



**RECEIVED**

By Town Clerk's Office at 10:34 am, Apr 12, 2022

**Town of Burlington  
Planning Board  
25 Center Street, Burlington MA 01803  
Phone: 781-270-1645**

[http://www.burlington.org/community\\_development/planning.php](http://www.burlington.org/community_development/planning.php)

**FORM A  
APPLICATION FOR ENDORSEMENT OF A PLAN BELIEVED  
NOT TO REQUIRE APPROVAL**

To: The Planning Board  
Town of Burlington, Massachusetts

Date: April 4, 2022

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned applicant believe that such approval is not required for the following reasons:

*(Check off applicable statements and fill in blanks to complete the applicable as well as the required statements.)*

- 1. The accompanying plan is not a subdivision because the plan does not show a division of land.
- 2. The division of the tract of land on the accompany plan is not a subdivision because every lot shown on the plan has frontage of a least such distance as is presently required by the Burlington Zoning Bylaw under Section 5.2.0, "Density Regulation Schedule" which requires 100 feet of continuous, uninterrupted frontage for erection of a building on such lot in the Innovation Zoning District; and every lot shown on the plan has frontage on:

2.1 A public way or way which the Town Clerk certifies is maintained and used as a public way, namely:

Burlington Mall Road **OR:**  
(name of way)

2.2 A way shown on a plan thereto approved and endorsed in accordance with the Subdivision Control Law, namely:

Burlington Woods Drive **OR:**  
(name of way)

2.3 A private way in existence on July 19, 1960, the date when the Subdivision Control Law became effective in the Town of Burlington, which has sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed uses of the land abutting the way and for the installation of municipal services to serve the lot(s) and the building(s) erected or to be erected thereon, namely:

\_\_\_\_\_  
(name of private way)

- 3. The division of a tract of land on the accompanying plan is not a subdivision because it show a proposed conveyance which changes the size and/or shape of the lot(s) in such a manner that frontage is not affected.

- 4. The division of the tract of land shown of the accompanying plan is not a subdivision because two or more buildings were standing on the land prior to July 19, 1960, the date when the Subdivision Control Law went into effect in the Town of Burlington and one of such buildings remains standing on each of the lots as shown and located on the accompanying plan. Evidence of the Subdivision Control Law is submitted as follows (attach documentation and list items included in that documentation below):

\_\_\_\_\_

\_\_\_\_\_

- 5. Other reasons or comments (See M.G.L., Chapter 41, Section 81-L and 81-P):

\_\_\_\_\_

\_\_\_\_\_

- 6. The owner's title to the land is derived under deed -

from CH Realty VII-PHG H Boston Burlington, LLC, dated January 22, 2021,  
 recorded in Middlesex South District Registry of Deeds,  
 Book 76782, Page 153. **OR**

Land Court Certificate of Title No. \_\_\_\_\_,  
 registered in \_\_\_\_\_ Registry District of Land Court,  
 Book \_\_\_\_\_, Page \_\_\_\_\_ and  
 on the Town of Burlington Assessor's Map (s) 41, as Parcel (s) 98.

- 7. The undersigned certifies that he/she does not own in whole or in part any land contiguous to this parcel except as shown on the following plans:

n/a

\_\_\_\_\_

\_\_\_\_\_


- 8. The undersigned further certifies that neither this parcel nor the above described contiguous land has been previously submitted to any Planning Board or Board of Survey for Approval as a subdivision or determination as a "Non-Approval", except as follows:

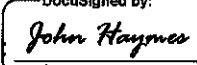
n/a

\_\_\_\_\_

\_\_\_\_\_

*(Please PRINT)*

9. **Applicant** EMAIL: JNoonan@LPC.com  
 Name: James D. Noonan Tel: 617-951-4137  
 Company: Lincoln Property Company  
 Mailing Address: 53 State Street, 8th Floor, Boston, MA 02109  
 Signature: 

10. **Property Owner** (if same as applicant ,write "same") EMAIL: bfstetler@rockbridgecapital.com  
 Name: RB Hotel Burlington LLC Tel: 614-750-1135  
 Company: c/o Rockbridge Capital, LLC  
 Mailing Address: 4100 Regent Street, Suite G, Columbus, OH 43219  
 Signature:   
DocuSigned by:  
John D. Haynes - Authorized Signer

11. **Attorney or Legal Representative** EMAIL: palphen@alphensantos.com  
 Name: Paul F. Alphen, Esq. Tel: 978-692-3107  
 Company: Alphen & Santos, P.C.  
 Mailing Address: 200 Littleton Road, Westford, MA 01886

12. **Engineer, Designer or Architect** EMAIL: mwixedt@bohlereng.com  
 Name: Mark Wixedt, P.E. Tel: 617-849-8040  
 Company: Bohler Engineering  
 Mailing Address: 45 Franklin Street, 5th Floor, Boston, MA 02110

**FILING INSTRUCTIONS**

It is recommended that you call 781-270-1645 prior to filing an application to arrange a submission appointment with the Senior Planner

Upon completion of the application, file the following with the Planning Department:

- Completed original application and one copy (all pages)
- Original mylar or reproducible linen and six folded paper copies of the plan
- One set of submittal material and plans must also be in electronic pdf format
- Application Fee (Check or Money Order made payable to The Town of Burlington)

The Planning Department will stamp the application and the copy “received” and issue a receipt for the fee. The stamped copy and original application will be returned to you for filing with the Town Clerk as required by these regulations. The Town Clerk will stamp the copy and the original application “received” and return the original application to you which you will bring back to the Planning Department.

**Planning Department:**

Application & Fee Received By (Stamp/Initial):

Amount: \$100.00

Receipt#: 162602

**RECEIVED**  
*By Planning Dept., Jennifer Gelinis at 10:49 am, Apr 11, 2022*

**Town Clerk:**

Received By (Stamp/Initial):

**RECEIVED**  
*By Town Clerk's Office at 10:34 am, Apr 12, 2022*