



RECEIVED

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TOWN OF BURLINGTON

Meeting Posting

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Notice of Public Meeting – (As required by G.L. c. 30 A, c. §18-25)

DEPT./BOARD: Select Board

DATE: June 12, 2023, General Session
Monday

TIME: 6:00 p.m.

PLACE: Burlington Town Hall, 29 Center Street Main Meeting Room, 2nd Floor /
Cisco Webex On-Line Meeting

<https://townofburlington.webex.com/townofburlington/j.php?MTID=m5ae875e5929285dccfd8086264623d06>

Meeting number (access code): 2339 082 6079 Meeting password: 3Zy7MpGrRF8

+1-408-418-9388 United States Toll Dial 23390826079@townofburlington.webex.com

“This meeting/hearing of The Burlington Select 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.”

ALL TIMES LISTED ARE APPROXIMATE

AGENDA

Submitted 6/8/2023

GENERAL SESSION

	Pledge of Allegiance	6:00 p.m.
130	Appointments: Police <ul style="list-style-type: none">• Dispatcher• Special Officer	6:01 p.m.
131	Acceptance/Approval: MWRA I/I Local Financial Assistance Program Sewer I/I Loan and Grant Acceptance	6:05 p.m.
132	Approval: License Agreement – Public Safety Telecommunications Project - Kimball Court	6:10 p.m.



133	Approval:	Information Systems Security Advisory Committee <ul style="list-style-type: none">• Letter of Support	6:15 p.m.
134	Approval:	Victualler's License Transfers Dunkin Donuts (3) <ul style="list-style-type: none">• 10 Wall Street• 182A Cambridge Street• 240 Middlesex TPK	6:20 p.m.
135		Citizen's Time	6:25 p.m.
136	Public Hearing:	Grant of Location - Eversource <ul style="list-style-type: none">• 3 Van DeGraaff Drive	6:35 p.m.
137	Public Hearing:	Housing Proposal – Winn View Heights II - Continued <ul style="list-style-type: none">• Rear of 35 Mountain Road	6:40 p.m.
138		Subcommittee Reports	
139		Chairman's Report	
140		Town Administrator's Report	

Select Board

Item #

130

MEMORANDUM
BURLINGTON POLICE DEPARTMENT



TO: Town Administrator Paul F. Sagarino, Jr.

FROM: Chief Thomas P. Browne

A handwritten signature in black ink, appearing to read "Tom Browne", is written over the printed name of Chief Thomas P. Browne.

DATE: June 8, 2023

RE: Request for Appointments

I would like to request the appointment of a new dispatcher and a new special police officer for the Select Board agenda for June 12, 2023.

Dispatcher Cody DaSilva is a Burlington resident. He is coming over to Burlington PD from the City of Everett where he has been serving as a public safety dispatcher since 2016. He is being hired to fill the vacancy left by the resignation of Dispatcher Amr Hassan, who left us in February to become a full-time police officer in Reading.

Special Officer Kevin Fitzgerald is a graduate of Burlington High School Class of 1994. He is a retired Captain for the Salem, New Hampshire Police Department. He is currently a certified police officer under the Massachusetts POST. His appointment will allow the department to backfill many openings that are occurring because of certification requirements under the new police reform law.

Resumes are attached for reference.

Select Board

Item #

131



MASSACHUSETTS WATER RESOURCES AUTHORITY

Deer Island
Boston, Massachusetts 02128

Frederick A. Laskey
Executive Director

Telephone: (617) 242-6000

May 5, 2023

Meghan Cavalier, E.I.T.
Assistant Town Engineer
25 Center Street
Burlington, MA 01803

**RE: MWRA I/I Local Financial Assistance Program: June 2023 Funding Distribution
Town of Burlington: CIP Project 12 and 13 SSES; CIP Project 10 and 11 Sewer System
Rehabilitations: Design and Construction
MWRA Project No. WRA-P14-08-3-1415**

Dear Ms. Cavalier:

The MWRA acknowledges receipt of your application for assistance under the MWRA's I/I Local Financial Assistance Program. The above project encompasses I/I rehabilitation investigations, design and construction within the Town of Burlington. Total project cost is estimated at \$2,095,843. Eligible MWRA financial assistance is \$1,200,000 (MWRA Phase 14 funds). The MWRA approves this project for funding pending resolution of the following issue:

1. The loan portion of the financial assistance award will require the issuance of a Sewer Bond or other documentation verifying obligation of the community to repay the loan to the MWRA. An Opinion of Bond Counsel will be required with the Sewer Bond or any other proposed obligation for repayment. If wording other than the Sewer Bond is proposed, approval of the MWRA will be required.

The community's bond counsel representative (Charlene Doucette, Locke Lord LLP) has been notified of this funding request and will contact appropriate community officials for specific Sewer Bond information.

Once the above issue is resolved, the MWRA will provide the community with a financial assistance award amount of \$1,200,000, of which \$900,000 shall be in the form of a grant and \$300,000 shall be in the form of an interest-free loan. The interest-free loan portion will be repaid to the MWRA in ten equal payments (\$30,000), over a ten-year period, beginning May 15, 2024.

Funding distribution is planned for June 22, 2023. The MWRA award amount will be deposited into the community-designated MMDT Account No. 44202604 (Federated Account No. 1001079).

MWRA Financial Assistance / Loan Agreements will be forwarded to the community later this month for final signature.

Ms. Meghan Cavalier, E.I.T.
Page 2

If you have any questions or comments relating to this matter, please do not hesitate to e-mail me at israel.alvarez@mwra.com or contact me on my cell phone at (617) 645-8574.

Sincerely,
Massachusetts Water Resources Authority



Israel D. Alvarez, Project Manager
MWRA Community Support Program

cc: Paul F. Sagarino, Jr., Town Administrator
Gary J. Gianino, Town Treasurer
John Danizio, Assistant Town Administrator
Thomas F. Hayes, P.E., Town Engineer
Patrick A. Terrien, P.E., Weston & Sampson Engineers, Inc
Charlene Doucette, Locke Lord LLP

Town of Burlington, Massachusetts
Vote of the Select Board

VOTED: That the Select Board votes prepared by Locke Lord LLP, Bond Counsel to the Town, and relating to:

The issuance of the Town's \$300,000 Sewer Bonds to the Massachusetts Water Resources Authority (the "Trust"), which were authorized pursuant to G.L. c. 44, §7(1) and a vote of the Town passed May 8, 2023 (Article 14) to pay costs of improvements to the Town's sewer system infrastructure,

each in the form presented to this meeting, are hereby approved.

