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By Town Clerk's Office at 2:36 pm, Nov 30, 2022



Town of Burlington Planning Board

Notice of Public Meeting and Meeting Agenda

Main Hearing Room, Burlington Town Hall, 29 Center Street, Burlington, MA 01803

December 1, 2022

*William Gaffney, Member Clerk
Ernest E. Covino
Toni Ann Natola*

Brenda Rappaport, Chair

*Barbara L'Heureux, Vice Chair
Joseph A Impemba
Jessica Sutherland*

*Jennifer Gelinas, Administrative Assistant
Caleb Zimmerman, Assistant Planner*

*Elizabeth Bonventre, Planning Director
Eric Bergeron, Recording Clerk*

This meeting/hearing of the Planning Board will be held in-person at the location provided on this notice. Members of the Public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing 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.

To join the meeting virtually click on the link below:

<https://townofburlington.webex.com/townofburlington/j.php?MTID=m8229153ba3fc7a0ee3955e7737be571c>

If you would prefer that the Planning Board email a meeting invitation link directly to you, please email Planning@Burlington.org by 12:00 PM on December 1, 2022

Meeting number: 2342 652 8253

Meeting password: 1645 Phone Number: 1-617-315-0704

The following times are approximate, except for items marked with an (*) which are new public hearings and will not start before the scheduled time.

7:00 P.M.

1) Call Planning Board Meeting to order

a) Marshall Simonds Middle School Lego League Robotics Team Project Demonstration

2) Call Planning Board, Zoning Bylaw Review Committee and Land Use Committee Joint Meeting to order

a) *Public Hearing – Petition to amend the Zoning Bylaw Articles XIII “Sign Regulations” – Submitted by the Select Board

b) Continued Public Hearing – Petition to amend the Planning Board Town Center Design Rules and Regulations – Submitted by the Planning Board

(This matter has been continued to the Planning Board meeting of January 5, 2023)

3) **Public Participation**

4) **Announcements**

5) **Legal Notices of Interest**

6) **Non-Approvals**

7) **Administrative Matters**

8) **Matters of Appointment**

- a) *Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.6.2.1 “Supermarket” of the Zoning Bylaws – 120 Cambridge Street – Foodland Supermarket, Inc., Applicant
- b) *Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.6.20.1 “Massage Therapy” of the Zoning Bylaws – 36 Winn Street – Fresh Blossom Spa, Inc., Applicant
- c) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 4.2.6.9 “of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- d) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 4.2.5.1 “Retail gasoline, oil and lubrication stations with the incidental sale and installation of tires and other automobile accessories, maintenance and minor repairs of motor vehicles” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- e) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 4.3.2.15 “Storage and disposal of oils and fuels/ petroleum products” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- f) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 4.4.1.11 “Discharges from manmade structures into the wetlands” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- g) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 6.1.1 “Nonconforming Uses” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- h) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 6.1.2 “Nonconforming Structures and Premises” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- i) Continued Public Hearing - Application for Approval of a Special Permit pursuant to 8.3.5.4 (b) “Storage of liquid petroleum products” of the Zoning Bylaw Provisions – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- j) Continued Public Hearing - Application for Approval of a Site Plan – 59-63 Middlesex Turnpike – Nouria Energy, Applicant
- k) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.3.1.14 (g) “Wireless Communications Facilities which are subject to Section 8.4.0 shall be permitted in the Wireless Communications Overlay Districts in accordance with the map depicting the districts and the provisions of Section 1.0 of the Zoning Bylaws” of the Zoning Bylaws” – 72 Center Street – Smartlink on behalf of AT&T, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)
- l) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.7.4 “Laboratories engaged in research, experimental and testing activities including, but not limited to, the fields of, chemistry, electronics, engineering, geology, non-biologic medicine and physics” of the Zoning Bylaws – 22 Terry Avenue – AP Terry, LLC, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)
- m) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.7.4.1 “Life Science laboratories engaged in research, prototype manufacture, experimental and testing activities including, but not limited to, the fields of pharmaceuticals, biomedical technologies and engineering, life systems technologies, environmental and biomedical devices Biosafety Level 4 (BL-4) laboratories, as defined by the Centers for Disease Control and Prevention, are prohibited in Burlington” of the Zoning Bylaws – 22 Terry Avenue – AP Terry, LLC, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)

- n) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.7.4.2 “Life Science laboratories engaged in the manufacture of life science technologies and medicines for commercial production to the market including, but not limited to, the fields of pharmaceuticals, biomedical technologies and engineering, life systems technologies, environmental, biomedical devices Biosafety Level 4 (BL-4) laboratories, as defined by the Centers for Disease Control and Prevention, are prohibited in Burlington” of the Zoning Bylaws – 22 Terry Avenue – AP Terry, LLC, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)
- o) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.7.9 “Hazardous and toxic materials/chemicals use storage, transport, disposal or discharge” of the Zoning Bylaws – 22 Terry Avenue – AP Terry, LLC, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)
- p) Continued Public Hearing – Application for Approval of a Special Permit pursuant to Section 4.2.7.11 “Generation or storage of hazardous waste, limited to the volumes classified as a very small quantity generator (VSQG)” of the Zoning Bylaws – 22 Terry Avenue – AP Terry, LLC, Applicant
(This matter has been continued to the Planning Board meeting of January 5, 2023 at the request of the applicant)

8) **Minutes**

9) **Other Business**

- a) **Discussion**
- b) **Correspondence**
- c) **Reports from Town Counsel**
- d) **Subcommittee Reports**
- e) **Unfinished Business**
- f) **New Business**