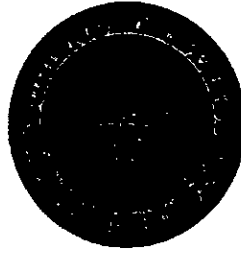


**RECEIVED**

By Town Clerk's Office at 11:37 am, May 25, 2018



**TOWN OF BURLINGTON**  
*Planning Board*



2018 00087127

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Barbara L'Heureux, Member Clerk  
 Ernest E. Covino  
 William Gaffney

John D. Kelly, Chair

Carol A. Perna, Vice Chair  
 Joseph A. Impemba  
 Paul Raymond

**MEMO TO:** Amy E. Warfield, Town Clerk

**FROM:** Planning Staff

**DATE:** May 25, 2018

**RE:** Decision - Application for Approval of Special Permits – Off Wheeler Road – Jumbo Self Storage, LLC – Jumbo Capital Management, Applicant

Attached please find an original and one copy of the Special Permit Decision granted by the Planning Board on April 5, 2018 to the Applicant **Jumbo Self Storage, LLC – Jumbo Capital Management** regarding land owned by **First Burlington LP**, said land being located at **Off Wheeler Road, Burlington, MA**, shown on Assessor's Map 52 as **Parcels 4 and 6**.

The Applicant sought approval of Special Permits pursuant to Sections 4.2.7.5 "Wholesale trade, Warehousing," 4.4.1.11 "Discharge from manmade structures into the wetlands," and a finding under Sections 5.2.0 and 5.1.5 to increase FAR to .248 of the Zoning Bylaw to permit a self-storage facility in a new building, for property located in the **General Industrial (IG) and Aquifer (A) Districts**.

The statutory twenty (20) day appeal period will begin with receipt of this decision. Once this appeal period has lapsed without a legal appeal being filed, the applicant must pick up the original Special Permit at the Town Clerk's office, certified that no appeal has been made, and record the Special Permit at the Middlesex South Registry of Deeds.

cc: (with copy of Special Permit)

Inspector of Buildings  
 Town Engineer  
 Board of Health  
 Conservation Commission

Fire Department  
 Police Department  
 DPW Superintendent  
 Town Administrator

Howard Hirsh  
 Jumbo Self Storage LLC  
 1900 Crown Colony Drive, 4<sup>th</sup> Floor  
 Quincy, MA 02169

Robert C. Buckley, Esq.  
 Riemer & Braunstein LLP  
 700 District Avenue, 11<sup>th</sup> Floor  
 Burlington, MA 01803

David R. Schelzi  
 First Burlington LP  
 6 Kimball Lane, Suite 110  
 Lynnfield, MA 01940

**Riemer & Braunstein LLP**  
**3 Center Plaza**  
**Boston, MA. 02108-2003**  
 Attention: Dennis Haley

Book 15724  
 Page 356

**RECEIVED****By Town Clerk's Office at 11:36 am, May 25, 2018****TOWN OF BURLINGTON****CERTIFICATE OF DECISION ON SPECIAL PERMIT APPLICATION**

