



Joseph C. Sullivan
Mayor

Department of Planning and Community Development

Melissa M. SantucciRozzi, Assistant Director
1 JFK Memorial Drive – Braintree, Massachusetts 02184
Phone: 781-794-8234 Fax: 781-794-8089

PLANNING BOARD

Robert Harnais, Chair
Erin V. Joyce, Vice Chair
Darryl Mikami, Clerk
James N. Downey, Member
Phillip J. Baker, Member

APPROVED

Braintree Planning Board – August 14, 2018 – Johnson Chambers

Present:

Mr. Robert Harnais, Chair, arrived at 7:30 PM
Ms. Erin Joyce, Vice Chair, absent
Mr. Darryl Mikami, Clerk
Mr. James N. Downey
Mr. Phillip J. Baker
Christine Stickney, Director
Connor Murphy, Staff Planner

Clerk Mikami called roll at 7:15 PM. Three (3) members are in attendance; Member Joyce is absent; Chair Harnais arrived at 7:30 PM.

NEW BUSINESS/OLD BUSINESS - Zoning Board of Appeal Petitions – August 2018

7:15 PM – Three Planning Board Members participated; Member Joyce was absent; Chair Harnais arrived late.

Clerk Mikami reminds the public that, as we have done for past months where the Planning Board has taken up the recommendation of Staff, for the August 2018 Zoning Board of Appeals Petitions, we will once again move forward the August Zoning Board of Appeals Petitions with the recommendations of the Zoning Administrator as the Planning Board's recommendations.

Member Downey **MOTION** to approve the Zoning Administrator's recommendations for each of the Petitions shown below; seconded by Member Baker; voted 3:0:0; Member Joyce is absent, and Chair Harnais arrived late.

Petition #18-28

352-354 Washington Street

Mai Phung, 204 Adams Street #5, Dorchester, MA 02122 (Property Owner: Julie Ha Vo) for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 613, 701 and Article VIII to convert +/- 1,344 sq. ft. retail space to a 48 seat restaurant and extend third floor dwelling unit to second floor (former office use); proposed restaurant would not meet the off-street parking requirements. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located 352-354 Washington Street, Braintree, MA 02184 and is within a General Business District Zone/Village Overlay District, as shown on Assessors Map 2024, Plot 22, and contains a land area of +/- 4,538 sq. ft.

Staff Recommendation

APPROVAL

Planning Board Recommendation

By a vote of 3-0, the Planning Board voted to endorse the Staff Recommendation.

Petition #18-29

28 Willard Street

Michael & Nicole Vickery, 28 Willard Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to construct a 26' x 16' in-ground pool; proposed pool would be within the front yard setback on Claremont Street. The applicant seeks a permit, variance and/or finding that the proposed project will not be more detrimental to the neighborhood.

APPROVED

The property is located at 28 Willard Street, Braintree, MA 02184 and is within a Residence B Zoning District, as shown on Assessors Map 3026, Plot 34, and contains a land area of +/- 8,728 sq. ft.

Staff Recommendation

APPROVAL WITH CONDITIONS:

- 1.) Prior to issuance of a building permit: (a.) Legalize the recently constructed rear deck via a building permit, and (b.) Remove a portion of the rear deck that is "attached" to the rear garage;
- 2.) Any changes to the approved plans will require ZBA approval; and
- 3.) As-built plan submitted to the Planning & Community Development Department prior to issuance of a Certificate of Occupancy.

Planning Board Recommendation

By a vote of 3-0, the Planning Board voted to endorse the Staff Recommendation.

Petition #18-30

20 Union Place

Mark and Kara Erdody, 20 Union Place, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403 and 701 to demolish existing rear deck/portion of rear single family dwelling and construct two-story addition (+/- 825 sq. ft. building footprint); proposed additions would maintain, but intensify existing nonconforming side yard setback. The applicant seeks a permit, variance and/or finding that the proposed project will not be more detrimental to the neighborhood. The property is located at 20 Union Place, Braintree, MA 02184 and is within a Residence B Zoning District, as shown on Assessors Map 1004, Plot 15, and contains a land area of +/- 12,206 sq. ft.