Select Board

Item #

132

TELECOMMUNICATIONS LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made and entered into this 1 st day of July, 2023, in Burlington, Massachusetts , between 8 KIMBALL COURT OWNER LLC D/B/A HALSTEAD BURLINGTON (hereinafter referred to as “KIMBALL”) whose property address is located at 8 Kimball Court, Burlington, MA, and Town of Burlington, (hereinafter referred to as “Town”), whose address is 29 Center Street Burlington, MA 01803.

WHEREAS KIMBALL owns a building located at 8 Kimball Court commonly called Halstead Burlington in the town of Burlington, MA; and

WHEREAS Town desires to utilize a portion of the rooftop of that building (hereinafter, “Site”),

NOW THEREFORE, in consideration of the promises and the mutual obligations of the parties herein made and undertaken, the parties do hereby mutually agree as follows:

- 1. License of Premises.** KIMBALL hereby grants a license to the Town for a non-exclusive portion of the Site consisting of cabinet space, rooftop space, and such easements as are necessary for the installation of the antennas and equipment described in Exhibit 1.
- 2. Permitted Use.** The Town may use the Site to construct, install, operate, maintain, replace and repair communications fixtures and related equipment for the purpose of transmission and reception of telecommunication signals at the Town’s sole risk and expense. The Town is entitled to install up to TWO antennas, the location of which are substantially described in Exhibit 1. The Town may make improvements, alterations, or additions to the Site upon prior approval from KIMBALL. Such approval shall not unreasonably be withheld.
- 3. Installation.** The Town agrees to comply with all applicable governmental laws, rules, statutes, and regulations. The Town further agrees to submit detailed engineering plans and specifications to KIMBALL for KIMBALL’s approval before installation of any equipment on the Site. The Town shall keep copies of all permits and approvals required for the installation that may be reviewed by KIMBALL at a mutually convenient time. The Town shall identify all of its equipment with a weather-proof tag providing the Town’s name and the phone number of the Town’s chief Site maintenance personnel. The Town shall update this information as changes occur. In the event that the Town desires to change

the location of any of its equipment, the Town shall submit a plan of relocation for KIMBALL's approval. Such approval shall not unreasonably be withheld. The Town shall not permit any liens to be filed in connection with the Town's use of the Site and in the event any such liens are filed, the Town shall cause such lien to be released or otherwise bonded over within thirty (30) days of the date of filing.

4. **Rent.** The Town shall pay KIMBALL as rent for the Site during the first year of this License and all subsequent years of this License the sum of ONE DOLLAR per annum, payable in advance in equal installments of ONE HALF ANNUAL DOLLAR AMOUNT each semi-annually on or before July 1st, and on or before January 1st of each year commencing 1st day of July, 2023.

5. **Escalations.** NA

6. **Term.** The initial term of this License shall be for three years commencing on July 1, 2023, and ending on June 30, 2026, unless terminated sooner as hereinafter provided. The Town has the option of renewing this License for two additional terms of three years each, provided that the Town notifies KIMBALL within three months of the term's ending date that Town intends to renew this License for the option period. KIMBALL retains the right to terminate this License upon sixty (60) days notice to Town. Town covenants and understands that this License Agreement does not give Town the right to an automatic holdover after the expiration of the final additional term. Lack of notice by KIMBALL regarding the expiration of the final additional term shall not be construed by Town as KIMBALL's consent to an automatic renewal of this License Agreement. KIMBALL and Town are free to bargain in good faith regarding additional terms. Any further agreement between KIMBALL and Town shall be reduced to writing, signed by both parties, and attached to this License as an amendment to this License.

In the event KIMBALL terminates the License as noted above, KIMBALL shall provide the Town at least forty-five (45) days to find a new antenna location and remove its equipment from the site.

7. **Access.** The Town and its authorized personnel shall have reasonable access at all times to the Site for the purpose of routine maintenance as provided for in Exhibit 2. The Town shall provide at least forty-eight (48) hours' advance notice to KIMBALL in the event the Town needs to access the Site. KIMBALL reserves the right to be present (or have a representative present) during any period of Town access to the Site.

8. **Interference.** The Town acknowledges that KIMBALL has other Occupants operating at the Site. Town covenants that its equipment will not operate in a manner which will interfere with KIMBALL's other Occupants (including, but not limited to, the residential tenants of the building). If Town or Town's equipment causes such interference, the Town shall cure the interference within

48 hours after receiving notice of interference by KIMBALL, to the extent reasonably practical and if not within 48 hours as soon thereafter as possible.

9. **Utilities and Maintenance.** The Town shall pay for the installation and any usage of all utilities required by Town at the Site directly to such utility providers. All utility routes must be approved by KIMBALL prior to construction. Such approval by KIMBALL shall not be unreasonably withheld. The Town shall pay for the cost of an electric sub-meter or separate meter at the Site. Town shall keep and maintain the Site (including any equipment located thereon) in good condition with reasonable wear and tear excepted. Upon termination of this License Agreement, Town shall promptly remove its equipment and restore the Site to its condition at the commencement of the License Agreement with reasonable wear and tear excepted.
10. **Assignment and SubLicense.** Town may assign or sub-License this License Agreement to a FCC licensed operator upon prior written consent from KIMBALL; provided that the Town shall remain liable for all duties and obligations under this Agreement. Such consent shall not unreasonably be withheld.
11. **Indemnification:** To the extent permitted by law, the Town shall hold harmless and indemnify KIMBALL and its property manager against all public liability and property damage, loss, cost, or expense sustained by KIMBALL and/or its property manager including reasonable attorney fees and other expenses of litigation:
 - (a) Arising out of or related to injury to person or property occasioned by any negligent act or omission of Town, its agents, its contractors, or anyone under the supervision of any of them.
 - (b) Arising out of or related to any of the construction of Town's improvements performed by Town, its agents, its contractors, or anyone under the supervision of anyone of them.
 - (c) The Town shall maintain insurance with a Five Hundred Thousand Dollar limit naming KIMBALL and its property manager as co-insured and covering the aforementioned liability and evidence of such shall be furnished to KIMBALL and its property manager upon request. The Town shall notify KIMBALL if said coverage lapses. Notwithstanding the foregoing to the contrary, Town shall have the right to self-insure said risk.
12. **Waiver of Subrogation:** KIMBALL and Town hereby release the other and their respective officers and employees from any claims or portion of claims covered by their respective property insurance policies of the applicable insurance coverage which either party may have against the other and their respective officers and employees for loss or damage to the building and improvements in which the Site is situated, or to the contents thereof, and any personal property stored or placed therein by either party, caused by any of the perils enumerated in the fire and extended coverage insurance policies covering the building and improvements in which the Site is located whether such loss or damage was caused by the negligence of either of them or their respective officers or employees. The

