Minutes of the Planning Board
Meeting of February 21, 2019

1. Chairman Kelly called the February 21, 2019 Regular Planning Board Meeting to order at 7:00 p.m. in the Main Hearing Room of the Burlington Town Hall, 29 Center Street.

Members Present: Member Covino, (Member Gaffney), Vice Chairman Perna, Chairman Kelly, (Member Raymond), Member Clerk L’Heureux, and (Member Impemba)

Also Present: Planning Director Kassner, Senior Planner Morris

Continuances (7:01 pm)

MOTION – To take items ‘7.e’ thru ‘7.i’ out of order and vote on them together.

APPROVED: 5-0-0

e) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 6.1.1.2 “Expansion of a Non-Confirming Use” of the Zoning Bylaws – 24 Terry Avenue – BAPA Corporation, Applicant

f) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 6.1.2.1 “Non-Confirming Structures and Premises” of the Zoning Bylaws – 24 Terry Avenue – BAPA Corporation, Applicant

g) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.4.1.11 “Discharges from manmade structures into the wetlands” of the Zoning Bylaws – 24 Terry Avenue – BAPA Corporation, Applicant

h) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 8.2.0 “Wetlands District” of the Zoning Bylaws – 24 Terry Avenue – BAPA Corporation, Applicant

i) Continued Public Hearing – Application for Approval of a Site Plan – 24 Terry Avenue – BAPA Corporation, Applicant

No testimony was taken on this matter.
MOTION – To continue these matters to the Planning Board meeting of March 7, 2019 as requested by applicant’s attorney in an email dated February 21, 2019.

APPROVED: 5-0-0

Member Gaffney arrived to the meeting at 7:02pm.

MOTION – To take item ‘7.k’ out of order.

APPROVED: 6-0-0

k) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.3.2.6 “Outdoor storage of supplies and equipment incidental to permitted uses, subject to requirements for location, lighting, screening, fencing, cover and safety precautions” of the Zoning Bylaws – 376 Cambridge Street – The Granite Place, Applicant

No testimony was taken on this matter.

MOTION – To continue these matters to the Planning Board meeting of March 7, 2019.

APPROVED: 6-0-0

2. Citizens Time

No one spoke.

3. Announcements (7:03pm)

- Municipal Vulnerability Preparedness Grant Program: Community Workshop – Wednesday, March 6 at 10 to 2pm – Grandview Farm
- Citizen Planner Training Collaborative Annual Conference – Saturday, March 16 – Hogan Center, Holy Cross
  o Members interested in attending should contact staff

Member Raymond arrived to the meeting at 7:04 pm.

4. Legal Notices of Interest

None

5. Non-Approvals

None

6. Administrative Matters

None
7. Matters of Appointment

a) Continued Public Hearing – Application for Approval of a Site Plan – 61 Center Street – Town of Burlington, Applicant (7:05 pm)

Applicant Representatives:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Petrin</td>
<td>Town Administrator</td>
<td>Town of Burlington</td>
</tr>
<tr>
<td>Joe Morandi</td>
<td>Member</td>
<td>Board of Selectmen</td>
</tr>
<tr>
<td>Thomas Hayes</td>
<td>Town Engineer</td>
<td>Town of Burlington</td>
</tr>
<tr>
<td>Timothy Mazzone</td>
<td>Senior Engineer</td>
<td>Town of Burlington</td>
</tr>
<tr>
<td>Kevin Sullivan</td>
<td>Vice Chairman</td>
<td>Recreation Commission</td>
</tr>
<tr>
<td>Brendan Egan</td>
<td>Director</td>
<td>Parks and Recreation</td>
</tr>
</tbody>
</table>

Mr. Petrin spoke about the discussion from the Planning Board meeting of April 5, 2018 (*No vote was taken by the Planning Board on the Minor Engineering Change discussion item*) regarding the construction of additional parking at 61 Center Street to accommodate the Human Services Building, and Grandview Farms. The Planning Board requested making the driving lane around the spaces greater than 14 feet, making the spaces more perpendicular, and reducing the amount of spaces. Those changes were incorporated into the plans.

Member Impemba arrived to the meeting at 7:11pm.