Staff Recommendation

APPROVAL WITH CONDITIONS:

- 4.) Any changes to the approved plans will require ZBA approval;
- 5.) Certified foundation plan submitted to the Planning & Community Development Department prior to vertical construction; and
- 6.) As-built plan submitted to the Planning & Community Development Department prior to issuance of a Certificate of Occupancy.

Planning Board Recommendation

By a vote of 3-0, the Planning Board voted to endorse the Staff Recommendation.

CLERK MIKAMI EXPLAINS THAT FOR THE PUBLIC HEARINGS WE MUST WAIT FOR CHAIR HARNAIS TO ARRIVE.

NEW BUSINESS/OLD BUSINESS

Request for Surety Release

(Special Permits/Site Plan Review – 200 Commerce Drive - File #17-06)

Applicant: Channel Fish Processing

7:30 PM – Four Planning Board Members participated; Member Joyce was absent.

Director Christine Stickney explains that this item will be postponed until the Planning Board's September Meeting.

APPROVED

CONTINUED PUBLIC HEARING

50 Liberty Park – File #18-10

Special Permit and Site Plan Review

Paul and Kristina Kippenhan, Applicant

7:31 PM – Four Planning Board Members participated; Member Joyce was absent.

Present for the Applicant:

Jim Hanlon, on behalf of the Applicant

Kristina Kippenhan, Applicant

Director Stickney explains that this Special Permit/Site Plan Review application was reviewed at a prior meeting and staff had a lot of issues with placement of the pool in the buffer zone. She explains that staff has worked with the engineers and the applicant, and the applicant has submitted a new Plan, which is before the Planning Board. The Applicant has taken the structure of the pool out of the 30' setback. The only thing within the setback is the retaining wall, rain garden and concrete decking. Director Stickney states it is a substantial change to what they originally proposed, and she felt it was enough to start a set of draft conditions, which were provided to the applicant and their engineer. The applicant has no problems with draft conditions.

Member Mikami appreciates the efforts made by the Applicant and explains that originally the Planning Board had a concern that the pool was in the buffer zone, and the Planning Board did not want to set a precedent. Member Mikami confirmed that Director Stickney mentioned that the pool was entirely out of the buffer zone. Director Stickney explained that only the concrete decking on one side was into the buffer by 5 feet, roughly 200 square feet. Director Stickney explained that under the findings on page 5, the disturbance is mentioned and there is a condition that the applicant should consult with staff if something comes up when constructing the pool. Member Mikami confirmed that the Conservation Commission also has to approve this; it is before Conservation Commission on Thursday, August 16. Director Stickney explains that Conservation must approve this because the Applicant is within 100 feet, and she has discussed this with our Conservation Planner, Kelly Phelan and there is an Order of Conditions ready. Member Mikami asked about ledge and blasting. Applicant explained that they have moved the pool and hope the ledge isn't an issue. Director Stickney explains that if there is any blasting, they will need to be in touch with the Fire Department. Member Mikami states this looks more acceptable.

Member Downey **MOTION** to accept correspondence; seconded by Member Baker; voted 4:0:0.

Member Downey **MOTION** to close the public hearing; seconded by Member Mikami; voted 4:0:0.

Chair Harnais confirms that the Applicant can comply with all conditions.

Member Mikami states, given all of modifications that were made by the Applicant since the initial presentation, he **MOTIONS** to grant the OSC Buffer Special Permit and Grading Permit with conditions for 50 Liberty Park Avenue (PB File #18-10); seconded by Member Downey; 4:0:0.

APPLICATION FOR REZONE – T.C.O. #18-041

8 & 40 Arnold Street, 71 Adams Street

Adams Street Enterprises, LLC, Applicant

7:40 PM – Three Planning Board Members participated; Member Joyce was absent; Chair Harnais has recused himself from this hearing.

APPROVED

Present for the Applicant:
Carl Johnson, Attorney for applicant
George Lang, Applicant
Sean Hardy, Project Engineer

Director Christine Stickney explains that the Applicant is before the Town Council for the Application for Rezone, and they need a recommendation from the Planning Board. The staff recommendation is approval.

Clerk Mikami reads the Public Notice into record.