Town agrees to maintain fire and extended coverage insurance covering its equipment to be placed on the Site pursuant to this agreement on a replacement cost basis. KIMBALL and the Town each agree to take any necessary action to make this release effective and binding upon their respective insurance carriers so that such carriers might otherwise have against either of the parties hereto, or their respective officers and against either of the parties hereto, or their respective officers and employees.

13. **Governing Law:** This License Agreement shall be governed in all respects by the laws of the Commonwealth of Massachusetts.
 14. **Quiet Enjoyment:** KIMBALL covenants with the Town that the Town, having performed its covenants and agreements herein set forth, shall have quiet and peaceable possession of the Site on the terms and conditions herein provided.
 15. **Entire Agreement:** This License Agreement constitutes the entire agreement between the parties hereto.
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IN WITNESS WHEREOF, this instrument has been executed by KIMBALL TOWERS on the ____th day of _____, 2023 and the Town of Burlington on the ____th day of _____, 2023.

KIMBALL TOWERS

Town of Burlington
Selectboard

By: _____

By: _____

Its President

Its Chair Duly Authorized

Exhibit 1

Cabinet Space floorspace to accommodate two DDB Unlimited Cabinet model ST62DXB or equivalent, Antennas, Qty 3 consisting of 1 GPS antenna, 2 RFI Model CC-450-CC and associated RF transmission line consisting of RFS Celwave 7/8" Heliax LDF and Times LMR400 3/8", Cat 6E cable, 2 Microwave Antenna Model ANT-11GHZ-36-SP Cables.

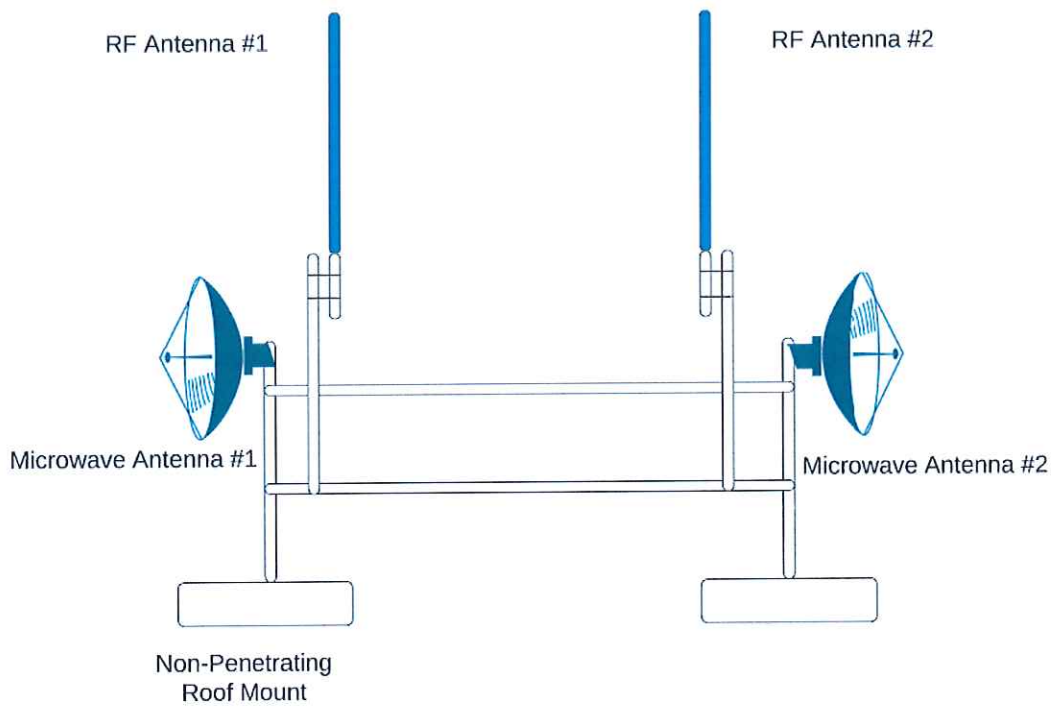
SpectraCom GPS Time Synch Device

Tait TB9400 Repeaters X4

Electrical - X3 L5-20 twist lock receptacles

ICT 48 Volt Power Supply System

Sketch of Antennas



Select Board

Item #

133

May 31, 2023

State Senator Michael Moore
Senate Chair of the Joint Committee on Advanced Technology, the Internet and Cybersecurity
Massachusetts State House, Room 109B
24 Beacon Street
Boston, MA 02133

State Representative Tricia Farley-Bouvier
House Chair of the Joint Committee on Advanced Technology, the Internet and Cybersecurity
Massachusetts State House, Room 274
24 Beacon Street
Boston, MA 02133

Dear Senator Moore and Representative Farley-Bouvier,

As underscored by recent events in Lowell, cyber-attacks are a pressing issue across the Commonwealth. Reporting shows that state government, municipalities and school systems are frequent, vulnerable targets. Attacks in these sectors can disrupt public services, compromise public safety, reveal sensitive citizen information, incur significant financial consequences, and undermine trust in our governmental institutions. In 2020, the cost of cyber-attacks on government entities in the United States was estimated to be \$19 billion.¹

It is widely recognized that ninety percent of security incidents result from human error, such as clicking on a dangerous link or attachment, or visiting a risky website.² Such errors may result from a single individual's lack of awareness of or adherence to online safety best practices, or more broadly from an organizational culture that doesn't prioritize online safety. Human vulnerability underscores the importance of fundamental cybersecurity skills for all citizens.

