Minutes of the Planning Board
Meeting of May 2, 2019

1. Chairman L’Heureux called the May 2, 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 Clerk Espejo, Chairman L’Heureux, Vice Chairman Impemba, Member Raymond, and Member Kelly

Also Present: Planning Director Kassner, Senior Planner Morris

Continuances

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

APPROVED: 7-0-0

d) 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

No testimony was taken on this matter.

MOTION – To continue this matter to the Planning Board meeting of May 16, 2019 as requested by applicant’s attorney in an email dated May 1, 2019.

APPROVED: 7-0-0

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

APPROVED: 7-0-0

e) Continued Public Hearing – Application for Approval of a Definitive Subdivision Plan – 108 Muller Road – Edward and Yelena Ivitskaya, Applicant

No testimony was taken on this matter.
MOTION – To continue this matter to the Planning Board meeting of May 16, 2019 as requested by applicant in an email dated May 2, 2019.

APPROVED: 7-0-0

MOTION – To take items ‘7.f’ and ‘7.g’ out of order and together for discussion purposes.

APPROVED: 7-0-0

f) *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, Inc., Applicant

g) *Discussion – Application for Approval of a Minor Engineering Change – 376 Cambridge Street – The Granite Place, Inc., Applicant

No testimony was taken on this matter.

Planning Director Kassner stated for the record that the applicant did not notify Billerica residences properly. Due to this procedural error, this had to be re-advertised.

MOTION – To continue these matters to the Planning Board meeting of May 16, 2019.

APPROVED: 7-0-0

2. Citizens Time (7:04pm)

No one spoke.

3. Announcements (7:04pm)

- Historic Commission: Museum Open House – Saturday, May 4 at 11am to 3pm – Burlington Museum
- May Town Meeting – Monday, May 13 at 7:30pm – BHS
- Special Town Meeting – Monday, May 20 at 7:30pm - BHS
- Memorial Day – Monday, May 27 – Town Hall Offices will be closed
- Terry Szold, former Town of Burlington Planning Director, was recognized by MIT for her 25 years of planning

Member Espejo is not eligible to vote on items open prior to him sitting on the board.
4. **Legal Notices of Interest** None

5. **Non-Approvals** None

6. **Administrative Matters** None

   a) *Discussion – Application for Approval of a Minor Engineering Change to a subdivision – 36 Mill Street – Beverly Van Nostrand, Applicant (7:07 pm)*

**Applicant Representatives:**

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<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Company</th>
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<tbody>
<tr>
<td>Stephen Dresser</td>
<td>Engineer</td>
<td>Dresser, Williams &amp; Way</td>
</tr>
<tr>
<td>Beverly Van Nostrand</td>
<td>Owner</td>
<td>36 Mill Street</td>
</tr>
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Mr. Dresser explained the original iteration had a shared driveway, and police had an issue with that, so the applicant reduced the number of lots, and separated the driveway. After working with National Grid regarding the easement on the property, the plan was revised to three lots with separate driveways. And that iteration is before the Planning Board. The Conservation Commission approved these plans, and will be issuing an extension of time to complete the project at their next meeting.

Planning Director Kassner noted the site challenges with the Eversource easement, and is in favor of the separate driveways.

Vice Chairman Impemba read the departmental reports into the record.

Planning Board recommended:

- Sharing an wide driveway entrance, then breaking them off into separated driveways to reduce curb cuts
- Review the National Grid easement terms

No public comment was offered.

**MOTION** – To approve the minor engineering change for the property located at 36 Mill Street, as requested by Beverly Van Nostrand.

**APPROVED: 7-0-0**

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7. **Matters of Appointment**

**MOTION** – To take items ‘7.a’ thru ‘7.c’ together for discussion purposes. (7:30 pm)

**APPROVED: 7-0-0**
a) Continued Public Hearing – Application for Approval of a Site Plan – 328 & 330 Cambridge Street – Iconic Capital, LLC. Applicant

b) 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

c) 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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<thead>
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<th>Name</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>
</tr>
<tr>
<td>Jeremie Lederer</td>
<td>President</td>
<td>Iconic Capital, LLC</td>
</tr>
<tr>
<td>Emily Derrig</td>
<td>Staff Engineer</td>
<td>BSC Group</td>
</tr>
</tbody>
</table>

Mr. Proia stated the tenant is the Massachusetts Department of Children and Family Services. They are relocating from Cambridge to Burlington. They will have 75 employees, and approximately 50-55 employees will be in the office at any given time, with 10 visitors per day between 9am and 4pm. The data used to reach these conclusions were taken from the current office. The submitted interior layout plan is for illustration purposes only, and if the business grows, the spaces in reserve would be built out.

