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To Town Clerk

**MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA
May 4, 2021**

Chairman Michael Murray called the meeting of the Burlington Board of Appeals to order at 7:30 p.m. The meeting was held Via Cisco Webex Link and on the bcattv Facebook page. The voting will be conducted by roll call.

Present: Chairman: Michael Murray, Jr., Charles Viveiros, Mark Burke, Joe Currier, and John Sullivan, Jim Sheridan and Adam Tigges

Absent: none

20-21

Continued Hearing

35 Mountain Road

Chairman Murray stated the applicant would like to continue the hearing to May 18th, allowing them to obtain additional information.

Motion made and seconded to continue the hearing. 5-0 in favor

21-6

Continued Hearing

Richardson Rd

Chairman Murray stated the applicant would like to continue the hearing to May 18th allowing them to obtain additional information.

Motion made and seconded to continue hearing until May 18, 2021. 5-0 in favor.

21-8

Continued Hearing

Cambridge Street

The petition of Harvey Signs for Herb Chambers for property located at 64 Cambridge St, Burlington, MA 01803, as shown on the Burlington Assessor's records as Book-Page#23501-244, Map and Parcel reference: # 42-97-0. The applicant is seeking a Special Sign Permit to erect 3 wall signs proposed as follows:

SG-1 is to be a Wall sign 30" x 36'-7 1/4" to be located on the Front (west) elevation on the right side of the building above overhead doors to read 'PORSCHÉ'. Denied due to Article 13, section 13.1.4.2.1 Wall signs shall be the same as for business zoned except that signs shall be six (6) feet or less in height. and 13.1.3.2.4 signs at the first-floor level may extend across the full width of the wall. At other than the first-floor level, a sign shall be six (6) feet or less in length.

SG -2 is to be a Wall sign 26" X 12'-4 1/4" to be located on the front (west) elevation side left side of the building to read 'Burlington'. Denied due to same reasons as for sign SG-1 as well as 13.1.3.2, one wall sign shall be permitted for each business side of a building side of the building.

SG-3 is to be a Wall sign 4' -8 7/8" x 2'-2" located on the front (west) elevation on the right side at corner by overhead service door to read the Porsche emblem / Service (double stacked). Denied due to 13.1.3.2 one wall sign shall be permitted for each business side of a building and direct entrance onto a store.

SG -3 is the third Wall sign proposed for the business side of the building.

Phillip Naffah from Harvey Signs re-introduced himself and stated he had presented the options to his design team and they decided to just have Porsche and the service sign.

Board members agreed with this decision.

Public hearing open to the public. Noone present to speak for or against. Motion made and seconded to close the public hearing. 5-0 in favor

Motion made and seconded to grant the Wall Signs as follows:

SG-1 is a Wall sign to be 30" x 36'-7 1/4" to be located on the Front (west) elevation on the right side of the building above overhead doors to read '**PORSCHE**'.

SG-3 is to be a Wall sign 4' -8 7/8" x 2'-2" located on the front (west) elevation on the right side at corner by overhead service door to read the **Porsche emblem / Service** (double stacked).

As represented on drawings titled Project ID JW130003R-5 revision date 4/22/2021. The Special Sign Permit was granted with the conditions the illuminations are not to exceed 90 lumens per square foot and no other signage on the building even if by-right.

5-0 in favor.

21-9

New Hearing

180A Cambridge Street

The petition of I.D Sign Group, Inc. for Shaw's Supermarket for property located at 180A Cambridge Street, Burlington, MA 01803, as shown on the Burlington Assessor's records as the following Book-Page# 1428-15, Map and Parcel reference: 23-122-0. The applicant is seeking a Special Sign Permit to install a Wall Sign to be 49 1/4" X 42" to be located on the front (south) elevation at approximately mid-span of the wall to read 'Drive Up & Go' with a circular silhouette of a motor vehicle above the words' (double stacked). The Wall Sign is denied due to Town of Burlington Sign by Law Art. 13, sect. 13.1.3 and 13.1.3.2.3 prohibits a wall sign shall be four (4) feet or less in height. Along with previous Burlington Board of Appeals decisions #20-19 and 20-20 prohibit any additional signs on the building even if by right.

Jamie Fischer from ID Sign Group introduced himself and stated he was representing Shaw's Supermarkets. He provided an overview of the sign they were requesting. He described the sign to be internally illuminated and located on the left side of the building. He also described the mounting of the sign to the building.