Planning Board commented:
- Burlington has very little green space
- Conserving trees is preferable
- Screen cars from the street
- Meet with the 3A subcommittee
  - Town Center Overlay District – prefers parking in the rear
- Restripe current parking lot to create more spaces, rather than increase pavement
- Relocate the employee parking, and labeling the spaces closest to the building for seniors
- Resolve parking shortage issue with creative scheduling – Master Calendar

Planning Board requested:
- Verifying the site lot lines

Once the green space is gone, its gone permanently, there must be a more creative solution to getting more spaces. It will set a bad precedent if this proposal is allowed for the town but not other applicants.

Vice Chairman Perna read departmental reports into the record.

Mr. Petrin agreed to bring the Planning Board comments to the Board of Selectmen. Member Impemba recommended Recreation Commission, Board of Selectmen, and Planning Board meet to discuss this matter, and come up with a solution. Mr. Petrin departed from the public hearing.
Kevin Sullivan, Vice Chairman of the Recreation Commission, noted the Recreation Commission’s opposition to creating parking that encroaches on the backfields.

Shari Ellis, 3 Hickory Lane, TMM Precinct 3, clarified the 3A subcommittee gave no report because it does not exist at this point, and the police/safety department gave no report. She recommended an independent traffic safety evaluation of this project. Ms. Ellis noted based on the plans that parked vehicles would back up into drive and pedestrian isles, and the site would need a traffic signal.

Myrna Saltman, 15 Greystone Court, TMM Precinct 2, commented that she uses the human service building 3 days per week, and hasn’t experience any parking issues. The parking issue arises when there is a function at Grandview Farm on the weekend, and one way to solve the issue is continue to use the church parking lot, and shuttle patrons in the COA van between the site and the church lot. She also suggested the town hire a traffic planner to review these projects.

Chris Hanifan, Disability Access Coordinator, spoke about the federal guidelines for creating handicap spaces. He noted a couple of dangerous handicap spaces across the drive isle. Nobody stops at that cross walk, and he suggested moving those spaces to against the human services building so that it is no longer an issue.

Brendan Egan, Director of Parks and Recreation, noted the fields and building are used on the weekend, and the programming is scheduled to meet the demand, which is the morning and evenings. All it takes is one event at the Grandview Farms of 30 people to create a parking shortage, because 30 people means 30 parked cars.

**MOTION** – To continue this matter the Planning Board meeting of March 7, 2019.

**APPROVED: 7-0-0**

**MOTION** – To take items ‘7.b’ thru ‘7.d’ together for discussion purposes and vote on them separately. (8:25 pm)

**APPROVED: 7-0-0**

b) Continued Discussion – Application for Approval of a Minor Engineering – 62 Cambridge Street – Herb Chambers Cambridge Street, LLC, Applicant

c) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.5.10 Automobile Dealership which may include integrated structured parking of the Zoning Bylaws – 64 Cambridge Street – Herb Chambers Cambridge Street, LLC, Applicant

d) Continued Public Hearing – Application for Approval of a Site Plan – 64 Cambridge Street – Herb Chambers Cambridge Street, LLC, Applicant
Chairman Kelly summarized the requests from the previous subcommittee meeting:

- Parking plan for 62 Cambridge Street during the construction of 64 Cambridge Street
- Plan for the sale of used cars that do not belong to the brand

Mr. Vaughan submitted an action plan to address the subcommittee concerns, and he summarized that for the Planning Board. It included extended service hours, more valet staff, a designated lot manager, and a parking map/site signage indicating parking locations. Each building will be a single brand. The dealerships accepts trade-ins of a different brand, which are either kept and resold or sold at auction, and the off brand inventory represents about 13-14% of the total inventory.

Mr. Vaughan noted:

- Car carriers can turn around on property
- Height of the light posts out front were modified
- Transplant landscaping (no decrease in plantings) – construction phase 1
- Conservation Commission approved the project

Vice Chairman Perna read the departmental reports into the record.

Planning Board commented:

- Both sites total have approx. 230 cars currently
- Car trade-ins parked on site – set a time limit
- Cars that can’t be sold go to Plank Street
- Goal is to limit the amount of traffic in the area
- Illegal U-turns on 3A by employees
- Unable to identify the social or community need this project is fulfilling
- Project does not align with Burlington’s desire to reduce curb cuts
- Loss of the landscape berm is disappointing
- Test drive traffic pattern
- Additional time to review the conditions - this dealership has been problematic in the past

Mr. Sehovic agreed to enforce the car carriers dropping off and picking up on the property.

