1. Vice Chairman Kelly called the March 16, 2017 Regular Planning Board Meeting to order at 7:03 p.m. in the Main Hearing Room of the Burlington Town Hall, 29 Center Street.

Members Present: Member Covino, Member Gaffney, Vice Chairman Kelly, Member Clerk Perna, and Member Raymond

Members Not Yet Arrived: Chairman L’Heureux, and Member Impemba

Also Present: Planning Director Kassner, Senior Planner Morris

Continuances

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

APPROVED: 5-0-0

b) *Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.6.10 “Restaurants” of the Zoning Bylaws – 75 Middlesex Turnpike – 202 Washington Street Inc., Applicant

No testimony was taken on this matter

MOTION – To continue this matter to the Planning Board meeting of April 20, 2017 as requested by the applicant in an email dated March 16, 2017.

APPROVED: 5-0-0

2. Citizens Time

No one spoke.

3. Announcements
• Last day to register to vote – Friday, March 17
• Massachusetts Citizen Planner Training Collaborative – Saturday, March 18 – Worcester at Holy Cross College’s Hogan Center
• Master Plan Steering Committee Meeting – Tuesday, March 21 at 7:30am – Town Hall Annex basement
  o Discussion: Open Space and Recreation
• Board of Appeals Meeting - Tuesday, March 21 at 7:30pm – Town Hall Main Hearing Room
  o Discussion: Corporate Drive 40B and Advanced Auto Appeal
• Tour of the Northeastern Suburban Campus – Wednesday, March 22 at 3:30pm – Homeland Security Building, 145 South Bedford Street
  o Invitees are Board of Selectmen and Planning Board
• MAPC (Metropolitan Area Planning Council) – Thursday, March 23 at 8am – Reading Public Library
• Thomas Kellaway had a serious medical emergency this week and the Planning Board wishes him a quick recovery
• Burlington High School Musical: Peter Pan – March 24, 25, 31, April 1 at 7:30pm & April 7 at 2pm - The Fogelberg Performing Arts Center
  o For tickets visit: www.BurlingtonTheatre.com

4. **Legal Notices of Interest**

   NONE

5. **Non-Approvals**

   NONE

6. **Administrative Matters**

   NONE

7. **Matters of Appointment**

   *Item ‘7.a’ was tabled.*

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

   **APPROVED: 5-0-0**

   f) **Continued Public Hearing** – Application for Approval of a Special Permit pursuant to Section 4.2.6.9 “Fast Order Food Establishment” of the Zoning Bylaws – 68 Middlesex Turnpike – The Gutierrez Company, Applicant

   **Application Representative:**

| Scott Weiss | Developer | Gutierrez Company |

Mr. Weiss update the Planning Board about the future of this site. The negotiations have stalled between a possible tenant and the Gutierrez Company so it will take more time to find a tenant.
The building is 90% complete and the type of tenant The Gutierrez Company is looking for is a lunchtime fast order food establishment.

The applicant has requested a continuance to June 1, and if a tenant is not found by then, the applicant will withdraw the application, waiving the fee to re-file.

No public comment was offered.

MOTION – To continue this item to the Planning Board meeting of June 1, 2017 at the request of the applicant.

APPROVED: 5-0-0

Chairman L’Heureux arrived to the meeting at 7:15pm.

MOTION – To take item ‘7.a’ off the table.

APPROVED: 6-0-0

a) *Public Hearing – Application for Approval of a Site Plan – 38 Grant Avenue – Town of Burlington, Department of Public Works, Applicant

Plans & Reports discussed:
- Site Plan entitled “Site Plan Burlington, MA.” prepared by Weston and Sampson, dated February 22, 2017
- Rendering and materials packet entitled “Burlington Salt Shed Replacement Project Additional Information” prepared by Weston and Sampson received on March 31, 2017
- Lighting Plan entitled “Appendix E Lighting Photometric Plan” prepared by Weston and Sampson

Application Representative:

<table>
<thead>
<tr>
<th>John Sanchez</th>
<th>DPW Director</th>
<th>Town of Burlington</th>
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<tbody>
<tr>
<td>Michael Runyan</td>
<td>Member</td>
<td>Board of Selectmen</td>
</tr>
<tr>
<td>Joseph 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>Jamie Fair</td>
<td>Project Manager</td>
<td>Weston and Sampson</td>
</tr>
</tbody>
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Mr. Sanchez explained Town Meeting in May 2016 approved $1,100,000 to reconstruct the salt shed behind Shaws. The new salt shed will hold an appropriate amount of salt for the winter season. Burlington has several times in the recent past run out of salt. The goal is to complete construction by October so Burlington can receive salt for the winter.