Mr. Tigges asked what the purpose of the sign being placed in front of the pickup spaces and was told it would help with the flow of the traffic and to promote the designated spaces.

Mr. Sheridan asked if they were looking for relief because the sign is an inch and 1/4 over the by-law. Mr. Fischer state yes, and Mr. Sheridan asked if they could reduce it to be compliant.

Mr. Fischer explained Shaw's has a predeveloped standard and he feels if they reduce the sign, it would make it a custom sign and the reduction in the size would make it difficult to read.

Mr. Murray pointed out Shaw's also needed relief from the amount of signage on the building. He also asked for clarification on the purpose of the sign.

Mr. Fischer stated the sign is to indicated what services Shaw's has to offer.

Hearing open to the public. No one present to speak for or against. Motion made and seconded to close the public hearing. 5-0 in favor.

Motion made and seconded to grant a Special Sign Permit to I.D. Sign Group Inc. for Shaw's Supermarkets Inc. for property located at 180A Cambridge Street, Burlington, MA. 01803 to install a Wall Sign 49 1/4" X 42" to be located on the front (south) elevation at approximately mid-span of the wall to read 'Drive **Up & Go**' with a circular silhouette of a motor vehicle above the words, double stacked as shown on renderings 02-24823 submitted with the application. The Special Sign Permit was granted with the conditions the illuminations are not to exceed 90 lumens per square foot and no other signage on the building even if by-right. 5-0 in favor.

21-10
New Hearing
118 Cambridge Street

The petition of Henley Enterprises, Inc. for Amelia Harrington (Valvoline Instant Oil) for property located at 118 Cambridge Street, Burlington, MA 01803, as shown on the Burlington Assessor's records as the following Book-Page# 51745-493, Map and Parcel reference: 35-95-0. The applicant is seeking a Special Sign Permit to install thirteen (13) signs as follows.

Signs A1, A2, A3 & A4 are proposed to be Wall Signs - 5'-11" x 7'-8" to read 'Valvoline Instant Oil Change' Double stacked with the trademark 'V' logo above. The signs are denied due to Burlington Sign By-Law, Article 13, Section 13.1.3.2.3 A wall sign shall be four feet or less in height.

Sign A is proposed to be located on the North Elevation (right side) above the doorway.

Sign A2 is proposed to be located on the South Elevation (left side).

Sign A3 is proposed to be located on the East Elevation (Centered on the wall).

Sign A4 is proposed to be located on the West Elevation (upper left).

Signs B1, B2 & B3 are proposed to be Wall Signs – 1'-0" x 10'-0" to be located on the South Elevation above each of the overhead garage doors to read the numerals '1 or 2 or 3, with the 'V' logo'. The signs are denied due to Sign By- Law, Article 13, section 13.1.3.2.2 & 13.1.3.2.1.

13.1.3.2.2 states at gasoline stations and garages, the front wall sign may be divided into separated signs indicating operations or departments, provided the total width of the separate signs do not exceed the maximum permitted for a wall sign.

13.1.3.2.1 states one wall sign will be permitted for each business side of a building and direct entrance into a store.

Sign B1, B2, & B3 to are not a point of operation/department and would be the 2nd, 3rd, & 4th Wall Sign for South elevation.

Sign C is proposed to be a Wall Sign – 2'-2" x '1'-4" to be located on the South Elevation between garage doors # 2 and #3, to read 'Please Wait Caution Open Floors with Valvoline. Valvoline Instant Oil Change logo within the center of the sign'. The sign is denied due to Sign By -Law Article 13, Section 13.1.3.2.1- one sign shall be permitted for each building. This will be the 5th wall sign on the Northern Elevation.

Signs D1 and D2 are proposed to be Wall Signs- 2'-2" x 1'-4" to be located on the North Elevation between each of the garage doors to read' Exit Only Caution Open Floors with Valvoline Instant Oil Change logo within the center of the sign'. The sign is denied due to Sign By-Law Article 13, section 13.1.3.2.1 states one wall sign shall be permitted for each building. These will be the 2nd and 3rd Wall signs on the North Elevation.

Attorney Thomas Murphy introduced himself and state he was representing the family operated Valvoline. He provided an overview of the signage they were looking for. He explained they were corporate signage and he felt the signage package is appropriate for the size of building and the nature of the business.

Kelly James from the sign company provided a description of the signs and importance the signs for safety reasons.

Attorney Murphy informed the Board any signs with illumination will be within the 90 lumens per square foot.