1. It is hereby certified by the **Planning Board** of the **Town of Burlington**, Massachusetts, that on **October 25, 2017**, an Application for approval of **Special Permits** was filed by **Jumbo Self Storage, LLC - Jumbo Capital Management** regarding land owned by **First Burlington LP**, said land being located on **Off Wheeler Road**, Burlington, MA, shown on Assessor's **Map 52** as **Parcels 4 and 6**.
2. The Applicant sought approval of Special Permits pursuant to **Sections 4.2.7.5 "Wholesale trade, Warehousing," 4.4.1.11 "Discharge from manmade structures into the wetlands," and a finding under Sections 5.2.0 and 5.1.5 to increase FAR to .248** of the Zoning Bylaw to permit a 119,651 +/- square foot, five (5) story self-storage facility with associated parking and site improvements. The property is located off Wheeler Road, Burlington, MA, in the **General Industrial (IG) and Aquafer (A) Districts**.
3. After notice and hearing, at a duly called and properly posted meeting of the Planning Board held on December 7, 2017 and continued to the Planning Board meetings of January 18, 2018 (No testimony taken), February 15, 2018 (No testimony taken), and March 1, 2018 (No testimony taken), March 15, 2018, and April 5, 2018 the Planning Board found the following:
  - A. The specific site is an appropriate location for the proposed expansion of the self-storage facility because such use is permitted by Special Permit in the General Industrial (IG) District.
  - B. The use as implemented will not adversely affect the neighborhood because the conditions imposed as part of this approval shall ensure that this use will be operated in a manner that is considerate of the neighborhood, and persons utilizing the premises.
  - C. There will be no nuisance or hazard to vehicles or pedestrians because he conditions imposed as part of this approval shall ensure the parking and circulation pattern provides sufficient parking and circulation for the safety of vehicles and pedestrians and persons utilizing the premises.
  - D. Social, economic, or community needs will be substantially served because the proposed establishment will provide storage opportunities for the residents of Burlington and adjoining towns.
  - E. The use as implemented will not adversely affect the environment and conditions imposed as part of this Special Permit approval shall ensure that this use will be operated in a manner that is considerate of the environment and further the

Applicant and Property Owner are offering a conservation restriction on a portion of the property.

- F. Adequate utilities and public services exist to accommodate the proposed use, and therefore the use as implemented will not have a detrimental effect on services.
  - G. Potential fiscal impact, including impact on town services, tax base, and employment, will be favorable over current impacts.
4. Based on the foregoing findings, the Planning Board voted to approve the requested Special Permit application.
  5. The approval of this Special Permit is based upon the following terms and conditions and revisions, any violation of which may result in the Town undertaking any measures allowed by law to ensure that the terms and conditions of this Decision are met:
    - A. The Special Permit shall pertain to the use as reflected on the Site Plan entitled "Permitting Documents for Proposed Self-Storage Facility Town of Burlington, Massachusetts," prepared by BL Companies, dated October 23, 2017 and revised to March 2, 2018. The Site Plan is accompanied by a stormwater report entitled "Stormwater Management Report for the Proposed Self-Storage Development Located at Wheeler Road Burlington, Massachusetts," dated October 23, 2017 and revised to February 15, 2018, as well as a traffic memo entitled "Self-Storage Facility, Burlington, MA Traffic Overview" dated October 10, 2017, both prepared by BL Companies. All plans and exhibits referenced above shall be to be further revised pursuant to the conditions herein or within the Site Plan decision accompanying this application.
    - B. The plan set submitted for endorsement by the Planning Board shall include all of the sheets referenced above, revised pursuant to the conditions herein and Site Plan decision accompanying this application.
    - C. The Special Permit shall not be in effect unless and until the Site Plan referenced in "A" above is approved by the Planning Board. All conditions of approval of the Site Plan, should such approval be granted, are hereby incorporated into this Special Permit.
    - D. This warehouse building shall only be used as a self-storage facility. No other use is permitted. The mis-use of any of the storage units may result in a cease and dissent and revocation of the Certificate of Occupancy (CO). The facility shall not be accessible outside of operating hours. An onsite manager shall be on duty within the premise at all times the facility is open.
    - E. The entry drive is constructed within the Blanchard Road Right-of-Way. The drive is not built out under the subdivision process and is therefore not considered roadway for which frontage can be used. This remains a drive that happens to exist within a

paper street roadway. If in the future formal build-out is desired, a subdivision Application is required.