Massachusetts has taken a strong step to improve security awareness via the current Municipal Cybersecurity Awareness Grant Program (MCAGP), and many municipalities benefit from this initiative. However, once a grant is awarded, local participation may be spotty and without enforcement. Less than 100% participation increases the risk that the ill-advised action of a single person can expose the entire municipality and its citizens to severe consequences.

To limit this exposure, we ask that you formulate and lead passage of a cybersecurity awareness law that compels participation by all state, municipal and school system employees, and provides consequences for non-compliance. Where the MCAGP helps to address the awareness issue, such a law will drive full participation and strengthen the cultural emphasis on cybersecurity.

We believe that the education requirements of the Massachusetts conflict of interest law provide an excellent model for strengthening protection against cyber-attacks. As explained on the pertinent Mass.gov website, the law provides that "Public employees must complete the online training program

¹ Comparitech.com estimate.

² World Economic Forum estimate.

within 30 days of election or appointment to a state, county, or municipal position, and then every 2 years thereafter. Public employees must acknowledge in writing that they received the summary of the conflict of interest law within 30 days of election or appointment, and then annually thereafter.”

Given the rapidly changing cyber landscape and growth in the cyber-criminal industry, we believe that a comparable online safety instruction law should require annual training for everyone with access to the covered entity’s secure network. To help produce a well-informed citizenry overall, we also recommend that you strongly encourage the incorporation of cybersecurity awareness training in middle school and high school curricula across the Commonwealth. Both of our recommendations align with the new National Cybersecurity Strategy, and their adoption would demonstrate the leadership of Massachusetts in developing the foundational cyber-skills needed by all citizens for online safety.

Our recommendations are supported by Burlington’s Select Board and Town Administrator, and have been reviewed with Representative Ken Gordon. It is our hope that you will support our proposal to help protect Massachusetts citizens from online threats. We would be happy to elaborate on our experience in Burlington that leads to our recommendations, or to answer any questions that you might have about our proposal.

Thank you for your consideration. Stay safe!

Respectfully yours,

Steven Morin, on behalf of the Burlington Information System Security Advisory Committee (ISSAC)

Steven Morin, Chair
Joe Bongiorno
Glenn Mills
Michael Wick
Bob Cunha
Rob Neufeld

David Hughes, Vice Chair
Jose DeSousa
Dave Miller
Phil Pascale
Ben Axelrod

cc: Maura Healey, Governor
Karen Spilka, President of the Massachusetts Senate
Cindy Friedman, State Senator
Ronald Mariano, Speaker of the Massachusetts House
Ken Gordon, State Representative
Ben Linville-Engler, Acting Director, MassCyberCenter
Susan Noyes, Acting Director, Massachusetts Office of Municipal & School Technology

Select Board

Item #

134

TOWN OF BURLINGTON – Select Board Office
29 Center Street, Burlington, MA 01803

GENERAL LICENSE APPLICATION

TYPE OF LICENSE (please check one) – Please make check payable to “Town of Burlington”

#of _____ Amusement Devices/Bowling Alleys \$50 X # _____ Second Hand Dealer - \$ No Fee
_____ First Class Auto - \$100 _____ Theater - \$50 per screen _____
_____ Entertainment - \$25 (Include description & time below) Victualler - \$25
_____ Innholder - \$25 _____ Taxi/Livery \$50 per vehicle _____
_____ Weigher \$25 _____

LICENSE RENEWAL INFORMATION WILL BE SENT TO EMAIL ADDRESS

ALL PAPERWORK RECEIVED _____ CK # _____ DATE _____

BUSINESS INFO

Business Name (DBA): Dunkin
Burlington Address: 182 A Cambridge St.
Manager's Name: Steve Catalano
Phone: _____
Federal Tax I.D. # (if applicable): ~~88-4115519~~ 85-3967300 OR SS# _____
Days & Hours of Operation: 7 Days 5-10pm

OWNERSHIP INFO (Please fill this portion out ONLY if business is owned by an INDIVIDUAL or PARTNERSHIP)

Owner(s) Name(s): Steve Catalano, Matthew Campos Basso
Street Address: _____ City, State, Zip _____
City, State, Zip: _____
Phone: _____ EMAIL: _____

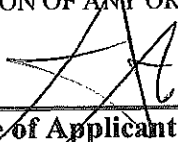
CORPORATE INFO (Please fill this portion out ONLY if business is owned by a corporation)

Corporation Name: Double Jelly LLC
Street Address: 188 Ayer Rd. City, State, Zip _____
City, State, Zip: HARVARD MA, 01451
Corporate Contact's Name/Title Steve Catalano MGR
Phone: _____ EMAIL: _____
Copy of new License Emailed: _____

COMPLETE FOLLOWING INFORMATION WHEN APPLICABLE

AUCTIONEERS, Describe: _____
ENTERTAINMENT, Describe: _____
OTHER: _____

ANY INTENTIONAL FALSE ANSWERS TO ANY OF THE ABOVE QUESTIONS WILL BE JUST CAUSE FOR THE REVOCATION OF ANY OR ALL LICENSES ISSUED UNDER THE PROVISIONS OF THE GENERAL LAWS, AS AMENDED.


