Board of Selectmen Present:  Christopher Hartling, Chairman; Joseph Morandi, Vice-Chairman; Robert Hogan; Michael Runyan; James Tigges
Also Present:  John Petrin, Town Administrator

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 and a moment of silence in memory of Charles Hanafin who passed away October 1, 2017.  Mr. Hanafin's sons are members of the State Police, Burlington Police, and Burlington Fire Department.

208 Appointment:   Cultural Council
Town Administrator John Petrin (T.A. Petrin) said announcements are going out regarding openings on Burlington's Cultural Council.  At this time an application has been received from Mary Nohelty who is the current president of the Burlington Historical Commission and is a member of the Burlington 4th of July committee.  The meetings are held approximately four times a year to review submitted grants.  State regulations require each member to step down after serving six years.  They may reapply after one year.  T.A. Petrin appointed Mary Nohelty as a member of the Cultural Council and recommended the BOS waive the standard 15-day waiting period.

Motion:  Selectman Hogan moved to waive the standard 15-day waiting period.  Seconded by Selectman Runyan and approved.  (5-0-0)

209 Discussion: DPW/Facilities
T.A. Petrin explained that the BOS has been studying various sites for a DPW maintenance facility for almost three years.  The various obstacles and most suitable property were briefly discussed and it was agreed that the former Clark & Reid property was the best option for a central maintenance facility.  The current maintenance facility will be for Water & Sewer.

Motion:  Selectman Morandi moved to approve that staff move forward with the parcels on Meadow Road.  Seconded by Selectman Runyan and approved.  (5-0-0)

Recreation will be consulted for further comments.
210 Discussion: MBTA Bus Sign/Cambridge Street
The BOS discussed the traffic signal at the new Shoppes at Simond Park as well as the existing MBTA bus stop signs along Cambridge Street. It was recommended by a Town Meeting member that the bus stop across from the new development at 154-160 Cambridge Street be eliminated for safety reasons. Currently it does not have a crosswalk. The members agreed that vehicles trying to go around the bus can be dangerous and that this should be submitted to the Staff Traffic Advisory Committee for review and recommendation. The final request would be submitted to the State for approval.

Chairman Hartling recommended this issue be discussed further at a meeting in November.

211 Approval: 40B Housing/Residences at Burlington Centre
Regulatory Agreement
Postponed awaiting receipt of documents.

212 Public
Hearing: Kohl's/150 Lexington Street
Retail Establishment Temporary 24-Hour License
Burlington Manager, Lisa Lahr Smith was present representing Kohl's which is seeking approval from the BOS to allow Kohl's to operate until 1:00 am each morning, beginning Saturday, December 16, 2017 through Thursday, December 21, 2017, and for a period of twenty-four hours beginning Thursday, December 21, 2017 at 7:00 am through Sunday, December 24, 2017 at 6:00 pm. One change this year is the extension of time from 12 midnight to 1:00 a.m.

There were no issues in the past. Ms. Lahr Smith was reminded that if in the future these requests are received from other stores, there may be a charge to have details available. She said she understood.

Motion: Selectman Morandi moved to approve the request for a retail establishment temporary 24-Hour License for Kohl's, 150 Lexington Street. Seconded by Selectman Tigges and approved. (4-1-0 with Chairman Hartling against)

213 Hearing: Grant or Location
Bedford Street/Route 62 at Middlesex Turnpike
Axis Engineering Group/Zayo Group Holdings
Shelly Cullen, Fiber Engineer, was present representing Axis Engineering Group for Zayo Group Holdings seeking BOS approval for a grant of location to connect existing underground conduit network which dead ends at the town line with Bedford to the existing utility pole line on Bedford Street in Burlington. The pole is currently a double pole which requires utility company cable transfers prior to the removal of the old pole, and they will be working with the utility companies to accomplish this. Tom Hayes, Town Engineer, reviewed the request in full and was satisfied with the request as submitted with no conditions attached.

Motion: Selectman Runyan moved to approve the Grant or Location as submitted for Bedford Street/Route 62 at Middlesex Turnpike as requested by Axis Engineering Group for Zayo Group Holdings in consultation with the Town Engineer. Seconded by Selectman Morandi and approved. (5-0-0)

214 Public
Hearing: New All Alcohol License/Manager
JC Group d/b/a Feng Shui Restaurant
2400 District Avenue
Present were restaurant owner, Frank Zhang; Andrew Gallinaro, landlord, National Development; and Charlie Chen, proposed manager of new restaurant. An amended floor plan, marked SKD-42, dated September 29, 2017, as approved by Inspector of Buildings, John Clancy was distributed. With respect to the outdoor seasonal seating, Selectman Morandi asked if cars would be parking towards the restaurant, and Mr. Zhang said they would be parking parallel to the restaurant. He will be working with Mr. Clancy to confirm that the planters surrounding the outdoor seating offer proper protection from vehicles. Mr. Cheng, Manager, said he understands the Town's Rules and Regulations with respect to the serving of liquor and the Server Policy and that the serving of alcohol is secondary to the serving of liquor. He submitted his resume and TIPS certification. Mr. Zhang said the restaurant will offer a lunch buffet, sushi bar, and full dinner menu. Feng Shui will now have five locations, but they are not a national chain. It was explained that this new license was the third of three All Alcohol licenses granted under Home Rule special legislation for District Avenue [formerly New England Executive Park].

No one from the public spoke.