Planning Board staff commented:
• This has begun the 3A process –
  o siding and buffering were discussed
  o requested material samples and additional images of similar salt sheds
  o the space required for truck maneuvering makes it difficult to reduce impervious surface
  o no formal recommendation was made
• Conservation Commission has not made a decision

Mr. Fair presented a power point about the salt shed. The features of the new salt shed are: trucks can dump inside the salt shed (rather than outside and pushing in), more protective of the environment, and reduces noise. 3A requested the door to the salt shed be removed.

*Member Impemba arrived to the meeting at 7:47 pm.*

Planning Board discussed:
• 39 feet 7 inches to the peak of the building
• No changes to accessing the site
• Same drainage pattern but reducing the flow
• Mechanized ways to dump directly into the truck; salt is very corrosive, and would require expensive stainless steel parts
• New shed will hold 3,000 tons of salt and the current shed holds 1,000 tons
• New shed will be Sodium chloride only; no calcium chloride
• State does not want to combine salt sheds
• Sealing the ground to prevent corrosion
• Protecting the sensitive brook in this area
• Relocating the salt shed elsewhere in town

Planning Board requested:
• View of the proposed shed from the corner of the Shaws building
• Paint the sealer
• Salt tolerant plants
• Which body of water the brook empties to
• Some sort of security for the salt shed (if no door), such as a fence around the site
• Wellesley MA salt shed address
• Balloon the site for the Planning Board
• Trees on the border of the site remain
• Justifying the size of the building

Vice Chairman Kelly read departmental reports into the record.

No public comment was offered.

**MOTION** – To continue this item to the Planning Board meeting of April 6, 2017.

**APPROVED: 7-0-0**
c) Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.6.20.1 “Massage Therapy” of the Zoning Bylaws – 101 Cambridge Street – Tranquilo Wellness, LLC., Applicant

Plans & Reports discussed:
- Site Plan entitled “Proposed Improvements for 101 Cambridge Street in Burlington, MA,” said plan prepared by Raymond Engineering Service, dated September 25, 1984

Application Representative:

| Kip Lebaron | Current Owner | Elements Massage of Burlington |
| Ron Levin   | Future Owner  | Tranquilo Wellness, LLC        |

Mr. Levin is in the process of purchasing the Elements Massage from Mr. Lebaron. He plans to keep the operations and employees the same. It is just a change of ownership.

Planning Board staff has no issues.

Vice Chairman Kelly read departmental reports into the record.

Planning Board had no comments.

The Planning Board requested no temporary signs.

No public comment was offered.

MOTION – To approve the special permit as requested by Tranquilo Wellness, LLC, for the property located at 101 Cambridge Street.

APPROVED: 7-0-0

d) Continued Public Hearing – Application for Approval for a Preliminary Subdivision – 200-400 Wheeler Road – The Gutierrez Company, Applicant

Plans & Reports discussed:
- Preliminary Subdivision plan entitled “Preliminary Subdivision Plan, Burlington Summit, 400-600 Wheeler Road, Burlington, MA” submitted by the Gutierrez Company, plan prepared by SMMA, dated January 20, 2017

Application Representative:

| Scott Weiss  | Developer       | Gutierrez Company          |
| Mark Vaughan | Attorney        | Riemer & Braunstein, LLP   |
Mr. Vaughan summarized:
- Wheeler Road will be changing to Summit Drive
- Minor modifications to the roadway are to reflect what’s on site now, and what’s under construction as part of the Mass works grant

Mr. Weiss updated that the 1st phase of the Millipore site is about finished, and the 2nd phase will start soon.

Planning Board staff commented:
- The definitive subdivision plan will freeze zoning at whatever it was prior to the highway department owning the land. The freeze will last for 8 years, and the canyon property according to Town Meeting/Town Council was previously zoned RO.
- Staff has no issues

The action of the Planning Board will in no way agree with the applicant’s interpretation of the canyon property’s zoning.

Vice Chairman Kelly read departmental reports into the record.

