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**MINUTES OF THE MEETING OF THE BOARD OF APPEALS
BURLINGTON, MA
April 5, 2022**

Chairman Michael Murray, Jr. 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 and on Webex.

Present: Chairman: Michael Murray Jr., Mark Burke, Joe Currier, Jeremy Harrington and Jeffrey DiBona
Absent: Charles Viveiros and John Sullivan

**Continued Hearing
2022-3**

The petition of Joss & Main for property located at 75 Middlesex Turnpike, Unit #1400 (Burlington Mall), as shown on the Burlington Assessor's records as Map and Parcel # 46-24-0 and 52-2-0 and Middlesex South Registry of Deeds Book-Page # 1524-35 and 993-41, to install two (2) Wall Signs as follows:

Sign "A" – Wall Sign to be located above the storefront suspended on a raceway at the first-floor level. The proposed sign is 1'-6" in height and 11'-1" in length and reads "Joss & Main". The proposed sign is in compliance with the Burlington Zoning Bylaws, Sections "13.1.3.2.1. One wall sign shall be permitted for each business side of a building and direct entrance into a store", "13.1.3.2.3 A wall sign shall be four feet or less in height" and "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 "B" – Wall Sign to be located on the front façade of the tenant space at the first-floor level. The proposed sign is 2'-6" in height and 18'-5 ¾ in length and reads "Joss & Main". The proposed sign is in compliance with the Burlington Zoning Bylaws Section "13.1.3.2.3 A wall sign shall be four feet or less in height" and "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 B is the second Wall Sign on the same elevation as Sign A and therefore violates Section 13.1.3.2.1 In addition, as a result of previously issued Board of Appeals decisions (Case # 2016-127 for Arhaus Furniture and Case # 2017-163 for the Friendly Toast) all new/additional signage on the main Burlington Mall building, even permitted by right, are subject to Zoning Board of Appeals review.

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 (2022-3)

Kristin Hung from Reimer and Braunstein, introduced herself as representing Joss & Main along with Madeline Madden from Wayside. Mark Andrews was attending via Webex along with Melissa Tintocalis, the Town's Economic Development Director. Ms. Hung stated the team had regrouped and have developed new renderings and provided the Board Members with the updated renderings.

Ms. Madden provided an over view of the proposed signage. She mentioned that in the summer there are some trees that effect the visibility of the store from Turnpike. She also wanted to remind members Joss & Main is taking 2 tenant spaces. She stated they had listened to the comments previously made and had provided the Board with 2 options. She described the dimensions and placement of each option. She pointed out they had shifted the sign up and decreased the size of the sign over the archway. She stated that Simon Mall was not in favor of the one larger logo over the main way. Ms. Madden stated they preferred the Option 2 considering the size of the facade.

Melissa Tintocalis introduced herself, stating she is the town's Economic Development Director. She spoke about the redevelopment of the mall. She pointed out some of the zoning is not conducive for getting tenants, therefore they are trying to be creative during the transition in the market and signage is very important in obtaining tenants. She provided an overview of the long-term vision of the Mall Road area.

Mr. Murray provided an overview of the subcommittee meeting. He stated there was discussion about raising the larger sign up to make the sign visible over the landscaping. Also discussed was the size of the store front, if Joss & Main wasn't taking the 2 tenant spaces, there could be several signs in that space.

Mr. Harrington stated he appreciates the renderings and asked what the rationale of making the sign bigger and raising it. Ms. Madden replied there is landscaping that will block the signage and they felt raising it would provide visibility from Middlesex Turnpike. She also pointed out it was a 2-inch increase.

Mr. DiBona questioned if the sign was bigger would there be a need to readvertise. Mr. Murray stated yes. Mr. Currier stated he was in favor of option 2B and it makes sense to raise it up.

Mr. Burke asked why the sign was not centered on the building and Ms. Madden explained there were column grids on the building and they tried to center with in the opening.

Mr. Murray stated he was in favor of reducing the sign above the archway and that raising the other sign up made sense. He pointed out that the closest sign to their sign would be the Burlington Mall Sign because there is nothing else there except for a loading dock, so he feels it wouldn't be an over abundance of signage. Mr. Murray asked if the applicant knew how high the sign would be and it was not known at this time.

Open to the public. No one present to speak for or against. Public hearing to remain open.

Motion made and seconded to split the application to Sign A and Sign B. 5-0 in favor.

Motion made and seconded to continue Sign B to April 19th. 5-0 in favor.

Motion made and seconded to approve Sign A to be 14 inches in height as shown on renderings on page 8, 2B option submitted on 4/5/2022 and the original renderings pages 3,4,5 and 6 dated January 10, 2022 submitted with the application. 5-0 in favor.

New Hearing:

22-4

Kohl's - Sephora

The petition of Kohl's for property located at 150 Lexington Street, Burlington, MA as shown on the Burlington's Assessor's records as Map and Parcel # 46-25-26 and Book-Page # 1476-92 of the Middlesex South Registry of Deeds to remove the existing sign and replacing it with a 213 square feet sign to read "KOHL'S +SEPHORA " double stacked. Sign is in violation of previous Board of Appeals Case # 11606 (12/18/2001). Documentation in support of this proposal is available for public inspection as shown on plans filed with the Zoning Board of Appeals and a copy of which is on file with the Town Clerk's office and on the Board of Appeals website

Heather Dudko introduced herself stating she was representing Kohl's. She provided some background information on the previous signage and that they were looking to replace the existing sign with a new sign advertising Kohl's and the name Sephora underneath.

Board members had no concerns.

Mr. Murray asked if faces the parking lot and was informed it would. He clarified the only changes and wondered why they needed a variance. Ms. Stated it was due to a previous decision.
Open to the public. Noone present to speak for or against. Motion made and seconded to close the public hearing. 5-0 in favor.

Motion made and seconded to grant a Special Sign Permit to Kohl's to replace an existing sign to 213 square feet and read "KOHL'S + SEPHORA" doubled stacked as shown on Cut Sheets page 6 and page 7 submitted with the application. 5-0 in favor.

Motion made and seconded to approve the minutes. 5-0

Motion made and seconded to adjourn. 5-0