Attorney Johnson, who represents Adams Street Enterprises, LLC, highlights the map of the area around the property. He explains this is a degraded site that has supported the Graziano plant since the 1940's, and it has received permits from the Planning Board for redoing the Batch Plant in 2005. In 1974, the Annual Town Meeting rezoned the property from Industrial Zone and Residence B (8-10 Arnold) to General Business District. The reason that was done was to make the property non-conforming so that any alteration, expansion or extension of the property would have to go before the Zoning Board of Appeals for a finding concerning its use and/or any alteration of any structures. The landowner agreed to do it.

Attorney Johnson highlights on the next plan the various zones around the property. Attorney Johnson has copies of what was submitted for the rezoning in 1974. What this shows is that it would make sense to have it rezoned back to Commercial for uniformity of zoning in the district. The problem with it as a general business district, not only is it non-conforming, but the density of use that you can receive in general business district is more than twice what you can build using the requirements of the commercial zone. Attorney Johnson explains the dimensional differences between General Business and Commercial Districts and points out the difference in uses that are allowed in Commercial vs. General Business. Attorney Johnson explains that it is important to realize that, as this is pre-existing and non-conforming, it is grandfathered and protected by Chapter 40A, Section 6, in our zoning bylaw under 135.402. Attorney Johnson brings up something that was pointed out in a Staff Report. If this rezones to commercial, and there is development, all of the 21E portions located in the flood zone wetlands district, new grading ordinances, traffic regulations, site plan review have all been adopted since this was previously rezoned to General Business and are applicable to new development.

Attorney Johnson states the site does have hazardous materials on the property. It has gone through Phase 2 Identification of Hazardous Materials. It will be remediated according to the Phase 3 decision by EPA, as well as Mass. DEP. Any development of this property will go through a great deal of administrative review and permitting before anything is allowed to be constructed on the premises. Mr. Lang is not proposing to use this for residential purposes; it would not pass due to requirement for remediation. Attorney Johnson states it will not be used as a Contractor's Yard. Mr. Lang is very cognizant of the problems that have been caused by traffic in the past. Attorney Johnson feels those are elements that prove it is in the public welfare to support changing the zone to Commercial. Attorney Johnson explains even if it is a "use by right", it would have to receive Site Plan Review. Attorney Johnson asks for the Planning Board's adoptive recommendation.

Member Mikami opens discussion to the audience for comments or questions Please state name and address.

Trisha Keegan, 146 Eleanor Drive, asks if the rezoning is allowed to go forward, is there a plan to decommission some of the old equipment on the property and to clean the property up, regardless of whether future development is going to happen or not?

APPROVED

Attorney Johnson explains that this site was a quarry operation. He explains that what is being proposed is grading and restoration to historic conditions. This has been historically a very active site, but the river has changed. Yes this would be restored and the batch plant would go away so that development could go in there.

Rick Hartnett, 111 Adams Street, asks if we have we identified what the hazardous waste is. Attorney Johnson states there was a letter that went to the Mayor in July. PES was the environmental consultant. The site was filled with "auto fluff", which was shredded auto parts and vinyl and that breaks down into PCB's and other heavy metals. There are some "hot spots", which will have to be remediated. EPA and Mass DEP will make the decision on how that is to be done and that will dictate resolution. Mr. Hartnett asks if cement dust has been identified as a problem. Attorney Johnson states they have identified sources. Mr. Hartnett asks about infrastructure and will the site handle the amount of traffic. Attorney Johnson explains the depth of the required parcel is about 200 feet, and the Fire Department wants to be able to circulate around the entire parcel. Any construction would require new water, sewer and drainage lines. Roadway would have to be improved and access ways need to be continuous. The site doesn't have that much depth.

Kelly Moore, 46 Hollis Avenue, wants to commend the developer for changing their course. Mr. Moore asks if this is the venue to ask what their projected development plans might be. Attorney Johnson explains that his goal is to put a business or commerce park for smaller users. If there is manufacturing, it would be light manufacturing or flex space. It could also have commercial recreation. Mr. Moore confirms, in terms of potential development, it would be a business park. Attorney Johnson agreed and explains "flex space" is the biggest demand today. Mr. Moore states the primary concern with residents in this area would be traffic, and he asks if there is a timeframe. Attorney Johnson states it is a lengthy process, especially when government entities participate; he feels it would be a minimum of one year.

Trisha Keegan, 146 Eleanor Drive, wants to comment, from her observations going by on the train, she understands that DEP and EPA will dictate cleanup of hazardous material; however, she feels there are other aspects of the property, being an abandoned property, safety hazards, abandoned silos, equipment and metal structures that need mitigation, and this should be remediated in a timely manner. Attorney Johnson comments that it is not an abandoned property at this point; it is still in operation, but to a lesser extent.

