

**RECEIVED**

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**Town of Burlington
Meeting Posting**

DEPT. Burlington Board of Appeals

DATE: Tuesday, July 6, 2021

TIME: 7:30P.M. This meeting is being held in-person at the Town Hall Hearing Room, 29 Center Street, Burlington.

Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly

The Cisco Webex Link:<https://townofburlington.webex.com/townofburlington/j.php?MTID=m91a65dc70d9e9c80cd9d8b41b9af4ccd>

Meeting number (access code) 173 746 9525

Meeting password: U9tsa3v5XTz

To join by phone 1-408-418-9388 United States Toll

Join from a video system or application Dial [1732.@townofburlington.webex.com](https://townofburlington.webex.com)

You can also dial 173.243.2.68 and enter meeting number.

Public Input will be able to make comments during the time for public comment. The hearing will also be broadcast and streamed on Facebook Live via the BCAT Facebook Page.

20-21**Continued Hearing****35 Mountain Rd**

The petition of Winn View Heights II, LLC for property located at 35 Mountain Road, Burlington, MA 01803, shown on the Burlington Assessor's records as the following Book-Page# 12319-229 Map and Parcel reference: 49-82-0. The applicant is seeking a Comprehensive Permit through the Massachusetts Local Initiative Program (LIP) pursuant to MGL ch. 40B, Section 21. The proposal is to construct a single building containing 24 condominium units and all units will be age (55+) restricted. All the units will have 2 bedrooms and 2 bathrooms. Six of the 24 units will be reserved for household's earnings up to 80% of the median income.

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 #2020-21).

21-6**Continued Hearing****Richardson Rd**

The petition of John Hussey Jr. and Denise Hussey for property located at Richardson Road, Burlington, MA 01803, as shown on Book-Page # 35890-128, Map 43C- 20-35 of the Assessor's Maps of Burlington, to obtain an amendment from the Board of Appeals to amend the site plan and any applicable conditions or restrictions granted or set forth in the 2002 Comprehensive Permit regarding Winnview Heights Condominium.

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 #21-6).

Continued Hearing**21-14****94 Locust**

The petition of Nguyet Nguyen for property located at 94 Locust Road Burlington, MA 01803, as shown on the Burlington Assessor's records as Book-Page# 69021-205 Map and Parcel reference: 24-58-1. The applicant is seeking a variance to construct a 24'-0" x 27'-0" 2 story addition (2 car garage with bedroom(s) above) to the right side of the existing dwelling with a proposed set back of 18'-0" off the far-right corner of addition to the front property line.

Denial due to Burlington Zoning By-Law, Article 5, section 5.2.0 - Density Regulation Schedule:

No building or structure shall be constructed nor shall any existing building or structure be enlarged or altered except in conformance with the D.R.S., as to lot coverage, lot area, land area per dwelling unit, lot width, front, side and rear setbacks, and maximum height of structure except as may otherwise be provided elsewhere. Setback of the addition will be less than 25'-0" minimum required setback.

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 #21-14).

New Hearing

21-16

Parm Italian

*The petition of Parm Burlington on LLC for property located at 75 Middlesex Turnpike (Burlington Mall), Burlington, MA 01803, as shown on the Burlington Assessor's records as Map 46, Parcel 24-0 and Map 52, Parcel 2-0. The applicant is seeking a Special Sign Permit pursuant to Article XIII, Section 13.2.0 to install three (3) Wall Signs as follows: Sign 1: Proposed Wall Sign 6'-1" x 9'-11 ½" to be located on the west elevation over the main entry to read "**Parm FAMOUS ITALIAN**" double stacked.*

*Sign 1 is not compliant with Zoning Bylaw Article XIII, Section 13.1.3.2.3 "A wall sign shall be four feet or less in height". Sign 2: Proposed Wall Sign 6'-9" x 11'- ½" to be located on the north elevation at the second-floor level, left side of tenant fit up to read "**Parm FAMOUS ITALIAN**" double stacked.*

*Sign 2 is not compliant with Zoning Bylaw Article XIII, Section 13.1.3.2.4 "At the first-floor level a sign 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." Sign 3: Proposed Wall Sign 5'-10" x 9'-6 ½" to be located on the north elevation right side at corner of building to read '**Parm FAMOUS ITALIAN**' double stacked.*

Sign 3 is not compliant with Zoning Bylaw Article XIII, Section 13.1.3.2.3 "A wall sign shall be four feet or less in height" and 13.1.3.2.1 "One wall sign shall be permitted for each business side of a building and direct entrance into a store".

