

TOWN OF BURLINGTON  
PLANNING BOARD MINUTES  
FEBRUARY 20, 2020

**Members Present:** Chair Barbara G. L'Heureux, Vice Chair Joseph Impemba (Late Arrival), Clerk Michael Espejo, Ernest E. Covino, William Gaffney, Paul R. Raymond, and Brenda Rappaport (Late Arrival)

**Members Absent:** None

**Also Present:** Planning Director Kristen Kassner and Administrative Assistant Jennifer Gelin

**1. Call Planning Board Meeting to Order**

Ms. L'Heureux called the meeting to order at 7:01 PM.

MOTION - Mr. Raymond made a motion to take item "6.a" out of order for discussion purposes. The motion was seconded by Mr. Espejo and unanimously voted 5-0.

**6.a Continued Discussion – Application for Approval of a Minor Engineering Change – 3 & 5 Dartmouth Road (General Walker Estates Subdivision) – General Walker Estates – Applicant**

Ms. L'Heureux stated that they received a letter today for the owners. They are making progress with removing the equipment. Ms. Kassner stated that they have applied for a demo permit for 101 Francis but nothing will be issued until everything is resolved

MOTION - Mr. Raymond made a motion to continue this matter to the Planning Board meeting of March 5, 2020. The motion was seconded Mr. Espejo and unanimously voted 5-0.

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

**7.f Public Hearing - Application for Approval of Special Permit pursuant to Section 12.1.5 "PD Special Permit" of the Zoning Bylaws –20 North Avenue – VulcanForms, Inc., Applicant**

**7.g Public Hearing - Application for Approval of a Special Permit pursuant to Section 1.5.1 "Light Manufacturing or Processing Plants" of the Zoning Bylaws –20 North Avenue – VulcanForms, Inc., Applicant**

**7.h 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 fourth in Section 8.3.7.4 of the Zoning Bylaws and subject to the applicable rules and regulations of the Board of Health" of the Zoning Bylaws –20 North Avenue – VulcanForms, Inc., Applicant**

**7.i Public Hearing - Application for Approval of a Special Permit pursuant to Section 1.5.4 "Hazardous and toxic materials/chemical use storage, transport, disposal or discharge" of the Zoning Bylaws –20 North Avenue – VulcanForms, Inc., Applicant**

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**7.j Public Hearing - Application for Approval of Special Permit pursuant to Section 1.5.5  
“Generation or storage of hazardous waste limited to the volumes classified as very small  
quantity generator” of the Zoning Bylaws –20 North Avenue – VulcanForms, Inc., Applicant**

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**7.k Discussion – Application for Approval of a Minor Engineering Change – 20 North Avenue – VulcanForms, Inc. Applicant**

Mr. Impemba joined the meeting at 7:05 PM.

Ms. Kassner stated that they are working with the Fire Department, Building Department and Board of Health and are not quite ready to move forward with their applications.

MOTION - Mr. Raymond made a motion to continue these matters to the Planning Board meeting of March 5, 2020. The motion was seconded by Mr. Espejo and unanimously voted 6-0.

**2. Citizens' Time**

No one came forward.

**3. Announcements**

Ms. Kassner stated that the Assistant Planner, Brady Caldwell will be starting on Monday. There will be early voting next week (February 24<sup>th</sup> through February 28<sup>th</sup>) for the Presidential primary. The hours will be Monday through Friday 8:00 AM to 5:00 PM with extended hours on Wednesday until 7:00 PM. The polls will be open on March 3<sup>rd</sup> from 7:00 AM and 8:00 PM. The next ZBRC meeting will be on March 4<sup>th</sup> at the Town Hall Annex Meeting Room B.

Mr. Covino offered condolences to the Brown family with the passing of their father.

**4. Legal Notices of Interest**

There were no legal notices.

**5. Non-Approvals**

There were no non-approvals.