Mr. DiPietro noted that the Board of Health reviewed the drainage. There will be a double row of arborvitae between this site and the RO zoned abutting properties. To build the sidewalk on Chestnut Road from this site to Wilmington Road some trees will need to be removed, but they will be replaced. The sidewalk brick banding on Chestnut Road would be difficult to build but it can be done on Cambridge Street. Mass DOT does not allow grass strips on the sidewalks, but the applicant agrees to ask. The applicant is scheduled to appear before Conservation Commission on Thursday May 9.

Mr. Offei-Addo described the traffic into and out of the site throughout the day.

Planning Director Kassner clarified the landscaping and elevations to ensure the headlights would not shine onto neighboring residential properties. Traffic around the building is better. The applicant will either construct a sculpture on site or donate funds to the sculpture park committee. A bus stop will be constructed similar to the ones at Lahey Clinic and Northwest Park. The exposed building foundation will be real brick. And 14 spaces will be in reserve, and 71 spaces will be constructed.
Planning Board discussed:
- Taking measures to prevent over crowding the parking lot and parking outside the site
  - Overflow parking at the Presbyterian Church, 335 Cambridge Street
- Neighbors have water drainage concerns- water will flow to wetlands, and to underground drainage structures; TSS removal will improve the wetlands
- Overlapping meeting times causing over parking
- Amount of conference rooms (9), with one person in each one

Planning Board requested:
- Period lighting (lanterns) similar to 336 Cambridge Street and the overlay district
  - Along Chestnut Road (maintained by the town) and along Cambridge Street (maintained by the applicant)
- Dust controls during demolition
- Rendering of the building; Peaked roof
- Screen all roof utilities
- Save big trees
- ‘Do Not Block the Intersection’ sign and pavement markings
- Implement Traffic Demand Measures (TDM)

Malcolm Trevett, 2 Alma Road, spoke in support of the project, because of the sidewalks and business type.

Evelyn Travett, 2 Alma Road, clarified the site’s curb cuts are staying in relatively the same location.

MOTION – To close the public hearing on items ‘7.b’ and ‘7.c’ (Special Permits)

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

MOTION – To approve the items ‘7.b’ and ‘7.c’ special permits for the property located at 328 & 330 Cambridge Street, as requested by Iconic Capital, LLC.

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

MOTION – To approve the site plan for the property located at 328 & 330 Cambridge Street, as requested by Iconic Capital, LLC.

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

8. Minutes (9:00pm)

February 21, 2019

MOTION – To approve the Planning Board minutes of February 21, 2019 as amended.
March 7, 2019

MOTION – To approve the Planning Board minutes of March 7, 2019 as amended.

APPROVED: 4-0-2 (Vice Chairman Impemba and Member Raymond abstained; Member Espejo is ineligible to vote on this matter)

9. Other Business (9:02pm)

a) Discussion

1. 36 Mill Street – Extension of time

MOTION – To grant 36 Mill Street an extension of time to June 30, 2020.

APPROVED: 7-0-0

2. 60 Blanchard Road (DataCon) – Extension of time

MOTION – To grant 60 Blanchard Road an extension of time to May 25, 2020.

APPROVED: 7-0-0

3. Housing Choice Legislation

Planning Director Kassner explained the purpose of this legislation is to increase housing production. The state will offer a combination of incentives, technical assistance, and new capital grant funding to facility community-led housing production. Planning Board requested this item be added to the agenda for discussion.

4. Master Plan

Member Covino noted only two topics are left to be discussed and the Planning Board needs to finish this.

5. 3A Committee

Planning Director Kassner recommended creating this committee again. Vice Chairman Impemba explained the design portion of this committee should be under the purview of the Planning Board. Vice Chairman Impemba, Member Gaffney, and Member Kelly (alternate Member Covino) agreed to go with staff to the Board of Selectmen with this proposition.
6. Recreation Commission – Planning Board representative

MOTION – To appoint Member Raymond to the Recreation Commission.

APPROVED: 7-0-0

7. Middlesex Common – Missing Speed bumps

Member Covino noted the Middlesex Commons was re-paved and the speed bumps were not constructed. He requested staff explore whether those need to go in.

8. Lahey Clinic – Moved primary care physicians to an office building

Lahey Clinic moved their primary care physicians to an office building on South Bedford Street. Does the building use need to change from office to medical?

9. Roger’s Piano – front building

The front building on the Roger’s Piano site is deteriorating, and portions of that building are in the road. Can the Planning Board request the front building be better maintained?

10. Feather Signs / Shipping Containers

Planning Board agreed to provide staff with a list of feather sign violations.

11. 71 Third Avenue – Solar Panels

Member Gaffney recommended the Planning Board members examine the solar panels at 71 Third Avenue, and provide feedback.

12. AJ Rose (136 Cambridge Street), and Shell (198 Cambridge Street) – Donation Boxes

The donation boxes are at the front of the site, are those locations permitted through the Planning Board?

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 9:48 pm.

APPROVED: 7-0-0

Respectfully Submitted,

Approved by,
Minutes accepted at the Planning Board meeting of October 3, 2019.

Minutes filed with the Town Clerk on October 30, 2019.

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.