Signature of Applicant

5/17/23
Date

TOWN OF BURLINGTON – Select Board Office
29 Center Street, Burlington, MA 01803

GENERAL LICENSE APPLICATION

TYPE OF LICENSE (please check one) – Please make check payable to “Town of Burlington”

#of _____ Amusement Devices/Bowling Alleys \$50 X # _____ Second Hand Dealer - \$ No Fee
_____ First Class Auto - \$100 _____ Theater - \$50 per screen _____
_____ Entertainment - \$25 (Include description & time below) Victualler - \$25
_____ Innholder - \$25 _____ Taxi/Livery \$50 per vehicle _____
_____ Weigher \$25 _____

LICENSE RENEWAL INFORMATION WILL BE SENT TO EMAIL ADDRESS

ALL PAPERWORK RECEIVED _____ CK# _____ DATE _____

BUSINESS INFO

Business Name (DBA): Dunkin
Burlington Address: 10 Wall St.
Manager's Name: Steve Catalano
Phone: _____
Federal Tax I.D. # (if applicable): ~~XXXXXXXXXX~~ 85-3967300 OR SS# _____
Days & Hours of Operation: 7 Days 5-10 pm

OWNERSHIP INFO (Please fill this portion out ONLY if business is owned by an INDIVIDUAL or PARTNERSHIP)

Owner(s) Name(s): Steve Catalano, Matthew Campasso
Street Address: _____ City, State, Zip _____
City, State, Zip: _____
Phone: _____ EMAIL: _____

CORPORATE INFO (Please fill this portion out ONLY if business is owned by a corporation)

Corporation Name: Double Jelly Donuts LLC
Street Address: 188 Ayer Rd. City, State, Zip _____
City, State, Zip: Harvard MA. 01451
Corporate Contact's Name/Title: Steve Catalano mgr
Phone: _____ EMAIL: _____
Copy of new License Emailed: _____

COMPLETE FOLLOWING INFORMATION WHEN APPLICABLE

AUCTIONEERS, Describe: _____
ENTERTAINMENT, Describe: _____
OTHER: _____

ANY INTENTIONAL FALSE ANSWERS TO ANY OF THE ABOVE QUESTIONS WILL BE JUST CAUSE FOR THE REVOCATION OF ANY OR ALL LICENSES ISSUED UNDER THE PROVISIONS OF THE GENERAL LAWS, AS AMENDED.

[Signature] [Signature] 5/17/23
Signature of Applicant Date

TOWN OF BURLINGTON – Select Board Office
29 Center Street, Burlington, MA 01803

GENERAL LICENSE APPLICATION

TYPE OF LICENSE (please check one) – Please make check payable to “Town of Burlington”

#of _____ Amusement Devices/Bowling Alleys \$50 X # _____ Second Hand Dealer - \$ No Fee
_____ First Class Auto - \$100 Theater - \$50 per screen _____
_____ Entertainment - \$25 (Include description & time below) Victualler - \$25
_____ Innholder - \$25 Taxi/Livery \$50 per vehicle _____
_____ Weigher \$25

LICENSE RENEWAL INFORMATION WILL BE SENT TO EMAIL ADDRESS

ALL PAPERWORK RECEIVED _____ CK # _____ DATE _____

BUSINESS INFO

Business Name (DBA): Dunkin
Burlington Address: 240 Middlesex Turnpike
Manager's Name: Steve Catalano
Phone: _____ EMAIL: _____
Federal Tax I.D. # (if applicable): ~~85-3967300~~ 85-3967300 OR SS#
Days & Hours of Operation: _____

OWNERSHIP INFO (Please fill this portion out ONLY if business is owned by an INDIVIDUAL or PARTNERSHIP)

Owner(s) Name(s): Steve Catalano, Matthew CampoBasso
Street Address: 188 Ayer Rd. City, State, Zip _____
City, State, Zip: Harvard ma. 01451
Phone: _____

CORPORATE INFO (Please fill this portion out ONLY if business is owned by a corporation)

Corporation Name: Double Jelly Dough LLC
Street Address: 188 Ayer Rd. City, State, Zip _____
City, State, Zip: Harvard ma. 01451
Corporate Contact's Name/Title Steve Catalano mge.
Phone: _____ EMAIL: _____
Copy of new License Emailed: _____

COMPLETE FOLLOWING INFORMATION WHEN APPLICABLE

AUCTIONEERS, Describe: _____
ENTERTAINMENT, Describe: _____
OTHER: _____

ANY INTENTIONAL FALSE ANSWERS TO ANY OF THE ABOVE QUESTIONS WILL BE JUST CAUSE FOR THE REVOCATION OF ANY OR ALL LICENSES ISSUED UNDER THE PROVISIONS OF THE GENERAL LAWS, AS AMENDED.

 _____ 5/17/23
Signature of Applicant Date



CATAMAN-01

LHUFF

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
New England Insurance Group
73 Front Street
Shirley, MA 01464

CONTACT NAME:
PHONE (A/C, No, Ext): (978) 425-9595 **FAX (A/C, No):** (978) 425-9160
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE **NAIC #**

INSURER A: MA Retail Merchant's Workers Comp

INSURED
Catalano Management Co LLC
Double Jelly Donuts LLC
188 Ayer Road
Harvard, MA 01451

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR NYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE	\$
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$
							GENERAL AGGREGATE	\$
							PRODUCTS - COMP/OP AGG	\$
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	014005033301123	1/1/2023	1/1/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

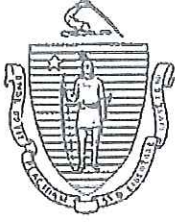
CERTIFICATE HOLDER

CANCELLATION

Town of Burlington
29 Center Street
Burlington, MA 01803

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 Lafayette City Center
 2 Avenue de Lafayette, Boston, MA 02111-1750
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Double Jelly

Address: 188 Ayer Rd.

City/State/Zip: Harvard MA 01451 Phone #: 978-456-2300

Are you an employer? Check the appropriate box:

- 1. I am an employer with 67 employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Cove Risk MA Retail Merchants WC Group, Inc

Insurer's Address: PO Box 859222-9222

City/State/Zip: BRAINTREE, MA 02185

Policy # or Self-ins. Lic. # 0140050 33301123 Expiration Date: 1/1/24

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 5/19/23

Phone #: 978 456 2300

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____

Select Board

Item #

135

SELECT BOARD
Meeting Agenda Item

Meeting date 6/12/2023

Requesting Department:

Select Board

Request Title for Agenda:

CITIZEN'S TIME

Description:

Any person wishing to talk will have up to 3 minutes which will be strictly enforced by the Chair. If the number of people exceeds 5 the time will be decreased to 2 minutes per person. The topics maybe halted immediately by the Chair. Individual participation based on topic shall be limited to once every 3 meetings unless on a different topic.

