul de sac as it would cause them to lose parking spaces. The new plan includes a dead end with grass island that is passable for emergency vehicles and will preserve the parallel parking spaces for the adjacent business.

**Motion:** Selectman Morandi moved to approve the curb and roadway changes for a portion of Center Street at the location of the driveway of the premises to include a dead end on Center Street with an island that is passable by emergency vehicles. Seconded by Selectman Hogan and approved. (4-0-0)

3. **Signage:** Attorney Vaughan said the applicant is considering some form of a free-standing sign at the front of the property. This location is slightly on an easement and applications will be submitted to the BOS and other boards as necessary.

Town Administrator John Petrin (T.A. Petrin) recommended the BOS create a liaison Town Counsel, the Building Inspector and other boards to work on this issue.

056 **Approval:** Walk a Thon Marshall Simonds Middle School and Use of Town Common, Saturday June 3, 2017/Teen LIGHT Leadership Team

Marshall Simonds Middle School 8th grade teacher, Cheryl Mantia, was present with students of the Teen LIGHT Leadership Team. The students each explained this year's Walk for Teen Light proposal and mission which is to raise awareness and money in support of teenagers battling cancer or other serious childhood illnesses. The route for the Annual Teen LIGHT Walk-a-Thon on Saturday, June 3, 2017 begins and ends at the Town Common. There will be a sign posted at the Town Common. The Police and Fire were satisfied with the request but that they restrict themselves to the sidewalks. The BOS congratulated the students on their efforts to raise awareness.

**Motion:** Selectman Hogan moved to approve the Annual Teen LIGHT Walk-a-Thon with the route as submitted with event to be held on Saturday, June 3, 2017. Seconded by Selectman Morandi and approved. (5-0-0)

057 **Hearing:** Approval All Alcohol New Officer Director Uno Restaurants LLC d/b/a Uno's Chicago Grill, 75 Middlesex Turnpike/Burlington Mall (ABCC already previously approved application)

T.A. Petrin explained that the ABCC received a large group request from Uno Restaurants, LLC for a Change of Officers and Directors at the Corporate level and Burlington was included in the transaction. Due to the magnitude of
these transactions, the ABCC received all the information required from the licensee. The ABCC was requesting approval by the Local Licensing Authority.

**Motion:** Selectman Hogan moved to approve the All Alcohol New Officer Director for Uno Restaurants LLC d/b/a Uno's Chicago Grill, 75 Middlesex Turnpike, Burlington Mall. Seconded by Selectman Runyan and approved. (4-0-0)

**058 Public Hearing Approval:** All Alcohol/Alteration of Premises, Slesar Bros. Brewing Company, Inc. dba Burlington Beer Works 34 Cambridge St.

Present were applicant and restaurant owner, Joseph Slesar as well as the applicant's Attorney Paul Sporn. Also present was the landlord and property owner, Keith Haig. All had met with the BOS Alcohol Subcommittee and the Inspector of Building, John Clancy, to discuss issues with their request for an alteration of premises to remove brewing area and to add more seating. Mr. Clancy, and Selectmen Hogan and Morandi were satisfied with the final request and finalized the seating at 238 seats inside and 44 outside for a total of 282. They expect construction to take six months after approvals are granted. Mr. Slesar said he understands the Towns Alcohol Rules and Regulations and food must be available at all times that alcohol is being served and two drinks only prior to eating.

Selectmen Hogan spoke of original concern with standing room only which was resolved, and both he and Selectman Morandi were satisfied with the seating. No one from the public spoke.

**Motion:** Selectman Hogan moved to close the public hearing. Seconded by Selectman Morandi and approved. (5-0-0)

**Motion:** Selectman Hogan moved to approve the All Alcohol alteration of premises and seating as requested for indoors and outdoors as discussed for Burlington Beer Works, 34 Cambridge Street. Seconded by Selectman Morandi and approved. (5-0-0)

**059 Discussion/Approval:** Church Lane Sign Restrictions

At their February 27, 2017 meeting, the BOS continued the request by Joyce Baylor, resident, 28 Sarah Street, to consider removing the "Do Not Enter" signs from Church Lane at Cambridge Street to allow time for staff to inform residents.

The signage does not meet current Staff Traffic Advisory Committee (STAC) guidelines, but the BOS makes the final decision. The issue came before prior boards and no vote had been taken.

Residents of this neighborhood, Paul Gilpin, Donna O'Brien were concerned with the safety of the residents. Laura Skaniski of Pinevale Avenue timed the travel and the wait time was 90 seconds. Ms. Baylor was seeking removal since it did not meet the STAC criteria. A petition with 65 names against its removal was submitted. A few letters were also received requesting the signs to remain.

