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**MINUTES OF THE MEETING OF THE BOARD OF APPEALS  
BURLINGTON, MA  
September 7, 2021**

Vice Chairman Charles Viveiros called the meeting of the Burlington Board of Appeals to order at 7:30 p.m. The meeting was held in person.

Present: Michael Murray Jr., Charles Viveiros, Joe Currier, John Sullivan and Mark Burke

Absent: Jim Sheridan

**20-21**

**Continued Hearing  
35 Mountain Rd**

Chairman Murray state the applicant has asked for a continuance until October 5<sup>th</sup>. Motion made and seconded to continue the hearing. 5-0 in favor

**21-6**

**Continued Hearing  
Richardson Rd**

Chairman Murray stated the applicant has requested a continuance until October 5<sup>th</sup>. Motion made and seconded to continue. 5-0 in favor

**21-20**

**Continued Hearing  
30 Chestnut Ave**

*The petition of Fast Signs Burlington Center Dental Associates for property located at 30 Chestnut Avenue, Burlington, MA 01803, as shown on the Burlington Assessor's records, Map and Parcel reference: 31-1-0. The applicant is seeking a Special Sign Permit to install two Wall Signs. The Wall Signs A and B are proposed to be 3'-0" x 12'-0". Signage is to be located on the South (centered on building and East (left side) elevation at the second floor just below the roof line. The signs are to read 'Burlington Center Dental Associates' two line with graphics on the left.*

*Both Wall Signs are denied due to Burlington Zoning by Law, Article 13, section 13.1.3.2.4. At the first-floor level a sign may not 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. Proposed signage is proposed to be 12'-0" in length.*

*Legal notice previously read into record*

Mr. Patel re-introduced himself and provided an update on what the Board had requested at the last hearing. He stated they would reduce the sign to under 11 feet which is smaller than the original proposal. He also stated the reason he believes the second sign is necessary is for safety reasons. Patients miss the first street entrance, (Boston Rd) causing confusion and this sign will help. He also described how they would be mounted. In response to the second concerns about the number of tenants in the building, Mr. Patel stated there would only be two tenants in the building, one of the first floor and them on the top floor.

Mr. Sullivan stated he drove by and saw no reason for the sign facing 3A. He stated he did not think it would achieve what they were looking for, because the sign will be barely visible.

Mr. Murray clarified the new proposed signs dimensions and acknowledged both signs will be the same size. Mr. Patel stated yes both signs would be under 11 feet wide, and the height has changed to 30 inches from 36 inches.

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 approve the Special Sign Permit for 2 signs to be 30” in height by 128” in width to read “Burlington Center Dental Associates” as shown on renderings submitted on September 7<sup>th</sup>

With the condition no other signs on the building even if by right. 4-1-0 (John Sullivan voted against).

**21-22**

**New Hearing**

**51 Middlesex Turnpike**

*The petition of Acme Sign Corp c/o Bed Bath & Beyond for property located at 51 Middlesex Tpk, Unit 53, Burlington, MA 01803, as shown on the Burlington Assessor’s records, Map and Parcel reference: 56-59-0. The applicant is seeking a Special Sign Permit to install two Wall Signs. The Wall Signs, S1 and S2 are proposed to be 6’-6” x 26’-0” and to read ‘BED BATH & BEYOND, double stacked.*

*Both Wall Signs are denied due to Burlington Zoning By Law, Article 13, section 13.1.3.2 and 13.1.3.2.3*

*Wall signs shall be four feet or less in height. Proposed signage is proposed to be 6’-6” in length.*

*Documentation in support of this proposal is available for public inspection as shown on plans filed with the Zoning Board of Appeals a copy of which is on file with the Town Clerk’s office and on the Board of Appeals website (Application #21-22).*

Brian Brinker from Acme Signs introduced himself stating he was in front of the Board representing Bed Bath and Beyond. He explained the applicant is making renovations to the building and the store will have a new look, therefore they are looking to have two new signs to reflect the changes. He explained they would be removing the existing signs, repair the façade and install new signage afterwards. They also are looking to place a temporary banner up during renovations and will remove it afterwards.

Mr. Viveiros asked about sign #2, if the background is part of the sign and was informed it was the coloring of the building. He also asked if he knew how long the temporary banner would be up and was informed, they would like it up during the renovation, and they would take it down when it was done, however he was unsure of the length of time the renovations would be.

Mr. Sullivan suggested if the signs are approved, there should be a time frame for the banner sign.

Mr. Murray informed the applicant the lumens cannot exceed 90 lumens per square foot and if he was comfortable with the restrictions. Mr. Brinker agreed and believed they were less than that.

Open to the Public: Scott Pueschel introduced himself as the owner of the property and wanted to report that the upgrade is a great improvement. He added they have been a great long-term tenant and he was in favor of the signs.

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

Motion made and seconded to grant a Special sign Permit to construct 2 (two) wall signs to be 6’-6” x 26’-0” as shown on renderings #95636 pages 1-9 with the revision dated 5-20-21, with the condition the lumens not to exceed 90 lumens per square foot and no other signs on the building and a temporary banner to be no on the building no more than six months. 5-0 in favor.

**21-23**

**New Hearing**

**2 Donna Lane**

*The petition of Daniel Corbett for property located at 2 Donna Lane, Burlington, MA 01803, as shown on the Burlington Assessor's records, Map and Parcel reference: 8-204-0. The applicant is seeking a variance to construct a two-car addition attached to existing single-family dwelling. The side setback is proposed to be 8.9 feet at the right side of the house. Burlington By-law Article 5, section 5.2 requires 15 feet.*

*Documentation in support of this proposal is available for public inspection as shown on plans filed with the Zoning Board of Appeals a copy of which is on file with the Town Clerk's office and on the Board of Appeals website (Application #21-23).*

*Legal notice read into record.*

Daniel Corbett introduced himself as the owner of the house and they are looking to build an attached garage with a set of stairs inside the garage. He explained the setback would be 8.9 feet from the right setback, however it is well over 100 feet to the neighbor's house. He explained he has an autistic brother who lives with him, who receives many services and for safety reasons, they would like the garage to be built allowing the different vehicles easier access to when picking him up, they can just pull in.

Mr. Sullivan confirmed it would be a single level with nothing over it and he was informed yes. He added he doesn't feel the setback is an issue.

Mr. Murray read a letter of support from the neighbor, Ernie Covino, 4 Donna Lane into record.

Mr. Murray asked if they had looked into alternatives. Mr. Corbett stated the size is based on the size of vehicles that will be using the garage. He also stated the stairs require the door to be located to the side.

Open to the Public:

Ernie Covino from 4 Donna Lane introduced himself. He stated he was the direct abutter to his right and he was in favor of the proposal. He stated he agreed there would be enough land between the houses. He added since the applicant has been there, they have improved the property and has enhanced the neighborhood.

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

Motion made and seconded to grant a variance to reduce the right setback to 8.9 feet as shown on plot plan dated July 22, 2021.

Minutes: Motion made and seconded to approve the minutes from August 17, 2021. 5-0 in favor

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