MGL, Town Bylaw, Town Policy referenced (if applicable):

Purpose:

To allow public participation in a control manner

Back up included:

N/A

Suggested Motion:

none

Motion made and seconded by: Resulting Vote (who was not present or abstained)

Select Board

Item #

136

LEGAL NOTICE



TOWN OF BURLINGTON
SELECT BOARD
PUBLIC HEARING

The Town of Burlington Select Board hereby gives notice that it will hold a Public Hearing on **Monday, June 12, 2023 at or after 6:00 p.m.** 29 Center Street, Town Hall, Main Hearing Room 2nd Floor and WebEx, WebEx information is below, to consider the petition from NStar Electric Company d/b/a Eversource Energy, to dig southeasterly from manhole MH28765, approximately 20+/- northwest of Van De Graaff Drive, to install approximately 57+/- feet of conduit in South Bedford Street and in accordance with the requirements of the Town's Department of Public Works.

The plans and supporting documentation are available for public inspection by contacting Lmills@burlington.org the plans will also be available on the Town's website: <https://www.burlington.org/556/Public-Hearings>

Select Board public hearing notices are printed in the *Burlington Daily Times Chronicle* and may also be downloaded from the following site: <https://www.masspublicnotices.org/Search.aspx>

Meeting being held via Cisco Webex:

<https://townofburlington.webex.com/townofburlington/j.php?MTID=m5ae875e5929285dcccfd8086264623d06>

Meeting number 2339 082 6079 Password 3Zy7MpGrRF8

Dial [23390826079@townofburlington.webex.com](https://townofburlington.webex.com) You can also dial 173.243.2.68 and enter your meeting number

Select Board:

Michael S. Runyan, Chairman

Joseph E. Morandi, Vice Chairman

James M. Tigges

Nicholas C Priest

Michael W. Espejo

Emailed to Daily Chronicle June 1, 2023

**THIS IS A TIME SENSITIVE NOTICE AND MUST BE
PUBLISHED ON: Friday, June 2, 2023**

(Please contact Lyn Mills c/o Select Board Office 781-270-1659 with any questions)



200 Calvary Street
Waltham, Ma 02453

April 19, 2023

Select Board
Town Hall
29 Center Street
Burlington, MA 01803

RE: 3 Van De Graaff Drive
Burlington, MA 01803
W/O #7421772

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 57± feet of conduit in South Bedford Street.

The reason for this work is to provide service to 3 Van De Graaff Drive

If you have any further questions, contact Joanne Callender at (781) 314-5054.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

Attachments

RMS/sk

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of BURLINGTON**

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a Eversource Energy** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY d/b/a Eversource Energy** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**South Bedford Street – Southeasterly from manhole MH28765, approximately 20± feet
northwest of Van De Graaff Drive, install approximately 57± feet of
conduit**

W.O. #7421772

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **T. Thibault, dated August 18, 2022**, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Select Board
3	_____	the Town of
4	_____	BURLINGTON
5	_____	

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Select Board to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____, 2023 at _____ in said Town.

1	_____	
2	_____	Select Board
3	_____	the Town of
4	_____	BURLINGTON
5	_____	

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **BURLINGTON**, Massachusetts, duly adopted on the _____ day of _____, 2023 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **BURLINGTON**, Massachusetts

PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY FOR
LOCATION FOR CONDUITS AND MANHOLES

To the **Select Board** of the Town of **BURLINGTON** Massachusetts:

Respectfully represents **NSTAR Electric Company d/b/a Eversource Energy** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault dated August 8, 2022**, and filed herewith, under the following public way or ways of said Town:

South Bedford Street – Southeasterly from manhole MH28765, approximately 20± feet northwest of Van De Graaff Drive, install approximately 57± feet of conduit