Selectman Hogan said this is a small neighborhood where cars travel fast. He would like signs to remain. Selectman Runyan said the signs were approved by a former board and would not have voted in favor of them and is not comfortable taking them away. He is hopeful that a list of Town signage is or will be available. Selectman Morandi understands both sides but is concerned how this change would affect traffic at the other end of Church Lane. Selectman Hartling said that although currently there isn't specific criteria for the sign, he could not make the motion to take them down. Chairman Grattan commented on the narrowness of the street.
Motion: Selectman Hogan moved that the “Do Not Enter from 7am to 9am signs” leading from Cambridge Street to Church Lane remain in place permanently. Chairman Grattan moved to strike out "permanently." Seconded by Selectman Morandi and passed. (3-0-2 with Selectmen Hartling and Runyan abstaining)

060 Review:
- FY18 Budget
- May Town Meeting Warrant

• FY18 Budget: T.A. Petrin said approval of the department budgets under the BOS jurisdiction were complete.

• May Town Meeting Warrant
T.A. Petrin reviewed items on the upcoming Warrant that are under the BOS jurisdiction

Police:
- Firearms Range Improvements: this is maintained on a yearly basis but improvements are necessary
- TASERS: The department has met state and local law policies for implementation of two part TASER program

Fire:
(Fire administration vehicle has been postponed)

DPW:
- Traffic Lights for Bedford Street and Middlesex Turnpike Extension: Recommendations are being made for traffic light upgrades and sidewalk improvements at this intersection.
- Traffic Lights at Mountain and Winn: Postponed
- Stream Cleaning Appropriation: Yearly request for stream cleaning.
- Vehicles: replacing SUV/Engineering
- Two dump trucks
- Sidewalk Paver for internal repair of asphalt sidewalks and roadways

Fire Headquarters:
- Repair HVAC boiler controls
- Facilities truck - to replace old one that was in accident with little trade-in value and insurance.

Recreation:
- Roof Replacement Carpenter Shed: area where machinery is stored is leaking
- Bucket Truck: replacement - looking for used
- Tractor Ventrac 4500:
(Common Electrical postponed) Selectman Runyan would like to view an update on the common electrical.

- I/I Mitigation: - Structural Improvements: Funds are received from MWRA for getting storm water out of system.

Conservation:
- Open Space and Recreation Plan as required by state every ten years
Building Department:
- Temporary position with plan to roll this person in upon upcoming retirement in department.

Snow & Ice Deficit:

061 Update: Town Counsel
Selectmen Hartling and Hogan met with members of the new town counsel, Murphy, Hesse, Toomey & Lehane. Transition plans were drawn up with KP Law continuing to finish open issues. A meeting is scheduled for department heads to meet the members of town counsel. They plan to hold office hours with Town staff. They will present to the BOS twice a year, and the BOS will monitor the transition.

062 Subcommittee Report: None.
063 Town Administrator's Report: None.
064 Chairman’s Report: None
065 Old/New Business: None.

Citizen’s Time: None.

Motion: A motion was made and seconded to adjourn at 8:30 p.m. and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, MARCH 13, 2017

053 Approval: Warrant for April Election - warrant for town election
054 Interview/Appointment: Board of Appeals - resume s mansueto; resume k moffatt
055 Public Hearing Continued: Approval/Earth Moving Permit/154-160 Camb St and Curb discussion - 3/9/17 ltr from riemer braunstein re center street alterations at 154-160 cambridge street; plot plans; 1/25/17 ltr from riemer braunstein re earth removal; 2/6/17 email from J Clancy to J Petrin re earth moving; 2/7/17 memo from boh re earth moving; 1/31/17 email from J Keeley to bcm with conditions; truck route
056 Approval: Walk a Thon Marshall Simonds Middle School and Use of Town Common/Saturday June 3, 2017 Teen LIGHT Leadership Team - 2/1/17 ltr from cheryl mantia 8th grade teacher to BOS re teen light to use town common and walk a thon
057 Hearing: Approval All Alcohol New Officer Director Uno Restaurants LLC d/b/a Uno Chicago Grill 75 Middlesex Turnpike Burlington Mall (ABCC already previously approved application) - 2/5/17 ltr from skene law firm re change in directors; 2/3/17 ltr from ABCC to all local boards covering Uno's; personal information form; petition for transfer of ownership transfer of stock new officers directors stockholders and llc managers; application for retail alcoholic beverage license
058 Public Hearing Continued: Approval: All Alcohol/Alteration of Premises Slesar Bros. Brewing Co., Inc. dba Burlington Beer Works 34 Cambridge St. - 3/9/17 email from J Clancy from bcm re conditions for seating; floor plan; public hearing notice; 1/5/17 email from J Clancy to J Petrin with historical background of request; planning board conditions; certificate of decision on special permit application; retail monetary transmittal form; petition for change of license; resolution of slesar bros brewing company
059 Discussion/Approval: Church Lane Sign Restrictions - signatures from neighborhood; 2/21/17 email from Joyce Baylor to BOS request to remove do not enter signs on church lane; resident signatures against removal; 3/6/17 email from Joyce Baylor to BOS re thanking board; history of request to remove signs; 3/6/17 email from loraine salvato to bos to keep signs; 3/8/17 email from Cindy Gilpin to BOS to keep signs;
060 Review: FY2018 Budget, May Town Meeting Warrant
061 Update: Town Counsel
062 Subcommittee Report
063 Town Administrator's Report
064 Chairman’s Report -
065 Old/New Business: -
Citizen’s Time: