1. Chairman Kelly called the April 18, 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, Member Espejo, Chairman Kelly, Member Raymond, Member Clerk L’Heureux, and Member Impemba

Also Present: Planning Director Kassner, Senior Planner Morris

Reorganization (7:01 pm)

Chairman:
MOTION – To close the hearing and appoint Member Clerk L’Heureux as Chairman.

APPROVED: 7-0-0

Vice Chairman:
MOTION – To close the hearing on Vice Chairman.

APPROVED: 7-0-0

MOTION – To appoint Member Impemba as Vice Chairman.

APPROVED: 7-0-0

Member Clerk:
MOTION – To close the hearing on Member Clerk.

APPROVED: 7-0-0

MOTION – To appoint Member Espejo as Member Clerk.

APPROVED: 7-0-0

2. Citizens Time (7:05pm)
No one spoke.

3. **Announcements** *(7:06pm)*

- Zoning Bylaw Review Committee – Wednesday, April 24 at 6pm – Town Hall Annex basement
- Historic Commission: Museum Open House – Saturday, May 4 at 11am to 3pm – Burlington Museum
- May Town Meeting – Monday, May 13 at 7:30pm – BHS
- Planning Board thanked Carol Perna for her service on the Planning Board
- Planning Board welcomed Michael Espejo to the Planning Board

Vice Chairman Impemba and Member Gaffney watched the previous meeting, and filled out the appropriate forms, hence they are eligible to vote on all matters. Member Espejo is not eligible to vote on the continued items because he was not a member at the time these items opened.

4. **Legal Notices of Interest**

   None

5. **Non-Approvals**

   None

6. **Administrative Matters**

   None

a) *Discussion – Application for Approval of a Minor Engineering Change – 131 Cambridge Street – 131 Cambridge Street, Applicant (7:08 pm)*

**Plans & Reports discussed:**

- **Applicant Representatives:**

<table>
<thead>
<tr>
<th>Thomas Murphy</th>
<th>Attorney</th>
<th>Shea, Murphy &amp; Gulde</th>
</tr>
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<tbody>
<tr>
<td>Joe Pandolfo</td>
<td>Contractor</td>
<td>Pandolfo Company</td>
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Mr. Murphy explained the minor engineering changes that arose during construction, including removing the retaining wall, adding windows, creating a space for the generator, adding a dumpster pad, adding a parking space, etc. He noted the zoning allows for mixed uses, and the top floor of the building will be a residential apartment.

Planning Director Kassner stated the top floor residential unit is an accessory use, so the Planning Board is only reviewing the site changes. She requested the dumpster be fully enclosed and to add brick banding behind the sidewalk.

Vice Chairman Impemba read the departmental reports into the record.
Member Impemba approved of the changes explaining that it was in line with what the 3A Committee wanted.

The Planning Board discussed:
- Sound attenuation for the natural gas generator
- Kindercare drainage issues
  - Staff agreed to pull the Kindercare plans to ensure they are fulfilling their maintenance obligations
- Putting the extra parking space in reserve to create more green space

No public comment was offered.

MOTION – To approve the minor engineering change for the property located at 131 Cambridge Street, as requested by 131 Cambridge Street.

APPROVED: 7-0-0

7. Matters of Appointment

MOTION – To take items ‘7.a’ thru ‘7.c’ together for discussion purposes. (7:35 pm)

APPROVED: 6-0-0 (Member Espejo is ineligible to vote)

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

b) 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

c) Continued Public Hearing – Application for Approval of a Site Plan – 64 Cambridge Street – Herb Chambers Cambridge Street, LLC, Applicant

**Applicant Representatives:**

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<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Company</th>
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</thead>
<tbody>
<tr>
<td>Mark Vaughan</td>
<td>Attorney</td>
<td>Riemer &amp; Braunstein, LLP</td>
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<tr>
<td>Mark Regent</td>
<td>Architect</td>
<td>Regent Associates, Inc.</td>
</tr>
<tr>
<td>Chris Sparages</td>
<td>Engineer</td>
<td>Williams &amp; Sparages</td>
</tr>
<tr>
<td>George Ryan</td>
<td>Traffic Engineer</td>
<td>Stantec Consulting</td>
</tr>
<tr>
<td>John Welch</td>
<td>Development Director</td>
<td>Herb Chambers</td>
</tr>
<tr>
<td>Casey Richenburg</td>
<td>Executive Service and Parts Manager</td>
<td>Herb Chambers</td>
</tr>
<tr>
<td>Adnan Sehovic</td>
<td>General Manager</td>
<td>Audi Burlington</td>
</tr>
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Mr. Vaughan updated the Planning Board:
• Most trade-ins go off site, approximately 13-14% of the inventory will be off brand, and the Building Inspector agreed that this is allowed
• The remaining inventory will be luxury vehicles for sale
• Changes to the plan include: car carrier turn around on site, reduce height of the lighting along the front, and landscaping plan that will reuse and add vegetation which will be done during phase 1
• Conservation Commission approved the plan
• Action plan for the service volume was submitted
• A letter explained the ways the applicant satisfy the Special Permit was submitted

Vice Chairman Impemba noted there are no new departmental reports.