W.O. #7421772

NSTAR ELECTRIC COMPANY
d/b/a Eversource Energy

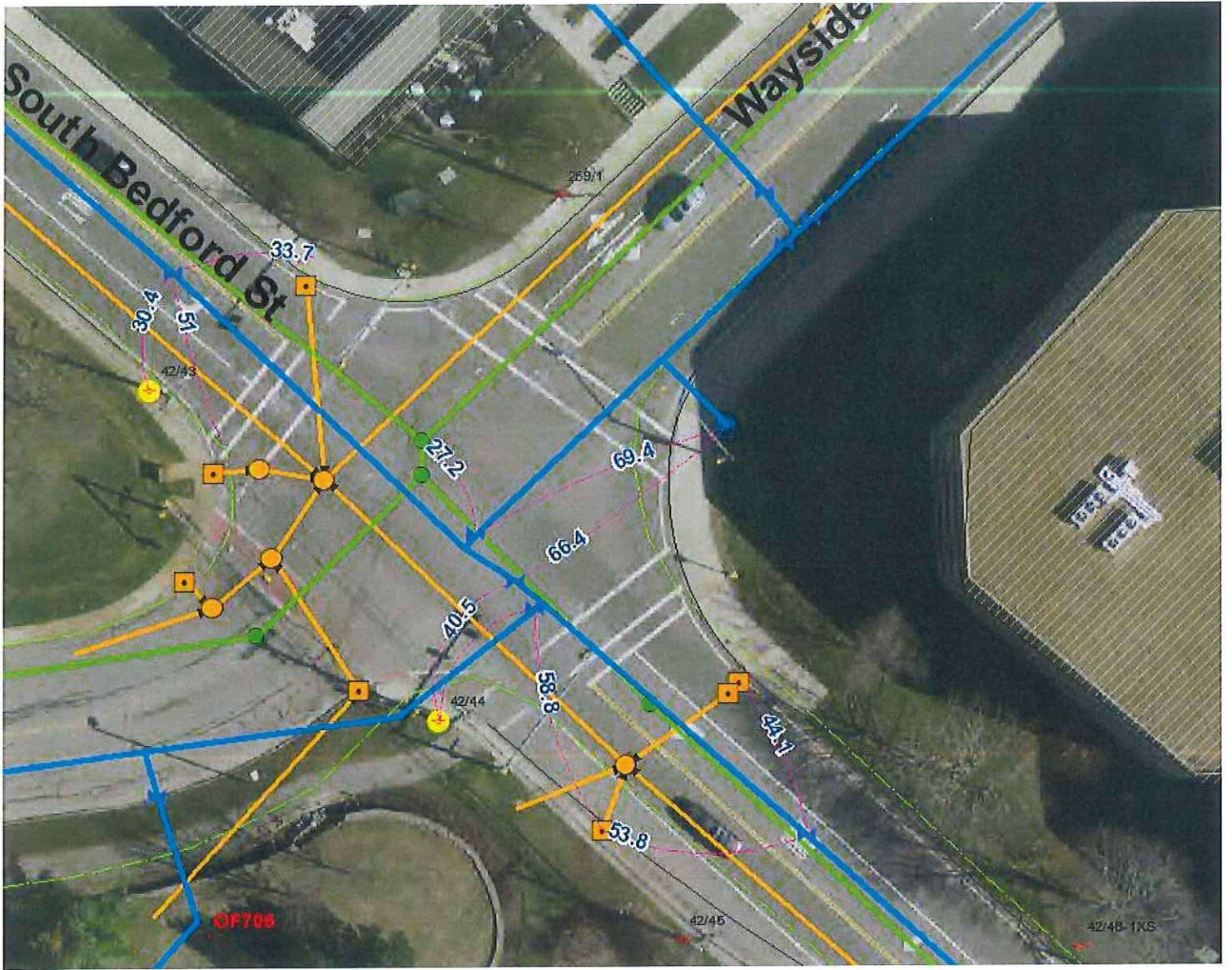
BY *Richard M. Schifone*

Richard M. Schifone
Rights & Permits, Supervisor

Dated this _____ DAY OF _____, 2023

Town of **BURLINGTON** Massachusetts

Received and filed _____ 2023



Select Board

Item #

137

LEGAL NOTICE



TOWN OF BURLINGTON
Select Board Public Hearing

The Burlington Select Board hereby gives notice that it will hold a Public Hearing on **Monday, April 24, 2023 at or after 6:00 p.m.** at the Town Hall, 29 Center Street, Burlington, MA, second floor main meeting room to consider whether to support the Local Initiative Petition of the Winn View Heights II Comprehensive Permit project located at the rear of 35 Mountain Road to be accessed off of Mountain Road and is proposed to include 24 units of age restricted (55+) housing.

<https://townofburlington.webex.com/townofburlington/j.php?MTID=m9636680edda59d16bebffd2e4c78f186>

Meeting number 2332 248 3347 Password ScmaD3NHM87

Dial 23322483347@townofburlington.webex.com +1-408-418-9388 United States Toll

Select Board public hearing notices are printed in the *Burlington Daily Times Chronicle* and may also be downloaded from the following site: <http://masspublicnotices.org/Search.aspx>

Select Board:

Nicholas C. Priest, Chairman

Michael S. Runyan, Vice Chairman

Joseph E. Morandi, Select Board Member

James M. Tigges, Select Board Member

Michael W. Espejo, Select Board Member



Lyn Mills <lmills@burlington.org>

Winn View Heights at 35 Mountain Road

1 message

Kristie DeMattia <kristiedemattia@gmail.com>

Mon, Apr 24, 2023 at 10:37 AM

To: selectmen@burlington.org

Hello,

I reside at 55 Mountain Road and am writing once more to advocate for the DENIAL of a letter of support from the Select Board for the Winn View Heights II property.

When the original letter of support was provided in 2019, the access point was off of Winn St. via Harriett and Richardson roads, and had been planned for some time. Now that it is proving too expensive/cumbersome to win that fight, the development company is now asking to switch the access point to 35 Mountain Road, which is careless and extremely dangerous for multiple reasons, the biggest of which include:

- There is a significant and steep elevation change between 35 Mountain Road and the proposed building site - any road built there, even if winding, subjects all residents in the area to car accidents, particularly in the winter
- In addition to the increased potential of car accidents, any road built there will not be wide enough to safely accommodate emergency vehicles, which will be of particular need for a senior housing community.
- There will have to be a significant amount of ledge-blasting to build a road there- all of the residents on Mountain Road have ledge on their property, so we understand this inherently. Ledge-blasting is noisy, intrusive, and downright dangerous for the abutting properties.
- There is also massive concern about the potential damage the blasting/construction will do to the abutting conservation land behind Mountain Road
- There is already an unreasonable amount of traffic getting off of Mountain Road and onto Winn Street, as that is the only point of exit for many residents on Mountain Road (which is a dead end street.) Additionally, many people from Burlington and surrounding towns use the "Winn Street - Mountain Road - Burlington Street cut-through" to access other parts of Burlington, Woburn, etc. Assuming two vehicles for each of the 24 units plus the vehicles of the staff who will work there, that is an additional 50+ cars on the small road trying to get into and out of the area every single day. About 45+ existing households will be trapped trying to get off of Mountain Road.

I understand that the Select Board's official opinion on the matter may not affect the project's eventual progression, but the Select Board clearly has sway on the issue, since the project is being brought to the board AGAIN after not passing the last time. The Select Board's approval lends credibility to the idea that this project is necessary, beneficial, safe, and well-considered, when the currently proposed access point is NONE of those things.

Again, I ask that you deny the letter of support, based on the Mountain Road access point.

Best,
Kristie DeMattia
55 Mountain Road
(781) 307-6241



TOWN OF BURLINGTON

Planning Board

William Gaffney, Member Clerk
Ernest E. Covino
Jessica Sutherland

Brenda Rappaport, Chair

Barbara L'Heureux, Vice Chair
Joseph A. Impemba
Toni Ann Natola

May 12, 2023

Members of the Select Board,

We, the members of the Burlington Planning Board, are writing to you to express our concerns regarding your discretionary letter of support for the planned 40B housing development known as WinnView Heights II located at 35 Mountain Road. We ask that this letter be made part of the public record (read aloud) and be included with the documentation being sent to DHCD.