In addition, the applicant is requesting the modification of previous Board of Appeals decisions (2016- 127/Arhaus Furniture and 2017-169/Friendly Toast) which prohibit any new/additional signage on the building, even if by right.

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 the Board of Appeals website, Application 21-16.

21-17

New Hearing

Francis Wyman

The petition of Shane Manfred d/b/s A.D. Manfred LLC. for property located at 54 Francis Wyman Road, Burlington, Ma as shown on the Burlington Assessor's records as Map# 15, Parcel # 12-1. The applicant is seeking a variance from the Minimum Frontage requirements of Burlington's Zoning Bylaw, Article V, Section 5.2.0 and dimensional requirements in Section 5.1.2.1-5.1.2.5 to divide the property into two buildable lots.

Parcel A will consist of 20,038 square feet, with 40 feet of frontage on Francis Wyman Road and Parcel B will consist of 31,133 square feet, with 39.98 feet of frontage on Francis Wyman Road.

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 the Board of Appeals website, Application 21-17.

New Hearing

21-18

38 Harriet Lane

The petition of Aswin Guntupalli for property located at 38 Harriett Avenue, as shown on the Burlington Assessor's records as Map# 43, Parcel # 188-0. The applicant is seeking a variance to construct a garage with a second floor above. The proposed addition is to be located 11.7 feet off the left side of the house.

The Town of Burlington's Zoning By Law, Article 5, section 5.2.0 requires a side setback of 15 feet, requiring a variance relief of 3.3 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 the Board of Appeals website, Application 21-18.

New Hearing

21-19

130 Middlesex Turnpike

The petition of Pretorius Electric and Signs Co for Sonesta Simply Suites for property located at 130 Middlesex Turnpike, Burlington, MA 01803, as shown on the Burlington Assessor's maps as Map and Parcel reference: 45-12-1.

The applicant is seeking a Special Sign Permit to install three (3) Signs:

***Sign A** is proposed to be a Wall Sign 3'-4 3/8" x 13'-11" to be located on the East Elevation (parallel to Middlesex Turnpike) above the first floor along the roof level, to read "SONESTA Simply suites (double stacked) with a bird silhouette on the right".*

The sign violates Article 13.1.4.2, Section 13.1.4.2.1- Wall signs shall be the same as for business zones except those signs be six (6) feet or less in height. Section 13.1.4.2.4 – At the first-floor level a sign may extend across the full length of the wall. At other than the first-floor level, a sign shall be six (6) feet or less in length. Additionally, wall sign does not comply with previous BOA approval (#11532 approved July 2000).

***Sign B** is proposed to be a Free-Standing Sign, to reface of existing at entry point off Second Ave. to read 'SONESTA Simply Suites (doubled stacked) with a bird silhouette on the right'. Change of color scheme and name, no changes in dimensions.*

The sign violates Free Standing Sign is not in compliance with the previous BOA approval of July 2000, #11532.

***Sign C** is proposed to be a Marquee Sign to be larger than six (6) square feet to be located on the East elevation (above main entry) parallel to Middlesex Turnpike to read 'SONESTA Simply Suites (doubled Stacked) with a bird silhouette on the right'. The sign violates Zoning By-law Article 13.1.4.5, section 13.1.3.4.2 – Marquee signs shall be six (6) square feet or less and an individual letter sign shall be two (2) feet or less in height.*

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 #21-19).

Minutes from June 1st and June 15, 2021

Adjourn