Town Council Adam Costa of Mead, Talerman & Costa, LLC explained the ramifications of denying this. He noted all applications stand on their own.

The Planning Board discussed:
• Not in support of a creating an auto mile
• Preference for most vehicles to be inside the building
• Not testing driving vehicles in the neighborhoods or around the town common
• Headlights must be turned off in the show room
• No lights shining outside the show room

Daniel DiTucci, 8 Lisa Street, has no issue with this application, because there are already two dealerships, this just separates them.

MOTION – To close the public hearing on item ‘7.b’ (Special Permit)
APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

MOTION – To approve the special permit for the property located at 64 Cambridge Street, as requested by Herb Chambers Cambridge Street, LLC.
APPROVED: 5-0-1 (Member Raymond abstained, and Member Espejo is ineligible to vote on this matter)

MOTION – To close the public hearing on item ‘7.c’ (Site Plan)
APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

MOTION – To approve the site plan for the property located at 64 Cambridge Street, as requested by Herb Chambers Cambridge Street, LLC.
APPROVED: 5-0-1 (Member Raymond abstained, and Member Espejo is ineligible to vote on this matter)

MOTION – To approve the minor engineering for the property located at 62 Cambridge Street, as requested by Herb Chambers Cambridge Street, LLC.
d) Continued Public Hearing – Petition to amend the Zoning Bylaw, Article VII Section 8.4.0 “Wireless Communication Facilities” to include small cell wireless facilities – Submitted by the Planning Board (8:39 pm)

Planning Director Kassner noted this item is on the warrant and suggested the board recommend favorably to town meeting.

No public comment was offered.

MOTION – To close the public hearing on item ‘7.d’

APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

MOTION – The Planning Board recommends favorably to Town Meeting the petition amend the Zoning Bylaw, Article VII Section 8.4.0 “Wireless Communication Facilities” to include small cell wireless facilities.

APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

e) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 6.1.1.1 “Alteration of a Nonconforming Use” of the Zoning Bylaws – 336 Cambridge Street – Lin Y. Xu, et al, Applicant (8:56 pm)

Applicant Representatives:

<table>
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<tr>
<th>Thomas Murphy</th>
<th>Attorney</th>
<th>Shea, Murphy &amp; Gulde</th>
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<tbody>
<tr>
<td>Lin Y Xu</td>
<td>Owner</td>
<td>336 Cambridge Street</td>
</tr>
<tr>
<td>Brian Donahue</td>
<td>Architect</td>
<td>Donahue Architects</td>
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Mr. Murphy explained the changes to plan:
- Parking is along the side of the building and not in front

The Planning Board will continue this matter to allow the Board of Health to weigh in on this project.

Planning Director Kassner commented that the dumpster was moved to free up more green space, and the pedestrian access area along the frontage needs to be defined

Planning Board discussed:
- Curbside pick up for the garbage
- Applicant does not agree to construct the sidewalk because of budget restrictions, but will grant an easement for the construction
• To compliment the historic nature of the site, paving blocks and brick should be used, and period lighting installed
• Adding trees along the front of the property

Vice Chairman Impemba read the departmental reports into the record.

Michael Murray, Jr. (on behalf of Michael Murray, Sr.), 340 Cambridge Street, does not want the dumpster abutting his parent’s property, and requested the location be defined, screening added, and the pick up hours restricted. He also requested a lighting plan.

MOTION – To continue this matter the Planning Board meeting of May 2, 2019.

APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

f) Continued Public Hearing – Application for Approval of a Definitive Subdivision Plan – 108 Muller Road – Edward and Yelena Ivitskaya, Applicant (9:30 pm)

Applicant Representatives:

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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Thomas Murphy</td>
<td>Attorney</td>
<td>Shea, Murphy &amp; Gulde</td>
</tr>
<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>
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Mr. Murphy gave an update:
• No vote was taken at the last meeting because there was 5 member board
• Common driveway draft agreement was submitted to staff, and all neighbors are amendable to it
• Identified on the plans the driveway bump outs

Mr. Murphy is requesting a consensus on whether the Planning Board prefers access from Muller Road or a new access from Cormier Road (which would require the applicant to go back before the Board of Health).

Planning Director Kassner explained the applicant agreed to an easement for fire truck turn around, and to add wayfinding signage. Police and Fire were concerned about cut through traffic if this drive were connected to Cormier Road. She spoke with town council and confirmed you can improve a way but can not unimproved a way, so blocking access is not allowed.

Planning Board discussed:
• The road is 15 feet across on the plans, but it is not paved as 15 feet access because of the drop offs
• Assurances that the driveway will not erode into the wetlands

Planning Board requested:
• Planning Board cannot condition it that no more houses can be built, but it can be conditioned that any additional houses would need to come before the Planning Board
• Widen every possible area along the driveway, and the areas that have to be narrowed put a post and rail fence
• On site markings of the bump outs
• Driveway from Cormier Way will service one house (Do not connect to existing driveway)
• Notify neighbors of the driveway plan changes.