- F. The Architectural renderings set entitled "Proposed Self Storage Facility Wheeler Road Burlington, Massachusetts," prepared by BL Companies, dated March 29, 2018, consisting of two (2) pages, was received by the Planning Board on April 2, 2018. It is agreed that the faux storage doors will be removed and windows will be installed to provide for a more "office" building appearance to the building. The façade of the building shall be constructed consistent with the neighborhood character and represent an office building feel. The building shall not be an open advertisement for self-storage. Final design to be reviewed and approved by the Planning Director.
- G. The Applicant acknowledges the objectives of the Planning Board relative to their efforts to reconcile traffic and pedestrian limitations at the intersection of Route 3A/Cambridge Street/Road and South Bedford Street with a larger regional solution and has, therefore, proposed to contribute the following towards that end: The Applicant offers and the Planning Board accepts a contribution in the amount of \$50,000 to the Town of Burlington towards a traffic mitigation fund to defray the costs of the Route 3A/Cambridge Street/Road and South Bedford Street intersection improvement design.
- H. The Applicant shall prepare a Conservation Restriction (CR)/Conservation Easement For 9+/- acres of the project site in order to satisfy any Article 97 of the Massachusetts Constitution requirements for land replacement obligations due to required takings to effectuate the above referenced improvements.
- I. The Applicant and/or Property Owner shall undertake post-construction traffic and parking utilization monitoring:
  - i. Monitoring will be undertaken one (1) year after the issuance of the final Certificate of Occupancy (CO). Date and times shall be reviewed and approved by the Planning Director prior to counts taken. Traffic data shall be collected at the storage facility driveway and parking lot.
  - ii. Data will be summarized one (1) year after the storage facility receiving final Certificate of Occupancy (CO):
    - a. Hourly traffic volumes entering/exiting the storage facility.
    - b. Parking utilization on site.
  - iii. If it is determined, based on the foregoing analysis, that the traffic count generated and parking utilization with the parking area by the storage facility exceed the traffic count and parking stated in the *Traffic Memo* prepared by BL Companies dated October 10, 2017 a reduction in the number of storage units shall be required. If the traffic counts/trips

generated by the storage facility exceed the traffic counts in the *Traffic Memo* by 10% then 10% of the total number of the storage units shall be removed including any other improvements that are deemed necessary by the Planning Director in consultation with the Traffic Safety officer to offset the additional traffic during the commuter peak hours.

- iv. At no time during operation should vehicles be parked along the entrance drive or on Wheeler Road.

### ***Departmental Conditions***

- J. The Applicant and/or Property Owner shall comply with the following conditions of the Board of Health:
  - i. The Applicant shall submit the Phase I and II site assessment reports to the Board of Health for review prior to any site development activity. The Phase I and II assessment reports must be in conformance with ASTM (American Society of Testing and Materials) E1527 – 13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and ASTM E1903-11, Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process. The Board of Health may require additional soil and groundwater sampling prior to construction.
  - ii. The Board of Health requires that a vapor barrier system be included in the building construction. The vapor barrier system must be in conformance with the Massachusetts Vapor Intrusion Guidance WSC#-14-435, Section 3.4.2.3, or as amended by MassDEP. The property owner or representative must send a letter to the Board of Health certifying that the vapor barrier system was installed in accordance with the Massachusetts Vapor Intrusion Guidance WSC#-14-435, Section 3.4.2.3.
  - iii. Prior to any on-site excavation/construction activities, a MA Licensed Site Professional (LSP) must determine whether or not a Release Abatement Measure (RAM) Plan must be prepared in accordance with the MCP (310 CMR 40.0000) and DEP Policy #WSC-00-425. If required, the RAM Plan must be submitted prior to any on site excavation/construction activities and the Board of Health notified of the submittal.
  - iv. If excavation dewatering is required, an LSP must determine if groundwater or surface water should be managed and handled as Remediation Wastewater as defined under the MA Contingency Plan (310 CMR 40.0040).