Dan DiTucci, 8 Lisa Street, TMM Precinct 6, commented this is an existing dealership with two brands, which will continue, and he cannot come up with justification to not support this.
Rick Parker, Burlington Area Chamber of Commerce member, commented that this applicant contributes a lot to the town, and thinks this applicant maintains their site.

**MOTION** – To continue this matter the Planning Board meeting of March 7, 2019.

**APPROVED: 7-0-0**

---

j) *Public Hearing – Application for Approval of a Definitive Subdivision Plan – 108 Muller Road – Edward and Yelena Ivitskaya, Applicant (9:37 pm)*

**Applicant Representatives:**

<table>
<thead>
<tr>
<th>Thomas Murphy</th>
<th>Attorney</th>
<th>Shea, Murphy &amp; Gulde</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Nelson</td>
<td>Engineer</td>
<td>AC Nelson Cartography</td>
</tr>
<tr>
<td>Edward Ivitskaya</td>
<td>Owner</td>
<td>108 Muller Road</td>
</tr>
<tr>
<td>Yelena Ivitskaya</td>
<td>Owner</td>
<td>108 Muller Road</td>
</tr>
</tbody>
</table>

Mr. Murphy explained the request to split the lots into two. The Applicant got a variance from the Board of Appeals (BOA) for frontage, which is why this a subdivision plan and not an ANR plan. The access road cannot be widened, and a cul-de-sac cannot be constructed because the applicant does not own the land.

Vice Chairman Perna read the departmental reports into the record.

Planning Director Kassner spoke about the history of the subdivision. The staff suggested exploring the Cormier Road/Kelly Farm Way access in an effort to figure ways to meet the fire department concerns.

Planning Board commented:
- Right of way is 15 feet
- T turn around at the end of the access road suitable
- If in the future family doesn’t own the homes and there is a disagreement about the access road

No public comment was offered.

**MOTION** – To continue this matter the Planning Board meeting of March 7, 2019.

**APPROVED: 7-0-0**

---

8. **Minutes**

None

---
9. **Other Business (10:02 pm)**

   a) **Discussion**

   1. **Burlington Sculpture Park Committee**

      Member Clerk L’Heureux spoke about the desire to make the sculpture park committee official. It was suggested making the committee a subcommittee of the Planning Board, with the Planning Board appointing the members. The committee would be comprised of Town Meeting, Business Community, Planning Board, Recreation Committee, School Committee, and Board of Selectman; and an unofficial member from the New England Sculpture Association. Planning Director Kassner requested the committee provide a charter prior to the creation.

   2. **Zoning Bylaw Review Committee**

      Member Covino noted the next meeting is April 24, 2019. This committee submitted an article to Town Meeting.

   3. **3 Dartmouth Road – General Walker Estates**

      Ed Champy of Waypoint Development represented this application. Senior Planner Morris explained this is a request to release the first house for sale. Surety for the entire subdivision has been paid, and as built plans has been submitted.

      **MOTION** – To release lot 5 (3 Dartmouth Road) in the General Walker Estates subdivision for sale.

      **APPROVED: 7-0-0**

   4. **Designated Parking**

      Member Gaffney suggested adding language to decisions that if the tenant re-labels parking spaces (such as for pregnant women, veterans, employee of the month, etc.) that it needs to come before the Planning Board.

   5. **5 Murphy Lane – 3 Lexington Street Estates**

      Planning Director Kassner explained this is a release of lot for the purposes of building only from the covenant. Staff has the necessary paperwork.

      **MOTION** – To release lot 3 (5 Murphy Lane) in the 3 Lexington Street Estates subdivision for construction.

      **APPROVED: 7-0-0**

   6. **Planning Board Retreat – Establish Priority List**
Chairman Kelly suggested doing this again. And for each item assign a staff and board member to shepherd each item along. Staff agreed to send out suggested date and times.

b) **Correspondence**
   None.

c) **Reports from Town Counsel**
   None.

d) **Subcommittee Reports**
   None.

e) **Unfinished Business**
   None.

f) **New Business**
   None.

**MOTION** – To adjourn at 10:44 pm.

**APPROVED: 7-0-0**

Respectfully Submitted,

Approved by,

[Signature]
Noelle Judd, Recording Clerk

[Signature]
Barbara L’Heureux, Member Clerk

Minutes accepted at the Planning Board meeting of ________________.

Minutes filed with the Town Clerk on ________________.

All decisions are on file with the Town Clerk. All the noted documents are on file and can be viewed in the Planning Department. A DVD recording of the meeting is on file in the Planning Department.