No public comment was offered.

MOTION – To continue this matter the Planning Board meeting of May 2, 2019.

APPROVED: 6-0-0 (Member Espejo is ineligible to vote on this matter)

MOTION – To take items ‘7.g’ thru ‘7.i’ out of order and together for discussion purposes. (10:23pm)

APPROVED: 5-0-0

g) Continued Public Hearing – Application for Approval of a Site Plan – 328 & 330 Cambridge Street – Iconic Capital, LLC. Applicant

h) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 7.2.6 “Increasing the maximum parking space requirements” of the Zoning Bylaws – 328 & 330 Cambridge Street – Iconic Capital, LLC. Applicant

i) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.4.1.11 “Discharge from manmade structures into the wetlands” of the Zoning Bylaws – 328 & 330 Cambridge Street – Iconic Capital, LLC. Applicant

Applicant Representatives:

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<tr>
<th>Name</th>
<th>Role</th>
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<tbody>
<tr>
<td>Bill Proia</td>
<td>Attorney</td>
<td>Riemer &amp; Braunstein, LLP</td>
</tr>
<tr>
<td>Frank DiPietro</td>
<td>Engineer</td>
<td>BSC Group</td>
</tr>
<tr>
<td>Jerry Seelen</td>
<td>Architect</td>
<td>Roth &amp; Seelen Inc.</td>
</tr>
<tr>
<td>Kristine Hung</td>
<td>Attorney</td>
<td>Riemer &amp; Braunstein, LLP</td>
</tr>
<tr>
<td>Sam Offei-Addo</td>
<td>Traffic Engineer</td>
<td>VHB</td>
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Mr. Proia updated the Planning Board:
• Two subcommittee meetings occurred (one was a joint with Board of Health)
  o Discussed: Traffic, building esthetic, mitigation
• This application goes before the Board of Health Tuesday April 23, 2019
• Applicant agreed to reconfigure parking lot (put 14 spaces in reserve), change site access, build sidewalks, contribute money to the sculpture park committee, and replace MBTA bus shelter

Mr. DiPietro explained the site changes and noted the drainage will be discussed at Board of Health meeting. Mr. Offei-Addo presented the traffic study.
Harvey Abbott, 10 Alma Road, and another resident sent letters to the Planning Board, which will be submitted to the record and a copy will be given to the applicant.

Planning Director Kassner noted the sidewalk would go from this site to Wilmington Road, and a $5,000 donation would be made to the sculpture park committee. The style of the bus stop should be similar to the District and Northwest Park bus stops. Timing of the sidewalk construction, due to the local and state approvals, may be difficult to line up with the construction of the site. She requested the landscaping marked in the field.

Planning Board discussed:
- Prohibiting left hand turns onto Cambridge Street from Chestnut Road isn’t allowed
- Tenant name cannot be disclosed
- Interior building layout – cubicles, employee training rooms, and meeting areas

Planning Board requested:
- Condition it to ensure construction vehicles do not interfere with kids coming and going from school
- Construct sidewalk at the same time as site construction
- Explain the flex time operations for employees
- Submit traffic generation numbers of the existing location
- Number of outside visitors daily
- Sidewalk should be vertical granite with concrete

MOTION – To continue this meeting past 11:00pm

APPROVED: 7-0-0

Harvey Abbott, 10 Alma Road, requested:
- No weekend/evening/early morning construction, no parking construction vehicles on Alma Road, and obeying the noise ordinance
- Traffic safety officer during construction to ensure the safety of the MBTA stop, school bus stop, and general traffic
- Dead-end/residence only parking sign on Alma Road
- Building operates during normal hours

Harvey Abbott, 10 Alma Road, inquired:
- MBTA stop be relocated during construction?
- Access to Alma Road change?
- Amount of traffic into and out of the site through out of the day?

Malcolm Trevett, 2 Alma Road, wants to know what government agency is going in to ensure neighborhood safety.
Michael Murray, Jr. (on behalf of Michael Murray, Sr.), 340 Cambridge Street, inquired about the buffer area between sites as it relates to multiple zonings on this site. And he requested a detailed landscaping plan.

**MOTION** – To continue this matter the Planning Board meeting of May 2, 2019.

**APPROVED: 6-0-0** (Member Espejo is ineligible to vote on this matter)

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8. **Minutes**

   None

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9. **Other Business** *(11:43pm)*

   a) **Discussion**

      1. 3 Lexington Street – Release of Lots

   **MOTION** – To release lot 1 and 2 of 3 Lexington Street definitive subdivision for building purposes in exchange for surety.

   **APPROVED: 7-0-0**

   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 11:45 pm.

**APPROVED: 7-0-0**

Respectfully Submitted, Approved by,

Noelle Judd, Recording Clerk ____________________________

Michael Espejo, 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.