- v. The onsite monitoring well(s) was installed without a permit from the Board of Health. The applicant must obtain a well permit from the Board of Health.
- vi. Solid waste encountered during site development activities must be removed from the site and must be disposed of in compliance with applicable regulations.
- vii. Test pits, observed by the Board of Health, must be conducted in the proposed stormwater detention/infiltration area. Test pit logs shall be submitted to the Board of Health.
- viii. Stormwater and Run-off Management Plan Submittal Form must be submitted in conformance with the Board of Health Regulations for Stormwater and Runoff Management.
- ix. The proponent must submit a drainage system Operation and Maintenance Plan which indicates that the stormwater detention/infiltration system must be inspected/maintained at least four times annually, and immediately after any chemical release. The Board of Health must be provided with the name and contact information of the individual or entity responsible for scheduling Operation and Maintenance requirements. Records of inspections and maintenance must be available for review by the Board of Health upon request.
- x. Fill material may not be brought on site without prior approval from the Board of Health. The Board of Health will require that fill material be free of asphalt and debris and that documentation indicating the source of the fill material be provided. Prior to approval, the Board of Health may request that soil sampling and analyses be conducted and/or documentation from a MA LSP that soil has been managed and characterized according to the MA DEP Similar Soils Provision Guidance (WSC #-13-500).
- xi. No blasting shall occur onsite without Board of Health notification. If blasting is proposed, the proponent will have to obtain a permit from the Fire Department.
- xii. Should a release of oil and/or hazardous materials or other conditions occur that warrant notification to the Massachusetts Department of Environmental Protection in accordance with the MA Contingency plan, or the Board of Health under the Town of Burlington Toxic and Hazardous Materials Bylaw, the applicant shall promptly notify the Board of Health.

- xiii. Should any septic systems or system components be identified during Site development, the Board of Health must be notified and soil samples must be collected from the soils surrounding the system components. Any identified septic systems or system components will be required to be properly pumped and decommissioned in accordance with applicable Board of Health and MADEP Title V regulations.
  - xiv. Should any underground storage tanks be identified during Site development, the Board of Health must be notified and an assessment must be performed in accordance with MassDEP Policy WSC-402-96.
  - xv. Should any underground injection control wells be identified during Site development, the Board of Health must be notified and an assessment must be performed in accordance with the "Massachusetts Closure Guidance for Underground Injection Control (UIC) Wells", effective date July 3, 2008.
  - xvi. The Site will meet MassDEP and Burlington stormwater and erosion control standards during construction.
  - xvii. During demolition and/or construction work, dust, odor and noise control plans should be in place.
  - xviii. Following approval of recommendations by the Board of Health, any plan changes shall be submitted to the Environmental Engineer to determine whether or not another appearance before the Board of Health is required.
- K. The Applicant and/or Property Owner shall comply with the following conditions of the Fire Department:
- i. The curbing on both sides of the 24 foot minimum width entrance shall be sloped.
  - ii. The two (2) parking lot peninsulas shall be sloped curbing on all three (3) sides.
  - iii. Standpipes shall be NFPA 14 due to limited access to all sides of the building/storage facility.
  - iv. Standard and full sprinkler system to NFPA 13 Standard.
- L. The Applicant and/or Property Owner shall comply with the following conditions of the DPW/Engineering Division:

*Water Comments*

- i. Any water meter greater than 5/8 inches will need to be properly Right-Sized and the calculations should be submitted based on AWWA M22 standards to show that the existing or proposed water meter is sized properly. (Either change of use or not having a Neptune E-Coder).
- ii. The installation of the water meter should be installed in a location that is unobstructed and easily accessible.
- iii. Prior to the issuance of any utility permit, the Applicant must have their meter configuration diagram approved by the Department of Public Works.
- iv. The applicant should apply to the DPW Office for approval of any backflow prevention device for irrigation systems, fire suppression systems, chemical injection systems or any other case which backflow prevention is required.
- v. All commercial properties must schedule a cross connection survey prior to any final sign off on the Certificate of Occupancy by the Department of Public Works. All backflow control devices found to be needed must be installed and tested prior to signoff for the Certificate of Occupancy by the Department of Public Works.
- vi. The Applicant should install a triple water gate system at the proposed six (6) inch tap location.
- vii. If the Applicant, DPW/Engineering is not opposed to tapping the proposed two (2) inch domestic service line off of the proposed six (6) inch fire protection service line, somewhere on the site.