**6. Administrative Matters**

**7. Matters of Appointment**

**7.a Public Hearing – Application for Approval of a Site Plan – 25 Blanchard Road – The Trustees, Applicant**

Catherine MacDonald, Trustee and Ray Dunetz, landscape architect appeared for the Site Plan at 25 Blanchard Road (Mary Cummings Park). Ms. MacDonald thanked the Town of Burlington and its citizens that allowed this restoration to happen. Mr. Dunetz stated that they are proposing to create a welcome area with a new gravel parking lot, ADA accessible trails that lead to a new boardwalk. This new parking lot will be similar to the soccer field parking lot. There will be 21 parking spaces and they will be 9' x 20' with 2 handicap accessible spaces. There will be one way in and out but it will be large enough for a bus to enter. They will be clearing out the shrubs on the east and west of the access way for visibility. They will also add stop signs. There will be a picnic area to the right of the parking lot that they will make into a pollinating meadow. They will add trees to block the view of the water and cell tower on the adjacent property.

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Ms. Kassner stated that the Conservation Commission approved this project at their last meeting. The existing entrance from the soccer field was helpful but this new entrance will be great and they support the project. Ms. Kassner asked if the curb cut could be shifted to align with the driveway from Oracle. Mr. Dunetz replied that they can move the entrance.

Mr. Impemba read the departmental comments.

Ms. Rappaport joined the meeting at 7:20 PM.

Mr. Impemba stated that there should be a crosswalk from Oracle. In the future the grass area could hold the Farmer's Market. Mr. Dunetz stated that they would like to hold events in the future. Mr. Impemba asked if the community gardens could relocate here. Mr. Dunetz stated that they did speak with Peter and he cannot fill the open spots he has now but it is something to look at for the future because there will be water.

Mr. Raymond stated that he was an original member of the Friends of Mary Cummings Park and he is so happy with the work that will be done here. Ms. MacDonald replied that they are so happy that the Friends were able to keep this going until they could come in. Mr. Raymond stated that they should ask Oracle for a donation and have them put the walkway in. Ms. L'Heureux stated that we could ask staff to talk with Oracle and the Town to see how this would get done.

Mr. Espejo thanked that Trustees for all their work and is very excited to have this finished in June.

Mr. Gaffney asked if additional plantings could be added to the entrance to the soccer field to soften the area up. Ms. MacDonald stated that is the Town of Burlington property. Mr. Gaffney asked if there will be a trail to the Northeastern property. Mr. Dunetz stated that is part of the Master Plan for the park but not part of this project. Jeremy Dick from the Trustees joined the meeting. Mr. Dick stated that Northeastern has put up a solid fence near the barracks building and have created a new pedestrian access so they will have a proper trail to it in the future. They also have a vehicle gate for the Cite of Woburn to get to the water tower. Mr. Gaffney stated that the community gardens may have an issue filling the spaces because of the location. This is a better location.

Mr. Covino asked if the 1" water main will be used to have bathrooms on site. Mr. Dunetz replied no, it is only for irrigation. Mr. Covino asked if the dirt bike program will continue. Ms. MacDonald stated that once the Conservation Restriction is in place, the program will be discontinued.

Ms. L'Heureux stated that the goal is to have sidewalks on the streets and there should be sidewalks from Holly Meadow to the entrance of the park.

Jim Edgerly of 6 Marigold Way – Mr. Edgerly stated that this area is in urgent need of sidewalks. This is a great project but the lack of sidewalks will limit the use. He asked if trails could be added on the side of the grass that follows the roadway until a proper sidewalk is installed. Ms. Kassner stated that the Town is working on sidewalks road by road and we understand that we need a pedestrian walkway system.

MOTION - Mr. Covino made a motion to close the public hearing on this matter. The motion was seconded by Mr. Gaffney and unanimously voted 7-0.

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MOTION - Mr. Covino made a motion to approve the request of The Trustees (“Applicant”) for approval of a Site Plan Application, for property located at 25 Blanchard Road (Mary Cummings Park), to permit improvements to the park including the creation of a new parking area, visitor entrance, signs, benches, picnic tables, trails, tree clearing, and native landscaping, as reflected on the site plan entitled “Mary Cummings Park Improvements,” prepared by Ray Dunetz Landscape Architecture, Inc., dated January 22, 2020 (“Site Plan”) consisting of twenty-three (23) sheets subject to the following revisions, terms, and conditions as amended. The motion was seconded by Mr. Gaffney and unanimously voted 7-0.

MOTION - Mr. Covino made a motion to take item “7.b”, “7.c”, “7.d” and “7.e” together for discussion purposes. The motion was seconded by Mr. Gaffney and unanimously voted 7-0.

