



TOWN OF BURLINGTON
PLANNING BOARD MINUTES
JANUARY 2, 2020

RECEIVED

By Town Clerk's Office at 10:06 am, Apr 03, 2020

Members Present: Chair Barbara G. L'Heureux, Vice Chair Joseph Impemba, Clerk Michael Espejo, Ernest E. Covino, and Brenda Rappaport

Members Absent: William Gaffney and Paul R. Raymond

Also Present: Planning Director Kristen Kassner and Senior Planner Elizabeth Bonventre

1. Call Planning Board Meeting to Order

Ms. L'Heureux called the meeting to order at 7:03 PM.

MOTION - Mr. Espejo made a motion to take item "7.e", "7.f", "7.g" and "7.h" together and out of order for discussion purposes. The motion was seconded by Mr. Covino and unanimously voted 5-0.

7.e Continued Public Hearing to Amend the Zoning Bylaw – Article II “Definitions” and Article IV “Use Regulations” to Address and Define Uses Pertaining to Parking Structures – Submitted by Escadrille Realty, LLC

7.f Continued Public Hearing to Amend the Zoning Bylaw, Article V “Dimensional Regulations Schedule” as it Pertains to Parking Structures – Submitted by Escadrille Realty, LLC

7.g Continued Public Hearing – Petition to Amend the Zoning Bylaw, Article VII “Parking Structures” to Modify the Requirements for Parking Garages – Submitted by Escadrille Realty, LLC

7.h Continued Public Hearing – Petition to Rezone Property to General Business (GB) – 1-3 Ray Avenue – Ray Avenue Trust, Applicant

MOTION - Mr. Espejo made a motion to continue these matters to the Planning Board meeting of February 6, 2020 as requested by the Applicant's attorney in an email dated December 30, 2019. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

2. Citizens' Time

Neil Russell and Susan Russell of 26 Cormier Road – Mrs. Russell stated that they would like to give the Board an update from the Conservation Commission hearing on December 12th. Mr. Russell stated that they filed a NOI to build a new house on 108 Mueller Road. We did not receive notice of the public hearing, nor did some abutting residents in Woburn. The owner of 30 Cormier Road received noticed 24 hours before the meeting. The site plan has not been filed with the State so this is not complete. The plans before Conservation showed a 13' driveway even though the Planning Board approved a 15' driveway. Mr. Russell also noted that there was a previous wetlands violation issued in 2012. There is also remnants of a 3-bay truck garage buried in the hill that is right next to or in the proposed right of way. Mr. Russell stated that access should have been off Mueller Road, not Cormier Road, and they would have supported that. At the February 21, 2019 Planning Board meeting there was discussion on which road the access should come off of but it was not clear if a vote was taken. Prior to the original approval of the subdivision, the Planning Board granted at 40' right of way. They



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request that a condition be added to remove the 40' right of way from Cormier Road. This would prevent a connection of the two roads in the future.



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Ms. Kassner stated that the decision was appealed and we are waiting for counsel for more information and we should not discuss this item in detail.

3. Announcements

Ms. Bonventre stated that the Sculpture Park Subcommittee will be meeting on January 7th at 7:30 AM at the Principal's Conference Room at the Burlington High School. The interviews for the Assistant Town Planner will be January 7th at 11:00 AM in the Annex Basement Meeting Room. Christmas Tree curbside pickup will be the week of January 12th on the usual trash day. Martin Luther King Jr. holiday will be January 20th and Town offices will be closed and lastly, January 27th at 7:00 PM at the Burlington High School will be Town Meeting.

Mr. Espejo stated that there are two open Town Meeting member seats, one in Precinct #1 and one in Precinct #3.

Ms. L'Heureux wished Otto Contardi a happy 90th birthday.

4. Legal Notices of Interest

There were no legal notices.

5. Non-Approvals

There were no non-approvals.

6. Administrative Matters

There were no administrative matters.

7. Matters of Appointment

MOTION - Mr. Covino made a motion to take items "7.a", "7.b", "7.c" and "7.d" together for discussion but vote on each item individually. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

7.a Continued Public Hearing – Petition to Amend the Zoning Bylaw, Article V “Dimensional Regulation Schedule” to Modify the Height and Dimensional Requirements of the High-Rise (IH) Zoning District – Submitted by the Planning Board

Ms. Kassner stated that agenda item 7.a is Planning Board sponsored and is now Article 2. This article addresses the dimensional changes to the IH district including changing the height from 155' to 90', incentives for structured parking underneath the building, promotes green space, creates more flexibility with setbacks to promote better design standards and preserves the residential setbacks.

Attorney Robert Buckley and Kristine Hung from Riemer & Brawnstein and Scott Weisse joined the discussion for the IH zoning articles. Attorney Buckley stated that they would support the dimension requirement changes as proposed by staff.

MOTION - Mr. Covino made a motion to close the public hearing on this matter. The motion was seconded by Mr. Espejo and unanimously voted 5-0.



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MOTION - Mr. Covino made a motion to recommend favorably on Article 2, as amended, of the January 2020 Town Warrant on the Petition to amend Article V: Dimensional Requirements of the Burlington Zoning Bylaw to modify the height and dimensional requirements of the High Rise Industrial (IH) Zoning District – Submitted by the Planning Board. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

7.b Continued Public Hearing – Petition to Rezone Property to the High Rise Industrial (IH) District – 3 Van de Graff Drive – American Landmark III, LLL - Applicant

Attorney Buckley stated that this process started a year ago looking at the trend to incorporate Life Science in Burlington. These three proposed sites could quickly be changed for Life Science. Life Science would stabilize and diversify the tax base for Burlington. Currently there are no projects/tenants for these three sites.