#### *Sewer Comments*

- viii. The Applicant should analyze sewage flow using Title V in current & proposed conditions to determine required sewer allocation. If there is a change in use or expansion the Applicant should submit necessary floor plans and seating plans to supplement the sewer allocation calculations.
- ix. Instead of the proposed connection to the existing manhole for the sanitary sewer service, a wye connection should be cut into the existing sewer line.

#### *Stormwater Comments*

- x. The project's stormwater management system shall comply with the Department of Environmental Protection's (DEP) Stormwater Management Policy and requirements of Town of Burlington Department of Public Works Street Opening/Utility Connection Rules and Regulations.



- xi. All storm water BMPs will be inspected by design engineers and certified that built in compliance with plans. Also need documentation including photos, field books entries, and engineer's daily reports.
- xii. Any proposed sedimentation control devices within the Town's Right of Way, must be maintained, inspected, cleaned and replaced as necessary to prevent possible flooding issues during rain events. Once all work is done, and approval is granted by the Town of Burlington Conservation Commission/Department, any sedimentation control devices **MUST** be removed by the Applicant as soon as possible.

#### *Drainage Comments*

- xiii. Ownership as well as O&M of all storm water systems and BMPs should be clearly stated on the plans to avoid confusion in the future regarding responsibility of the storm water management facility. The deeds or a covenant should clearly specify the homeowner(s) or association or Property owner whom shall be responsible for owning the system as well as inspection and maintenance schedules.

#### *General Comments*

- xiv. All materials, within the public Right of Way, will comply with Town Standards as set forth in the Town of Burlington Department of Public Works Street Opening/Utility connections Rules and Regulations.
- xv. As-built plans should be submitted on Mylar (no larger than 24" by 36," a D-size print) upon completion of the project.
- xvi. Provisions for an enclosed dumpster pad and dumpster should be depicted upon the plan sets. The long term and perpetual care of the dumpster, including the emptying, and the enclosure will be the responsibility of the property owner.
- xvii. All handicap parking signs must meet the requirements of MGL, Part I, Title VII, Chapter 40, Section 22A, and clearly and legibly display the following message; "Handicapped Parking, Special Plate Required. Unauthorized Vehicles may be Removed at Owner's Expense."
- xviii. Applicant must schedule preconstruction meeting with the DPW/Engineering Division prior to the start of work.
- xix. As a note to the Applicant/Designer, the proposed utility connections should be coordinated through the Town of Burlington Engineering Division, as the permit issuer, and not each individual division of DPW, as noted on the plan sets.

- xx. The Applicant shall be required to pay an increased street opening fee due to the paving moratorium protection on Wheeler Road until 2021.

***Construction Conditions***

- M. The Applicant and/or Property Owner shall provide twenty-four (24) hour notice to pertinent Town Departments, including the Inspector of Buildings prior to commencing any work on the site which requires inspection by Town Staff.
- N. Any proposed construction activity within 100' of any wetland or resource area shall be submitted to the Conservation Commission for review and approval. The Applicant and/or Property Owner shall comply with all conditions of any Order of Conditions issued by the Conservation Commission. In the event that the conditions of the Conservation Commission necessitate any revision to the approved Site Plan, the Applicant and/or Property Owner shall be required to submit a revised plan for Planning Board approval in accordance with the Planning Board's Site Plan Rules and Regulations.
- O. The Applicant and/or Property Owner shall provide the name and contact information for the project manager to the Conservation Commission, Building Department, Planning Department, and Town Engineer.
- P. The Applicant and/or Property Owner shall use appropriate measures to protect materials and any adjacent drainage structures from erosion and sedimentation during any excavation.
- Q. The Applicant and/or Property Owner shall comply with all building and fire safety codes, and all recommendations and conditions of the Inspector of Buildings and Fire Department pertaining to such codes.
- R. A dumpster shall be used during the building demolition process to contain waste construction materials and debris. The Applicant and/or Property Owner shall ensure the proper disposal of all such material and debris. The dumpster shall be placed as far from abutting properties as possible.
- S. The Applicant and/or Property Owner shall provide twenty-four (24) hour notice to pertinent Town departments, including the Inspector of Buildings, Planning staff, Conservation Administrator, Town Engineer and Environmental Engineer, prior to commencing any work on the site which requires inspection by Town Staff.
- T. No construction activity shall be permitted prior to 7:00 a.m. nor after 7:00 p.m. on Monday through Saturday, and no construction shall be permitted on Sunday. If there is any rock crushing or similar loud activities during construction these activities should be conducted as far from the abutting residential properties as possible.
- U. Wheeler Road and all adjacent streets and properties shall be kept clear of dirt and debris.