**7.b Continued Public Hearing - Petition 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.c Continued Public Hearing - Petition to amend the Zoning Bylaw, Article V “Dimensional Regulation Schedule” as it pertains to parking structures – Submitted by Escadrille Realty, LLC**

**7.d 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.e Continued Public Hearing - Petition to rezone property to the General Business (BG) District – 1-3 Ray Avenue – Ray Avenue Trust, Applicant**

Attorney Tom Murphy and Michael Murray appeared for the continued public hearings on the zoning articles for Escadrille Realty, LLC. Attorney Murphy stated that they had originally submitted these articles for January but with so many questions, they decided to pull them back for the May Town Meeting. They have met several times with the ZBRC and the Planning Board subcommittee and they met with staff yesterday. Ms. Kassner stated that these articles address the need a more defined definitions for structured parking, changes to the dimensional criteria for parking structures, added the new definitions to the use table and allowed parking decks in the BG zone. Article #7 still needs to be flushed out with setbacks and green space requirements and to see what the impacts to the entire BG district would be if approved. The ZBRC have taken over the definitions and have submitted their own article. Ms. Kassner added that Mr. Covino and Ms. L’Heureux are the members on this subcommittee.

Ms. L’Heureux asked how many sites in the BG district this change would affect. Mr. Murray replied that this could apply to 18 sites. Before the dimensional buffer restrictions, 43 sites would have met the criteria. The setback would be from the property line, not the parking structure. Ms. L’Heureux stated that she is not necessarily concerned with this property and she knows the need for parking on this site but she is concerned with the domino effect on the other 18 properties.

Mr. Raymond stated that he would like to be notified when the subcommittee meets. Ms. Kassner stated that she will send the information to all members.

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Mr. Murray stated that the 18 properties effected include: Café Escadrille including the Ray Ave site, 28 Cambridge Street (Cycle Loft), 11, 15, 21, 23, 36 Cambridge Street, 2, 10 and 20 Wall Street, Wayside Commons, 51-53 Cambridge Street, 47, 54, 56, and 59 Middlesex Turnpike, Burlington Mall (including all sub parcels), 90-108 Middlesex Turnpike. Mr. Murray stated that the Building to Ground Ratio has been reduced to 25% from 33% if a parcel wants structured parking. This would reduce the maximum footprint of the building and if a parcel is over 25% then they can't get structured parking.

Ms. Rappaport asked if the parking structure would only be on the parent parcel or could all sub-parcels in the case of the Burlington Mall have parking structures. Ms. Kassner stated that for zoning, all the parcels are considered one parcel. Ms. L'Heureux stated that she is afraid of opening Pandora's Box and asked if there is any way to allow a parking deck for just the Escadrille property.

Mr. Gaffney asked when the function hall was added was Ray Street part of it. Mr. Murray replied it was not part of the original proposal.

Mr. Impemba stated that there is definitely a parking problem at the Escadrille that needs to be fixed.

Attorney Murphy stated that if we can get the parking deck just for Escadrille property that would be great but he added that some of the 18 site listed are precluded. Ms. L'Heureux stated that we should try. Mr. Murray stated that the parking deck will add 34 parking spaces.

MOTION - Mr. Espejo made a motion to continue these matters to the Planning Board meeting of March 5, 2020. The motion was seconded by Mrs. Rappaport and unanimously voted 7-0.

MOTION - Mr. Espejo made a motion to take items "7.l," and "7.m" together for discussion purposes. The motion was seconded by Mr. Raymond and unanimously voted 7-0.

**7.l Continued 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**

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

Frank DiPietro from the BSC Group appeared for the continued public hearings for 376 Cambridge Street. Mr. DiPietro stated that he wanted to thank Staff and the Planning Board for all the work that has gone into this. Mr. DiPietro stated that the owners found a space in Wilmington to house the fabrication portion of the business but there is a problem with zoning in Wilmington also. There will be no expansion of fabrication in Burlington and they have been moving out the outside storage. Once the fabrication is approved in Wilmington, they will move more of the granite slabs inside the building. They have also taken over the entire building and this will be their formal showroom. Mr. DiPietro stated that as far as the site improvements, the parking in front was improved, they will not be installing a fence around the site, and the outside storage of granite will be limited to 5'-10' from the building. The dumpster will be moved to the back and will be enclosed. There will be parking on the

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side street and all setbacks will be met. They will be limiting outdoor activity but they would like to maintain the granite slabs out front for advertising.