Mr. Sheridan questioned the sign facing Edwards St. and the sign facing the High School's purpose and Attorney Murphy stated they have decided to withdraw the sign facing Edwards, however because the traffic moves quickly, the sign facing the school, will provide the extra visibility needed.

Mr. Viveiros asked for clarification of the sign being withdrawn and was informed the Eastern level A-3 sign.

Mr. Sullivan made the comment about companies putting out sandwich board and banner flags and would like to make it a condition.

Kelly James responded they could work with that.

Mr. Murray asked for clarification about the sign A, if they are going to be internally lit, why they have gooseneck lighting too.

Attorney Murphy stated the gooseneck lighting is decorative, so they are there for not décor not function. He added the town center overlay requires it.

Mr. Murray stated the signs appear to stick out off the building about a foot and ½ and questioned if that was correct.

Kelly James responded that they stick out because of the shape of the sign. The sign has a curve creating the depth. It will be flush mounted to the building.

Mr. Murray questioned if they could make them shorter.

Attorney Murray stated they are the standard sizes and if they reduce the height, it would be reduced equally around making it difficult to see, especially on a busy street,

Mr. Homer from IG Sign Group stated the Capital lettering itself is only 8 inches and the lower case is 5 inches therefore reducing it would make it impossible to read.

Mr. Sheridan questioned if the B signs are standard with the 'V' on each bay? Would prefer just the bay number. Kelly James responded they usually have the logo on each sign, but they can remove them.

Public hearing opened to the Public. Noone present to speak for or against. Motion made and seconded to close the public hearing. 5-0

Discussion regarding splitting Sign A-3.

Motion made and seconded to split A-3 from the original package. 5-0 in favor

Motion made and seconded to deny Sign A-3. 5-0 in favor.

Discussion about modifying the 'V' logo on the bay signs, Board would like to see that eliminated.

Mr. Viveiros felt there should also be a timer on the lighting, on one hour before and one hour after closing because it faces residents.

Attorney Murphy stated he was fine with the conditions.

Motion made and seconded to approve 10 signs as follows;

Sign A1 to be located on the North Elevation (right side) above the doorway.

Sign A2 is to be located on the South Elevation (left side).

Sign A4 is to be located on the West Elevation (upper left).

Wall Sign A1, A2, A3 are 5'-11" x 7'-8" to read '**Valvoline Instant Oil Change**' doubled stack with trademark 'V' logo above.

Signs B1, B2 & B3 is a Wall Signs to be 1'-0" x 10'-0" to be located on the South Elevation above each of the overhead garage doors to read the numerals **'1 or 2 or 3'**.

Sign C is a Wall Sign to be 2'-2" x 1'-4" to be located on the South Elevation between garage doors # 2 and #3, to read **'Please Wait Caution Open Floors'** with the Valvoline logo.

Signs D1 and D2 are to be Wall Signs- 2'-2" x 1'-4" to be located on the North Elevation between each of the garage doors to read **'Exit Only Caution Open Floors'** with Valvoline logo **'V'**.

As shown on renderings dated 3-6-2020 submitted with the plans. The Special Sign Permit was granted with the condition the signage is not to exceed 90 lumens per square foot and no other signs even if by right, illumination will be on a timer to be set no earlier than 1 hour before opening and 1 hour after opening, no temporary signage such as A frame signs or banner flags, but not limited to, and no other signage even if by right.

Discussion on 20 Corporate Drive. Mr. Murray explained the Board had previously approved the friendly 40B and now they are looking for an amendment to reduce the number of parking spaces required by 2 spaces, 1 inside the garage and one outside of the front door, and it requires the Boards approval.

Mr. Viveiros asked what the reason was it was needed.

Attorney Robert Buckley introduced himself and explained the reasoning they needed to reduce the two spaces. He stated inside the garage it was needed because of the installation of the water treatment equipment to soften water to prevent corrosion of the pipes, has taken up one space. The outside space in front of the doors will be eliminated because it is better for circulation. He added because of the change from the original approval, the ZBA needs to approve.

Chris Chandor added there are 435 spaces currently and this would reduce it to 433. He added there is no parking problems in the building for the tenants.

Motion to approve the elimination of two parking spaces, one inside the garage and one outside, reducing the number of parking spaces from 435 to 433. 5-0 in favor.

Motion made and seconded to approve the minutes. 5-0 in favor

Motion made and seconded to adjourn. 5-0 in favor