***Conditions for Certificate of Occupancy (CO)***

- V. The Applicant and/or Property Owner shall be considered advised of the Department of Environmental Protection (DEP) moratorium restricting changes in use and increases of discharge into existing sewer lines. Any required sewer capacity, whether by inflow and infiltration removal or other means, shall be obtained prior to the issuance of any final certificate of occupancy (CO).
  
- W. All landscaping shall be installed as indicated on the Site Plan, prior to the issuance of a final Certificate of Occupancy (CO). Alternatively, the Applicant may provide a bond to cover the full amount of landscaping materials and installation if weather conditions or other factors do not permit completion of the landscaping prior to the anticipated occupancy. All improvements shall be constructed in accordance with the Site Plan. No deviations from the Site Plan shall be permitted without prior authorization from the Planning Board. The applicant and property owner are advised that unauthorized deviations from the Site Plan require review and approval by the Planning Board prior to the issuance of any certificate of occupancy (CO). The Applicant and Property Owner shall be responsible for submitting appropriate documentation and justification to the Planning Board for consideration of the changes to the approved Site Plan. No final Certificate of Occupancy (CO) shall be issued until the Planning Staff confirms that all improvements or alterations comply with the approved Site Plan. In the event that weather conditions or other extenuating circumstances exist which cause a delay in the completion of certain elements of the Site Plan, the Applicant may submit a bond to cover the entire cost of implementing the approved Site Plan in exchange for authorization of a temporary Certificate of Occupancy (CO). Such bond may only be in the form of a check or pledged passbook surety.
  
- X. Prior to the issuance of any temporary or final Certificate of Occupancy (CO), the Applicant and/or Property Owner shall submit an as-built of all underground utilities (including telephone, electric, gas, water, sewer, storm drainage) to the Planning Board. The as-built shall include horizontal and vertical ties from any handholes, manholes, valves, gates, cleanouts, tees, elbows, bends, etc. to fixed points of reference. The as-built shall be submitted on one (1) Mylar, (1) CAD disk, one (1) electronic PDF, and three (3) paper copies. The as-built plan shall also include any specific infrastructure operation and maintenance requirements, a brief outline of the drainage maintenance agreement approved by the Town, and any other pertinent information requested by the Planning Board.

***Ongoing operational and maintenance conditions***

- Y. All handicapped parking shall be properly posted in accordance with the requirements of the Americans with Disabilities Act. All handicapped accessibility improvements shall comply with the Massachusetts Architectural Access Board Rules and Regulations. All pavement markings shall be repainted biannually to ensure visibility in perpetuity.

Z. The Applicant shall install site lighting associated with the building in accordance with the following:

- i. Exterior building lighting shall not shine onto adjoining properties or roadways.
- ii. Any lighting not required for security purposes and signage shall be shut off beginning two hours after closing or earlier until 6:00 am. Lighting shall be shut off during daylight hours.
- iii. All lighting fixtures shall meet International Dark Sky Association Guidelines (<http://www.darksky.org/>) or equivalent standard.
- iv. All lighting fixtures shall be fully shielded.
- v. Lighting that illuminates the building shall not be colored and shall be constant in output.
- vi. Fixtures shall employ the best available energy efficiency available at time of installation, as measured by light output per watt.
- vii. Final exterior fixture design shall be reviewed and approved by the Planning Director prior to installation.
- viii. Architectural lighting shall be white, and shall not change in saturation or hue.
- ix. No electric moving signage or illuminated wall art shall be permitted.
- x. All lighting above the first floor shall be turned off at the close of regular business hours including the signage. First floor security lighting may remain.