After reviewing the plans available online, we have the following serious concerns:

- A. This development, which is being marketed as an age-restricted development for those over the age of 55, is located at the top of a steep incline with one access driveway. The drive will be steep and winding with two switchbacks. The Planning Board is concerned that this access road presents multiple safety and ecological concerns.
 1. Accidents are more likely on this type of roadway, especially in inclement weather.
 2. If there is an accident on the road, access could be completely blocked leaving residents stranded at the top of the hill without the benefit of emergency services.
 3. A steep, winding roadway is challenging for emergency vehicles, especially fire engines, and could create a delay in response times to the residents of this development.
 4. The development of the road will entail a significant amount of blasting and this presents dangers to the existing homes in the area. We are concerned that nearby residents may experience foundation damage and/or flooding of their properties and homes.
 5. The development of the roadway will, by necessity, require the removal of many mature trees which stabilize the hill and provide benefits in terms of flood control. Losing those trees will increase the risk of flooding and may destabilize the hillside, causing rock or mudslides in inclement weather.
 6. Because there is a great deal of ledge in the area, it will be extremely difficult to infiltrate stormwater from the roof-top and from the parking lot. If not managed properly, the water will cause significant damage to those properties downhill.

- B. By presenting this project as a 40B development, the developer will move forward without the normal, rigorous review process that other developments in Burlington undergo. Instead, the sole reviewing body will be the Board of Appeals, which does not have the same level of expertise, nor does it have the professional staff to help guide a project of this size. The normal Planning Board process includes all other relevant departments including Engineering, Police, Fire, Conservation and Board of Health. By being administered by the Board of Appeals, a 40B development circumvents that process and is not required to adhere to all the rules and regulations required by the various development departments.
- C. There have been concerns expressed that if this development does not come to fruition that the site could be developed as a daycare center or nursing home. Both of these uses are protected under the Dover Amendment which is a state law protecting the rights of non-profit and religious institutions. Uses protected under this amendment are able to locate anywhere in town. It is HIGHLY UNLIKELY that these uses would choose to locate here because the cost of development would not yield a positive return on investment. However, if such a development were proposed, the Town would greatly benefit from the normal, rigorous Planning Board review process.

Lastly, the Town of Burlington has worked judiciously to maintain an affordable housing stock of greater than 10%. One of the reasons for doing this is to provide appropriate housing for many members of our community and so that the Town can be judicious in where new housing is developed. This proposal is at a location that is far from ideal. The senior citizens of Burlington should not be isolated at the top of a hill. Many other properties in town are far more appropriate and safe for age-restricted multi-family housing. Our efforts to keep above the 10% threshold allow us to select the best locations for housing developments. We should not accept projects that present safety concerns as this project does.

For these reasons, the Planning Board requests that the Select Board decline to give its support to this request. The recommendation of the Select Board weighs heavily in the State's decision regarding friendly 40B developments. If the Select Board gives its support to this project, it will likely move forward and constructed. If the Select Board declines to give its support, the project is much less likely to happen and the Town can move forward with multi-family housing in more appropriate locations.

Thank you for your consideration of these serious matters.

Signed,

The Burlington Planning Board



TOWN OF BURLINGTON
Conservation Commission

May 26, 2023

Burlington Select Board
29 Center Street,
Burlington, MA 01803

Re: Winn View Heights II

Dear Chair Runyan and Members of the Select Board,

The Burlington Conservation Commission is writing to express our concerns regarding the Town signing on as a co-applicant on a planned Local Initiative Project (LIP) 40B housing development known as WinnView Heights II to be located off 35 Mountain Road. It is our understanding that without the Select Board's support, this project cannot advance as a LIP project. We ask that this letter be read aloud at the hearing, be made part of the public record, and be included with the documentation being sent to DHCD.

The Commission, as the Town's custodians of the Little Brook Conservation area, are direct abutters to this proposed project.

The Commission's concerns include the incredibly challenging topography and geology of the site and the fact that Board of Appeals does not usually review and permit projects like this. While it is understood that the Board of Appeals has successfully permitted many projects and would likely engage a peer-review consultant to review the stormwater and site plans, it is unlikely that a consultant would have the level of experience with the Town's EPA-mandated Stormwater Bylaw necessary to fully regulate both construction and post-construction runoff.

The site is currently wooded, with ledge outcroppings. Clear-cutting mature trees at the top of a rocky hill could cause erosion and increased runoff and flooding of downgradient properties. Steep grades range in elevation from 127 feet on Mountain Road up to in excess of 200 feet at the top. Ledge will make attaining required stormwater infiltration standards exceedingly difficult, if not impossible. Phosphorus removal, required by the EPA, would be impossible without proper infiltration designs.

If the Select Board chooses to co-sponsor this project, the Conservation Commission recommends:

1. The Zoning Board of Appeals should obtain an independent peer review of drainage, erosion control / sedimentation control and stormwater handling under authority of Burlington Bylaw Article XIV.
2. The Zoning Board of Appeals should request a technical review by Conservation staff of stormwater handling, erosion control, water quality and peak rate of runoff.
3. The Zoning Board of Appeals should solicit permit conditions from the Conservation Commission that should be included in the Comprehensive permit.


4. The Zoning Board of Appeals should require a project design that minimizes tree cutting and require this project to provide a 1:1 replacement for trees being taken down. Mature trees take up hundreds of gallons of water per day per tree. Cutting large numbers of trees would significantly increase the ground water that could flow down the slope. These trees are also crucial to stabilizing the slopes, retaining soil and preventing erosion.

If you have any questions, do not hesitate to contact us.

Sincerely,



Larry Cohen, Chairman
Burlington Conservation Commission



William Boivin, Vice Chairman
Burlington Conservation Commission

cc:

Indra Deb, Commissioner
Ed Loturco, Commissioner
Rob Sheahan, Commissioner
Kent Moffat, Commissioner

John Keeley, Conservation Administrator
Eileen Coleman, Assistant Conservation Administrator