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

**Motion:** Selectman Morandi moved to approve a new All Alcohol License/Manager for JC Group d/b/a Feng Shui Restaurant, 2400 District Avenue as submitted. Seconded by Selectman Hogan and approved. (5-0-0)

**Motion:** Selectman Morandi moved to approve Charlie Chen as the Manager under the approved license for JC Group d/b/a Feng Shui Restaurant, 2400 District Avenue. Seconded by Selectman Hogan and approved. (5-0-0)

Mr. Zhang expects the restaurant to be ready to open late Spring.

215  **Discussion:**  
**Route 3A Committee**
Chairman Hartling said Town Meeting created a 3A subcommittee during the process to create an overlay district which led to positive changes and design preferences. That committee has not had any new appointments or reappointments and new discussions are now starting to take place. There could potentially be two new committees formed to review the Town's vision per the Master Plan. Other options for the future will be discussed further when the selection process is revealed. The goal is to communicate and to stay on point with the mission of the original committee.

Chairman Hartling recommended this be discussed further at a meeting in November.

216  **Review:**  
**September Town Meeting**
No discussion.

**Subcommittee Reports**
Selectman Hogan said that the Burlington Fire Department will hold an Open House for the public on Saturday, October 14. 2017 at the Burlington Fire Station at 21 Center Street where they will be teaching fire safety and prevention practices. This open house commemorates October's National Fire Safety Month and is expected to be informative and enjoyable.
Selectman Runyan was very moved by those who spoke at the vigil held on the Town Common on September 28, 2017 in memory of all lost or doing battle with opioid and other addictions. The event was sponsored by the Burlington Overcoming Addiction group and the Burlington Police.

218 Town Administrator’s Report
T.A. Petrin stated that the Town Common is used for many events. The Indian Americans of Burlington are holding a Diwali event there on Sunday, October 15, 2017.

219 Chairman’s Report
Chairman Hartling spoke of the shooting incident in Las Vegas and the local loss of Charles Hanafin.

220 Old/New Business:
Update: LED Streetlight Conversion Grant
T.A. Petrin said the Town recently completed the LED streetlight conversion project which Town Meeting approved in May of 2016. The Town was awarded a state grant in the amount of $115,000 for the project from the Department of Energy Resources. Approximately 2500 lights were replaced with LED bulbs that use less electricity and last longer. John Sanchez, Director, Department of Public Works, and his staff were thanked for the work done in order to save money and to receive the grant.

Citizen’s Time
Frank O’Brien, Town Meeting member, was present to offer a suggestion for BOS consideration to have Cambridge Street widened between Bedford Street and Olympia Way because members of Town Meeting are not satisfied with the lanes on Cambridge Street. The width of Cambridge Street changes throughout its length. T.A. Petrin said this would involve taking land from the common or Simonds Park which is land protected under special designation and would require legislative approval, plus Cambridge Street is owned by the State, so a request would have to go before MassDOT for permission to make these changes. The State or the developer of the 154-160 Cambridge Street would not be agreeing to fund this project, and Mr. O’Brien said he expected that the funds to do the project would come from the Town. Selectman Tigges liked the idea and Selectman Runyan said he would be willing to work on this request.

Adjourn

Motion: Chairman Hartling moved to adjourn at 7:30 p.m. Seconded by Selectman Morandi and approved. (5-0-0)

Submitted by,

Betty McDonough, Recording Clerk
DOCUMENTS REVIEWED AT MEETING – MONDAY, OCTOBER 2, 2017

Agenda

208 Appointment: Cultural Council - application Mary Nohelty
209 Discussion: DPW/Facilities -
210 Discussion: MBTA Bus Sign/Cambridge Street - satellite view of road
211 Approval: 40B Housing/Residences at Burlington Centre Regulatory Agreement -
212 Public Hearing: Kohl’s/150 Lexington Street, Retail Establishment Temporary 24-Hour License - public hearing notice, 9/18 email from M Kent; 8/31/2017 ltr from Kohls to BOS; request for 24 hour license application; dates and times
213 Hearing: Grant or Location, Bedford Street/Route 62 at Middlesex Turnpike, Axis Engineering Group/Zayo Group Holdings - 9/7/17 email from T Hayes; 10/2/17 GoL form with motion; 9/20/17 memo from J Petrin to T Hayes re GOL; 9/20/17 letter to abutters; 9/11/17 letter of request for GoL from Axis Engineering Group; 2 sheets of plans
214 Public Hearing: New All Alcohol License/Manager, JC Group d/b/a Feng Shui Restaurant, 2400 District Ave - distributed at meeting-floor plan; book about the restaurant; public hearing notice; 9/28/17 email from J Clancy; 9/20/17 email from K Kassner; 9/15/17 email from M Kent; 9/18/17 email from S Yetman; planning decision; application for a retail alcoholic beverages license; applicant's statement; acts 2014 chapter 59; manager resume; manager ltr of understanding; manager tips certification; manager proof of citizenship; beneficial interest contact, individual - Chen; beneficial interest contact, individual - Zhang; beneficial interest contact, individual, Weng; consent vote in lieu of the first meeting of directors; commonwealth of mass statement of change of supplemental information; commonwealth certification; summary of basic lease terms;
215 Discussion: Route 3A Committee -
216 Review: September Town Meeting -
217 Subcommittee Reports -
218 Town Administrator’s Report -
219 Chairman’s Report -
220 Old/New Business -
Citizen’s Time -