AA. All landscaping shall be properly maintained in a healthy condition in perpetuity.

BB. The Applicant shall comply with the Stormwater Management Standards and Best Management Practices promoted in the Massachusetts Department of Environmental Protection's Stormwater Technical Handbook, or applicable revision.

CC. The Applicant and/or Property Owner shall use reasonable efforts to utilize the best available water conservation technology to minimize the demand for drinking water and sewer capacity by this facility.

DD. The Applicant and/or Property Owner shall follow all health and safety standards and regulations established by federal, state, and local authorities, including the Environmental Protection Agency (EPA), the Massachusetts Water Resource Authority (MWRA), and the Massachusetts Department of Environmental Protection Agency (MassDEP).

- EE. Outdoor display of merchandise or advertising materials is prohibited.
  - FF. Temporary Signs are not permitted except as expressly permitted through Town Departments.
  - GG. There shall be no use of salts or other de-icing chemicals or compounds on the property, except for calcium chloride, pursuant to Article XIV Section 4.4 of the General Bylaw. The Applicant shall submit a snow management plan to the Planning Director for review and approval. Further, snow shall be removed off site within 48 hours of the end of snowfall.
  - HH. Storage of hazardous materials (i.e. propane tanks, diesel fuel for backup generators, toxic chemicals, etc.) within storage units or at any other location on site is prohibited.
  - II. All trucks must be loaded and off-loaded on site. There shall be no loading/unloading activities on the Blanchard Road paper street layout and/or Wheeler Road.
  - JJ. No overnight parking of trucks is allowed without the prior approval of the Inspector of Buildings.
  - KK. The Applicant and/or Property Owner shall implement a daily litter patrol and trash maintenance program to help prevent the accumulation of trash and debris on the premises, and to help keep any such trash and debris from blowing onto abutting roadways and parking areas. Any exterior trash receptacle placement should not impede pedestrian access or violate ADA or Architectural Access Board requirements.
6. Additional Required Findings in the Aquifer District:
- A. The site is within the Aquifer District. Subsection 8.3.4.2, "Special Permit Criteria" in the Aquifer and Water Resource District, requires that the Planning Board make the following additional finding in order to grant a Special Permit:
 

"At the boundaries of the premises the groundwater quality resulting from water disposal, other on-site operations, natural recharge and background water quality, will not fall below the standards established in by the Department of Environmental Protection (DEP), formerly DEQE, in "Drinking Water Standards of Massachusetts", or, for parameters where no standards exist, below standards established by the Board of Health and, where existing groundwater quality is already below those standards, upon determination that the proposed activity will result in no further degradation."

The Applicant and the Property Owner shall be responsible for continually complying with the above requirements and standards.
7. The granting of this Special Permit shall in no way constitute approval for any other licenses or permits which may be required by the Town of Burlington, the Commonwealth of Massachusetts, or any other public agencies

8. A copy of this Certificate of Decision shall be filed with the Town Clerk, and a copy of this decision together with copies of all plans referred to in the decision shall be filed with the Planning Board. A copy of this Certificate of Decision shall be issued to the owner and to the Applicant, if other than the owner.

9. This Special Permit shall not be in effect until a copy of this Certificate of Decision, bearing the certification of the Town Clerk that twenty days have elapsed and no appeal has been filed, or, that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Middlesex South Registry of Deeds and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's Certificate of Title. The fee for recording or registering shall be paid by the owner or Applicant.

John D. Kelly

Barbara L. Hensley

being at least two-thirds of the Burlington Planning Board

A true copy, attest:

Caitlin Allen  
Clerk, Burlington Planning Board

I, Amy E. Warfield June 15, 2018  
Town Clerk, of the  
Town of Burlington hereby certify that no appeal has  
been taken within 20 days after the approval of this

Special Permit  
by the Planning Board of said town.

Amy E. Warfield  
Town Clerk