Attorney Buckley stated that the first site is 3 Van de Graff Drive. This is the Samsung Pay building. It is a building that is primarily 1 story but then shoots up to a 4 story portion of the building. There is a half-acre courtyard in the middle of the building. There are currently four tenants in the building.

Ms. Rappaport asked what the occupancy of the building was. Attorney Buckley replied about 85% but the leases are up within the next couple of years.

Shari Ellis – Town Meeting Member Precinct #3 and Chairman of the Zoning Bylaw Review – Ms. Ellis stated that if this building is not raised, then how would underground parking be added. Attorney Buckley replied that you could take a portion of the building and add a level so the parking level will be at grade.

MOTION - Ms. Rappaport made a motion to close the public hearing on this matter. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

MOTION - Mr. Rappaport made a motion to recommend favorably on Article 3, the petition to rezone the property at 3 Van de Graaff Drive to the High Rise Industrial (IH) District. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

7.c Continued Public Hearing – Petition to Rezone Property to the High Rise Industrial (IH) District – 400-600 Summit Drive – Guiterrez Company - Applicant

Attorney Buckley stated that this is the premier site in Burlington for Life Science. Mr. Weisse stated that Millipore Services is a Life Science company and they have about 350,000 SF that is nearly fully occupied. The traffic counts were submitted for the project and it is 60% less than what was predicted for typical office use. Ms. Kassner agreed that Millipore is a star on the map for Burlington and Life Science. Ms. Kassner stated that she supports all three proposed locations for rezoning to IH.

Ms. Rappaport asked how much more square footage could be added and also did the traffic study take the additional square footage into account. Mr. Weisse replied approximately 200,000-300,000 SF of additional space. The traffic report for what is there now required monitoring of the traffic and even if we added 250,000 SF the traffic count would still be lower because in Life Sciences there are large lab areas and fewer employees. Ms. Rappaport asked if the building has a single occupant. Mr. Weisse replied yes, and they are 98% full. Millipore has a long term lease at this site.



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Mr. Impemba asked what the total square footage is now. Mr. Weisse stated that 400-600 Summit Drive has 350,000 SF and 200 Summit Drive has 250,000 SF so a total of 600,000 SF total. Mr. Impemba asked if there would be increased green space. Mr. Weisse replied that they would maintain what the existing green space but probably would not be able to create additional green space.

Mr. Espejo asked if Millipore has asked for additional space. Mr. Weisse replied yes, about a year ago they acquired another company in California and they wanted to move the operations to this site but there wasn't space for this.

Mr. Covino asked where another building go could. Mr. Weisse stated that they have no definite plans but there are several options available. Mr. Covino stated that once a property goes Life Science it would be almost impossible to convert it back to office space.

Ms. L'Heureux stated that she has questions that are more for when a proposal to build will be submitted but asked that they start the process early and work closely with this Board for design issues.

There were no questions from the audience.

MOTION - Mr. Espejo made a motion to close the public hearing on this matter. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

MOTION - Mr. Espejo made a motion to recommend favorably on Article 4, the petition to rezone the property at 400-600 Summit Drive to the High Rise Industrial (IH) District. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

7.d Continued Public Hearing – Petition to Rezone Property to the High Rise Industrial (IH) District – 60 Blanchard Owner, LLC – Applicant

Attorney Buckley stated that this property has a 1-story building that is approximately 50,000 SF and was built back in the 1960s. This building will most likely be torn down and a new building be built. This is a great location for a Life Science building.

There were no questions from the audience.

MOTION - Ms. Rappaport made a motion to close the public hearing on this matter. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

MOTION - Ms. Rappaport made a motion to recommend favorably on Article 5, the petition to rezone the property at 60 Blanchard Road to the High Rise Industrial (IH) District. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

Attorney Buckley thanked staff, committee and the Planning Board on all the hard work on these articles. Ms. Kassner also thanked the Board of Health for all their hard work on making sure Life Sciences are safe. They hope to approve their own regulations on Life Science at their January 12th meeting.

8. Minutes

There were no minutes to approve.



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9. Other Business

9.a Discussion

9.a.1 General Walker Definitive Subdivision – Minor Engineering Change Peer Review

Ms. Kassner stated that they are proposing a minor engineering change. We are requesting a peer review be done. Ms. L'Heureux stated that this absolutely has to be done.

MOTION - Mr. Espejo made a motion to instruct the Planning Staff to begin the process of creating a scope and soliciting bids for a peer review for the Minor Engineering Change to the General Walker Estates Definitive Subdivision opening at the meeting of January 16, 2020. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

9.b Correspondence

There was no correspondence.

9.c Reports from Town Counsel

There were no reports from Town Counsel.

9.d Subcommittee Reports

There were no subcommittee reports.

9.e Unfinished Business

There was no unfinished business.

9.f New Business

There was no new business.

MOTION - Mr. Espejo made a motion to adjourn the January 2, 2020 Planning Board meeting at 8:10 PM. The motion was seconded by Ms. Rappaport and unanimously voted 5-0.

*Respectfully Submitted by Dawn Cathcart,
Recording Clerk*