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Ms. Kassner stated that this started back in 2018. They have scaled back the plan and the storage not more than 10' from the building seems ok but they are still concerned with the activity of the loading doors. There is also concern and they would need more information on the "a-frame" granite in the front of the building. This started when they received complaints from the abutters dealing with the fabrication of the granite and the outside washing of material. They would like more information on the movement of material onsite including times when they would be allowed. They would recommend that the vegetated border along Van Norden Drive be restored and they would like vegetation around the dumpster as well as a fence. The front of the building also needs some enhancement and there should be a sound barrier in the back of the property. The parking lot should also be restriped.

Ms. Rappaport stated that she doesn't support the dumpster being moved closer to the neighbors and would agree that it needs a fence and vegetation surrounding it.

Mr. Impemba stated that the vegetation should be enhanced along Van Norden Street and there should be a fence added as well. The front needs more landscaping and if it is done properly with enhanced landscaping he wouldn't mind having concrete in the front but he is not sure if that would be allowed because for all intended purposes the slabs of granite are being used as a sign.

Mr. Raymond stated that he is concerned for the neighbors and would agree that a fence is also needed along Van Norden. He is agrees that the dumpster should not be moved back.

Mr. Espejo stated that he has an issue with the concrete slabs out front. They have a sign that says "The Granite Place" and they don't need these big blocks of granite out front.

Mr. Gaffney stated that it doesn't look that different to him as before they started working on it. The granite is still over the curb and he is not confident that they would keep the granite no more than 10' from the building and believes there should be no outside storage of granite. The dumpster should be moved to the back left away from the residents where the shipping container is. The shipping container should not be on site. Ms. Kassner agreed, it is not on the plan and needs to be removed.

Mr. Gaffney asked why there is a "The Granite Place" sign on the building two doors down. Mr. DiPietro stated that they have purchased that property and they have their staff park over there. Mr. Gaffney stated that sign should be removed immediately. Mr. DiPietro stated that he will find out what is going on there. Mr. Gaffney stated that it looks like work is being done in there and asked that the Building Inspector go out to look at it.

Mr. Covino stated that if they incorporate the granite into the ground within the landscaping that may be ok but we would need to see it. Mr. Covino asked that the neighbors get notified of the changes.

Ms. L'Heureux stated that all the vegetation needs to be replaced on the right hand side along with the addition of a fence, signs should be posted internally with hours of activity, there should be no storage of granite in the front and more landscape should be added in the front and she would need to see more information about any outside storage. The dumpster should not be moved to the back right corner.

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MOTION - Mr. Raymond made a motion to continue these matters to the Planning Board meeting of March 5, 2020. The motion was seconded by Mr. Covino and unanimously voted 7-0.

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**8. Minutes – 10/16/19, 11/7/19, 11/21/19 and 12/5/19**

MOTION - Mr. Espejo made a motion to approve the Planning Board meeting minutes of October 16, 2019, November 7, 2019 and November 21, 2019 as submitted. The motion was seconded by Mr. Gaffney and unanimously voted 6-0-1. Mr. Impemba abstained from voting.

MOTION - Mr. Espejo made a motion to approve the Planning Board meeting minutes of December 5, 2019 as submitted. The motion was seconded by Mr. Covino and unanimously voted 5-0-2. Mr. Impemba and Mr. Gaffney abstained from voting.

**9. Other Business**

**9.a Discussion**

**9.a.1 Solar Committee Appointment**

Ms. L’Heureux stated that Ms. Rappaport has offered to be the Planning Board representative for the Solar Committee.

**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**

Ms. L’Heureux stated that the Master Plan is about 95% completed and we should finish it. Ms. L’Heureux asked the staff to circulate the latest copy to the Board to review and comment on and shoot for a target date of April or May to complete.

Mr. Raymond stated that he was removed from the Master Plan committee so he is reserving his comment. Ms. L’Heureux stated that this will give you the opportunity to review and edit what has been submitted.

**9.f New Business**

There was no new business.

MOTION - Mr. Covino made a motion to adjourn the February 20, 2020 Planning Board meeting at 8:50 PM. The motion was seconded by Ms. Rappaport and unanimously voted 7-0.

*Respectfully Submitted by Dawn Cathcart,  
Recording Clerk*