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Town of Burlington

**MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA
September 20, 2022**

Chairman Charles Viveiros called the meeting of the Burlington Board of Appeals to order at 7:30 p.m. The meeting was held in the Main Town Hall Meeting Room, 2nd Floor, 29 Center Street, Burlington.

Present: Chairman: Charles Viveiros, John Sullivan, Joe Currier, Jeremy Harrington, Jeffrey DiBona and Ray Blenkhorn
Absent: Mark Burke

22-24

Porter Ave

The petition of Robert Antonuccio for property located at 8 Porter Ave. The applicant is seeking a variance to construct a two-car garage. The proposed plot plan submitted, shows the garage would not meet the required right-side setback. Violation of Article V-Section 5.2.0 Burlington Zoning By-law requires a minimum of 15-foot setback, and the applicant is seeking a reduction to 7.52 feet.

Legal notice read into record.

Kevin Oreskovich, the homeowner introduced himself and Robert Antonuccio and explained he was in front of the Board because he would like to construct a two-car garage with a room above the garage. He explained he has two children, and they need additional space, and he feels this is the best option to provide him with the space needed. He mentioned he loves Burlington and really would like to stay.

Mr. Antonuccio explained if you look at the plot plan, you can see the garage would be built on the right side, which is the only possible location to place it.

Mr. Sullivan asked about the mudroom and was informed that was the door they regularly use.

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.

Mr. Sullivan asked if there was a natural buffer and was informed the two yards are side by side and there is at least 15 feet from the property line to the neighbors' house. Mr. Oreskovich stated he has spoken with the neighbors, and they had no concerns.

Motion made to approve a variance to 8 Porter Road for the construction of a two-car garage as shown on renderings A1-A10 submitted with the application to reduce the required setback to 7.52 feet as shown. 5-0 in favor.

22-25

76 Blanchard Road

The petition of Michael Bogdan for AWARE, Inc, for property located at 76 Blanchard Road to install one (1) Wall Sign to be located on the South Elevation of the building. The proposed sign is to be 26" in height 11'-6" in length to read "AWARE".

The sign is in violation of Article XIII: Sign regulations: 13.1.4.2.1 Wall signs shall be the same as for business zones except that signs shall be six (6) feet or less in height.

13.1.3.2.4 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 to less in length.

Chairman stated the applicant has requested the hearing be continued until October 4th. Motion made and seconded to continue the hearing until October 4, 2022. 5-0 in favor

22-26

265 Winn Street

The petition of FAST SIGNS of Woburn c/o Dr. Tayari for property located at 265 Winn Street, suite 203/204, to install one (1) sign proposed to be 30" in height by 10' in length to read 'DR. LILI TAYARI with a logo in the middle and 781-273-1152' to be double stacked and to be located on the Winn Street Elevation of the building.

The sign is in violation of the Burlington Zoning By-laws, Article XIII Sign Regulations: 13.1.3

General Business Districts, Neighborhood Business District, Limited Business Districts, Continuous

Traffic Business Districts: 13.1.3.2 Wall Signs 13.1.3.2.4 at the first-floor level a sign may extend the full width of the wall. At other than the first-floor level, a sign shall be six (6) feet or less in length.

GBL- Article XIV: Sign and Advertising Devices 3.2.4 Installation, 3.2.4.8 "On any side of a building, wall signage shall be permitted either at the first-floor level or on upper floors, but not both.

Vasal Patel introduced himself from Fast Signs and Dr. Tayari, the owner of the property and practice. Mr. Patel explained they were looking for the sign to provide visibility for her clients. Dr. Tayari stated she has moved her practice from Billerica and is now taking over two tenant spaces. She stated since moving her clients have informed her, they have had difficulty locating the building.

Mr. Sullivan questioned the sizes of the signs that are there now and was informed they were all similar in size to what they are requesting. Mr. Sullivan stated he would like to see the sign smaller and know the size of the other signs. Ms. Tayari said talked about the Realty sign and believes it not legal.

A discussion regarding if the property was located in the overlay district.

Mr. DiBona pointed out the realty signs do not meet the requirements.

Open to the public.

Abutter representative from 265 Winn St stated he has a letter from many residents of the Commons, next to Shaw's, but he has some questions for the applicant. He asked about the location of the sign and after Mr. Patel explained It was a wall sign, he stated he thought it was going on the ground and was afraid people will pullover to write down phone numbers making it a safety issue.

Chairman Viveiros read the letter into record from residents of the COMMONS.

Mr. Currier wanted clarification as to location and stated he would like to see exact renderings of the sign.

Mr. DiBona agreed he would like to see where it is going. He asked about the illumination and if it is a raceway sign or cabinet sign.

Mr. Viveiros stated they should continue the hearing until the 4th of October, but he summarized what the Board was looking for from the applicant.

- 1) other size options
- 2) a rendering showing exactly where the sign is to be located,
- 3) sizing of the other signs on the building,
- 4) to show the sign in channel letters.

Public hearing to remain open.

Motion made and seconded to continue the hearing until October 4, 2022, 5-0 in favor.

Minutes: Motion to approve minutes from August 16th, 2022, 5-0 in favor.

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