Planning Board requested:
- According to the traffic study, coming out of Summit Drive should be two lanes going left and one lane going straight on the highway is correct

No public comment was offered.

MOTION – To accept the preliminary subdivision plan as a complete and proper submission.

APPROVED: 7-0-0

MOTION – To approve the Preliminary Subdivision as requested by The Gutierrez Company, for the property located at 200-400 Wheeler Road.

APPROVED: 7-0-0

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e) *Public Hearing – Petition to amend the Zoning Bylaw, Article III “Sign Regulations” to permit freestanding monument directory signs within the Town Center Overlay District – Submitted by Heritage Trail, LLC, Applicant

**Application Representative:**

<table>
<thead>
<tr>
<th>Kevin Duffy</th>
<th>Owner</th>
<th>Duffy Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Vaughan</td>
<td>Attorney</td>
<td>Riemer &amp; Braunstein, LLP</td>
</tr>
</tbody>
</table>
Mr. Vaughan explained the request for a free standing monument sign to advertise the tenants in the back building. It should be placed near the entrance of the property. In the zoning business district, there is a prohibition on free standing monument signs. The applicant has submitted a draft bylaw provision that could be added to the town sign bylaw, to allow the Board of Appeals to permit free standing signs.

Mr. Vaughan noted a nuance on the plans; the proposed placement of the monument sign, on the front corner of the property, is a paper road continuation of Center Street, so it’s part of the town’s right of way. The applicant is working with the Board of Selectmen on that. The question that needs to be solved is: what the zoning of that paper road is.

The applicant did submit this to the BOS to put on the warrant for Town Meeting as a placeholder.

Planning Board staff commented:
- Writing zoning on a site by site basis is not good practice, but there is a way to write a bylaw that would allow this monument sign
- There needs to be a definition of a monument directory sign
- It can be written that some committee/board have design review

Planning Board staff recommends creating a subcommittee, and then reaching out to the 3A committee.

Planning Board discussed:
- ZBA allows for signage changes, but does not permit sign creation
- Sign covenant was part of the previous approval, and it was for signage overall on site
- Applicant should not write zoning for Burlington; it should be Burlington that writes it

Planning Board requested:
- Reach out to the Zoning Bylaw Review Committee/Zoning Board of Appeals
- Renditions of what kind of signs the applicant is looking for and dimensions
- Explore whether the monument sign would block drivers view exiting the site

Mass DOT light update: initial feedback is Mass DOT is looking more favorably on the idea, and plans are being developed now. As part of the application submission, the applicant will request a letter of endorsement from the Planning Board/BOS/Representative Gordon.

Member Raymond left the meeting at 9:21pm.

Member Gaffney will put this item on the 3A committee agenda.

Chairman L’Heureux appointed Member Clerk Perna to the subcommittee.

No public comment was offered.

**MOTION** – To continue this item to the Planning Board meeting of April 6, 2017.
8. Minutes

December 1, 2016 & January 5, 2017 & January 19, 2017

MOTION – To table approval of minutes December 1, 2016 & January 5, 2017 & January 19, 2017 to the next meeting.

APPROVED: 6-0-0

9. Other Business

a) Discussion

1. Illegally stored Kias and Hondas by Herb Chambers

Kias are still parked on the abutted property, and staff will follow up on that.

Building Inspector sent a letter March 11, 2017 in regards to the Hondas cars parked on Rounder Way. Burlington Honda has 30 days to appeal the letter.

Chairman L’Heureux requested the letter sent February 17, 2017 but it took 3 weeks for the Building Department to do it. She is requesting a meeting to discuss procedure. There needs to be an escalation point internally.

2. Friendly 40B update

It is still in front of the BOA, and at the last meeting the traffic study was reviewed. The applicant eliminated the drive into the site, and increased a lot of pedestrian pass through the site. Tried to do a balloon test last weekend, but all the balloons were cut before inspection. They are going re-fly balloons for tomorrow.

Staff is working on gathering all the comments from all the boards/committees about this project. Planning Director Kassner is urged Planning Board members to voice comments at the next BOA meeting.

3. Francis Wyman Road

The back of a home on Rosario Way faces Francis Wyman Road. Can the Planning Board dictate house orientation? A condition could be put on it.

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 10:02 pm.

APPROVED: 6-0-0

Respectfully Submitted, Approved by,

Noelle Judd, Recording Clerk Carol Perna, 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.