



Town of Burlington Planning Board
Notice of Public Meeting and Meeting Agenda

June 17, 2010

Main Hearing Room Town Hall 29 Center Street Burlington, MA 01803

Ernest E. Covino, Jr, Chairman Paul F. Roth, Vice Chairman Ann M. Cummings, Member Clerk
John A. DeFrancesco Paul R. Raymond Jayne L. Hyde Joseph A. Impemba

Staff: Anthony Fields, Planning Director Kristin Kassner, Assistant Planner Jennifer Gelinas, Principal Clerk

The following times are approximate, except for items marked with an (*) which are new public hearings and will not start before the scheduled time.

7:00 p.m.

- 1) **Call Regular Planning Board meeting to order**
- 2) **Executive Session**

7:30 p.m.

- 3) **Reconvene in Regular Session**
- 4) **Minutes**
- 5) **Citizens Time**
- 6) **Announcements**
- 7) **Legal Notices of Interest**
- 8) **Non-Approvals**
- 9) **Administrative Matters**
 - a) ***Discussion - Application for Approval of a Minor Engineering Change - 54 Burlington Mall Road-RJK Mall Road Nominee Trust, Applicant**

7:35 p.m.

- 10) **Matters of Appointment**
 - a) **Continued Public Hearing - Application for Approval of an Definitive Subdivision - 15R Pathwoods Avenue (now proposed as "Hannah Way" off Joanne Road) - Murray Hills Inc., Applicant**
 - b) ***Public Hearing - Petition to amend, modify or rescind the Rosario Meadows Definitive Subdivision Plan - Submitted by the Planning Board**
 - c) **Continued Public Hearing - Petition to rezone property located at 36 Muller Road to the Planned Development (PD) District - Submitted by Symes Development & Permitting, LLC**

- d) Continued Public Hearing – Application for Approval of a Site Plan – Off Scott Avenue – Murray Hills Inc., Applicant
- e) Continued Public Hearing – Application for Approval of an Erosion and Sedimentation Permit pursuant to Section 14 of the General Bylaws – Off Scott Avenue – Murray Hills Inc., Applicant
- f) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.3.1.19 "Garage space for parking more than three automobiles" of the Zoning Bylaws – Off Scott Avenue – Murray Hills Inc., Applicant
- g) *Public Hearing – Application for Approval of a Site Plan – 145 South Bedford Street - Northeastern University, Applicant
- h) *Public Hearing – Application for Approval of an Erosion and Sedimentation Permit pursuant to Section 14 of the General Bylaws – 145 South Bedford Street - Northeastern University, Applicant
- i) *Public Hearing – Application for Approval of a Special Permit pursuant to Section 12.1.5 "PD Special Permit Requirements" – 53 Second Avenue – LeMaitre Vascular, Applicant
- j) *Public Hearing – Application for Approval of a Special Permit pursuant to Section 1.5.2 "Laboratories engaged in research experimental and testing activities including, but not limited to, the fields of biology, chemistry, electronics, engineering, geology, medicine and physics subject to the Planning Board making the findings set forth in Section 8.3.7.4 of the Zoning By-Laws and subject to the applicable rules and regulations of the Board of Health." of the Northwest Park PD District Zoning provisions – 53 Second Avenue – LeMaitre Vascular, Inc., Applicant
- k) *Public Hearing – Petition to amend the Zoning Bylaw, Article VI "Special Residential Regulations", and Article XI Section 11.8.0 "Inclusionary Zoning Requirements for Multifamily Housing", section 11.8.3 "Applicability", section 11.8.3.1 "Projects less than 10 Units, and section 11.8.3.2 "Projects equal to or greater than 10 Units" – Submitted by the Planning Board
- l) *Public Hearing – Petition to amend the Zoning Bylaw, Article II "Definitions" section 2.50 "Lot Width" and Article V "Dimensional Requirements", Section 5.2.0 "Density Regulations Schedule" – Submitted by the Planning Board
- m) Continued Public Hearing – Petition to Amend the Zoning Bylaw by creating a new Section 5.2.1.6 "Lot shape requirements in the One Family Dwelling (RO) District" – Submitted by the Planning Board
- n) *Public Hearing – Petition to amend the Zoning Bylaw, Section 8.50 "Town Center Overlay Districts" and Section 8.5.8 "Design Requirements" – Submitted by the Planning Board on behalf of the Route 3A Committee
- o) *Public Hearing – Petition to amend the Town Center Design Rules and Regulations by creating a new Section 9 "Signage" – Submitted by the Planning Board on behalf of the Route 3A Committee
- p) Continued Public Hearing – Petition to amend the Zoning Bylaw, Section 2.34 "Home Occupation", Section 4.3.1.2 "Use of a portion of a dwelling as an office ...", and to create a new Section 10.1.1 "Additional Regulations for Home-Based Businesses" – Submitted by the Planning Board
- q) Continued Public Hearing – Petition to create a new Business Park (BP) District by amending Article II, III, IV, V, X and XIII and by creating create a new Section "Regulations in the Business Park District" – Submitted by the Planning Board

- r) Continued Public Hearing – Petition to amend Article XIII “Signs”, by amending Sections 13.1.2, 13.1.3, 13.1.4, 13.1.4 to further regulate Wall Signs – Submitted by the Sign Bylaw Committee

11) Other Business:

- a) Discussion
- b) Correspondence
- c) Reports from Town Counsel
- d) Subcommittee Reports
- e) Unfinished Business
- f) New Business

The following items are currently scheduled for the meeting of July 15, 2010

Public Hearing – Petition to Amend Article VIII, Section 8.5.0 Town Center Overlay Districts,” to delete Section 8.5.4.2.1 Annual Permit Cap and amending Section 8.5.4.2.2 Maximum Residential Component to read “No additional Multiple Family Dwelling shall be permitted beyond those units already permitted or applied for as of June 8, 2010 – Submitted by John D. Kelly, TMM3

Public Hearing – Petition to Amend Article V Density Regulations, Section 5.2.0 Density Regulations Schedule, by striking footnote “****” in its entirety and inserting the following:
*** Within 200 feet of RO, OS, RC, RG or PDD, if the PDD contains any residential components with separate cooking, bathroom and sleeping facilities – 30 feet for each 100 feet in excess of 200 feet from RO, OS, RC, RG, or PD if the PD contains any residential components with separate cooking, bathroom and sleeping facilities – 15 additional feet with a maximum height of 80 feet, except in IH which allows a maximum of 155 feet, except that no structure located within 1800 feet of the center point of the intersection of Cambridge Street and Route 128 or 1800 feet of the center point of Middlesex Turnpike at the Burlington/Lexington town line shall exceed 80 feet in height. A Planned Development District (PD) shall be deemed to be one lot for height and density regulation notwithstanding that legal ownership in the land and or structures is divided by, lease, in fee or otherwise, among two or more owners. Nothing within this section is intended to allow any additional increase to a height structure within the Town Center Overlay District beyond that allowed by Section 8.5.0, including Section 8.5.5.7 – Submitted by John D. Kelly, TMM3

Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.6.9 “Fast Order Food Establishment” – 75 Middlesex Turnpike (Burlington Mall) – Rica Yogurt, Inc., Applicant.