



**MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA
July 5, 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, Mark Burke, Joe Currier, John Sullivan, Jeremy Harrington, Jeffrey DiBona, and Rob Blenkhorn

Absent: none

Re-organization of the Board

Due to resignation of Chairman Murray, re-organization of the Board was necessary.

Motion made and seconded to nominate Charles Viveiros as Chairman. 5-0 to approve.

Motion made and seconded to nominate Mark Burke as Vice- Chairman 5-0 to approve

Motion made and seconded to nominate Jeff DiBona as clerk. 5-0 to approve

Sub- committees

Motion made and seconded to nominate Joe Currier to the Housing Partnership Committee. 5-0 to approve

Motion made and seconded to nominate Jeff DiBona to the Zoning Bylaw Review Committee. 5-0 to approve

22-18

157 Bedford Street

The petition of Art Designs c/o Liquor Market for property located at 157 Bedford Street, Unit C, Burlington, MA as

shown on the Burlington Assessor's records reference Map and Parcel# 26-22-0 to install three signs as follows:

Sign A is proposed to be 2'4 ½" in height X 16'-5" in width and to read 'Liquor MARKET'.

Sign B is proposed to be 1'-4" in height X 8'-10" in width and to read 'Liquor MARKET'

Sign C is proposed to be 2'-3" in height X 6'-11 ½ "in width and to read 'Liquor MARKET' doubled stack.

The signs are in violation of the Burlington Zoning By-laws, Article XIII, section(s) 13.1.3.2 – Wall Signs, 13.1.3.2.1:

One wall sign shall be permitted for each business site of a building and direct entrance into a store"

In addition, all signs are subject to Zoning Board of Appeals approval solely due to prior decision (Case # 2016-112 and

Diana Valdez from Art Designs introduced herself and explain she was in front of the Board because the applicant is looking to install 3 channel lettering signs which would be internally lit. She stated they were similar to what was previously there.

Mr. Burke questioned who the previous tenant was and was informed the previous signs had been taken down. (Snip Its) He asked about the attached previous decisions and why they were included. He was informed Building inspector included them due to the conditions placed on the building.

Ms. Valdez stated they were going to put up a pylon sign on the street after these signs were approved.

Mr. Viveiros asked for clarification, and Ms. Valdez responded that the Building Inspector told her the pylon sign was ok. Mr. Viveiros explained that even if it were compliant, she would need to come back in front of the Board due to the previous decisions.

Mr. Sullivan questioned what type of sign (free-standing) it was and why it was not included in the application.

Ms. Valdez stated they were waiting to have an agreement with the owner and tenants, and it would be on the street so the drivers could see it.

Mr. Harrington clarified there is 3 lit signs plus possible another sign on the street. He noted that most liquor stores have lighted signs in the windows.

Mr. Viveiros reviewed the signs.

Sign A is a directional sign above the entrance of the door, so when you drive into the parking lot you would see it. He added it is a small parking lot and the sign was big, and he would like to see a smaller option.

Sign B he had no problem with it.

Sign C he questioned the location (faces Bedford Street) and stated he was not sure if that was needed.

Mr. DiBona clarified that they would be replacing Snip-Its and Sign B is an extra sign. Snip-its only had two signs and questioned what the size was of the Snip-it signs and what the need for the pylon sign, because there is still another tenant to come into the building.

Mr. Viveiros stated he felt the applicant should come back with the additional information and other options for Sign A and C.

Mr. Sullivan and Mr. Burke stated they agree with the other Board members.

Mr. DiBona requested for the tenant to also attend the meeting.

Hearing open to the public. No one present to speak for or against. Hearing to remain open.

Motion made and seconded to continue the hearing July 19th. 5-0 in favor.

22-19

75 Middlesex Turnpike

The petition of Common Craft Holdings, for property located at 75 Middlesex Turnpike, aka Burlington Mall, Burlington,

MA 01803, as shown on the Burlington Assessor's records, Map and Parcel reference: 46-24-0. The applicant is seeking a

Special Sign Permit to install (3) three additional signs as follows:

*Sign A is proposed to be 42" wide X 62" in height to read **'IDLE HANDS HERMI TTHRUSH DEACON GILES, elevage' stacked.***

*Sign B is proposed to be 24" wide X 16" in height to read **'BOTTLE SHOP PACKAGED GOODS'** stacked.*

*Sign C is proposed to be 72" wide X 46" in height to read **'COMMON CRAFT BOTTLE SHOP'** stacked.*

The signs are in violation of Zoning By-laws, Article XIII, section 13.1.3.2-Wall Signs 13.1.3.2.1, "one wall sign shall be permitted for each business side of a building and direct entrance into a store".

It is also in violation of previously issued decisions (Case #'s 2016-127 and 2017-169) which read in part, "all new/additional signage on the main Burlington Mall Building, even if allowed/permitted by right, are subject to Zoning Board of Appeals approval.

Larry Leibowitz from Common Craft introduced himself as the owner and stated there was a misunderstanding between him and the Building Inspector when he submitted his sign package, therefore when the inspector conducted the final CO inspection, it was noted these signs were non-compliant, therefore he was back in front of the Board for the remaining signs. He stated the signage was already up and he feels it compliments the facility.

Mr. Sullivan stated he had no problems with the signs, they look appropriate.

Mr. DiBona asked if the signs were going to be permanent or would they be changed with new vendors and was informed, they would be swapped out by replacing the slats which would be the same size. Mr. DiBona questioned if they would need to come back every time they changed it. Board members discussed if there was a way to condition the signage, so they did not need to come back. It was decided at this time, they would need to come back because of the way the notice is advertised.

Mr. Viveiros asked how often they thought they would be changing the signs and was told about two years depending on the vendor.

Mr. Leibowitz stated he would make it work. He stated they would have significant amount of time to come in front of Board.

Open to the Public no one present to speak for or against the signage. Motion made and seconded to close the public hearing. 5-0 in favor

Motion made and seconded to approve signage for Common Crafts. Sign A, Sign B, and Sign C as shown on the plans submitted with application with the condition no other signs even if by right without BOA's approval. 5-0 in favor.

Motion made and seconded to accept the minutes from June 19th, 5-0 in favor

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