Member Mikami asks if there are other comments from the public; there are none. Member Mikami asks the Planning Director to provide her perspective.

Director Stickney states that we have a lot more zoning ordinances and bylaws in place today for any future development on the property. She agrees with Attorney Johnson that remediation of hazardous materials is the critical aspect of this and must be addressed. She feels it is conducive to commercial zoning, and she would recommend that it be rezoned to commercial. Obviously, Conservation Commission is involved, and the Planning Board would be involved with any development.

Director Stickney addresses Ms. Keegan's comment. Unfortunately, you cannot condition the Rezone Recommendation. That could be a call to the Building Department to do existing safety of site, if she feels something is unsafe. Tonight, the Planning Board's recommendation is just whether to approve the rezone or not.

Member Baker asks if remediation cannot happen until it is rezoned. Attorney Johnson states that is correct and explains Phase 3 determination of remediation must be agreed between DEP and EPA. Member Baker asks if the applicant looked at all possibilities for business. Attorney Johnson explains that is why he went through exercise on "Intensity of Use".

APPROVED

Member Downey asks Director Stickney about the role of Zoning Board of Appeals; Director Stickney states the Rezone Request is submitted to Town Council; it is sent to Planning Board for their recommendation back to Town Council. Council will have it heard by their Ordinance Subcommittee and take a vote on it. The Zoning Board of Appeal has no role in the “rezone” amendment; they may have a role in the future development, depending on what is proposed and whether they will need zoning relief. Member Downey confirms that the Batch Plant is currently in use, and asks what the plans are for this. Attorney Johnson explains that there are 4-5 trucks there now that still operate, but eventually it will be demolished.

Member Mikami asks, from a history perspective, why this property was originally General Business and not Commercial. Attorney Johnson has copies of the 1940 Zoning Map, which highlights the zoning at that time. (This map can be found in the Applicant’s file.) Attorney Johnson states in 1974, in order to gain leverage over the Graziano property, the Town rezoned it to General Business so that their use was non-conforming and they could not expand or change that use unless they had a finding by the Zoning Board of Appeal. Attorney Johnson feels it was spot zoned, as it was zoned differently for the particular user. He goes on to discuss this as a stimulus to reinvigorate the area. Member Mikami asks are you saying that there will be absolutely no residential in this parcel. The Applicant, Mr. Lang, confirms this. Member Mikami would like to know if the Applicant is committed to the number of challenges: wetland, hazardous waste remediation, etc. to stay the course and go through this long process and put it in a position. Mr. Lang states this might be done in phases. Member Mikami asks the Engineer to confirm that the entire site would be cleaned first. Shawn Hardy explains that the agencies would ultimately determine how cleanup is done. It may very well be that some of that happens when moving forward with the development.

Director Stickney explains the motions that are needed.

Dan Winters, Morrison Road, mentions that the big concern is the overcast and the diesel smell in the air.

Member Downey **MOTION** to close the public hearing; seconded by Member Baker; voted 3:0:0. Chair Harnais has recused himself from this hearing.

Member Downey **MOTION** to recommend approval of the proposed rezone to Commercial per Council Order #18-041; seconded by Member Baker; voted 3:0:0. Chair Harnais has recused himself from this hearing.

PUBLIC HEARING

530 West Street – File #18-14

Special Permit and Site Plan Review

Recycleworks, Inc., Applicant

8:15 PM – Four Planning Board Members participated; Member Joyce was absent;

Present for the Applicant:

Attorney Carl Johnson

Dan Buonagurio, President of Recycleworks, Inc.

Garrett Horsfall, Design Engineer-Kelly Engineering Group, Inc.

Eli Levin, ADG 530 West Street, LLC-Owner of the Property

Chair Harnais reads the Public Notice into record.

Attorney Carl Johnson represents Recycleworks, Inc. in its application for a Special Permit for use under 135-601. Attorney Johnson did submit comments based upon the draft report he received from staff.

APPROVED

Attorney Johnson wants to point out that Recycleworks, Inc. is a tenant in the building, not the owner. He wants to make this correction because in the Staff Report it indicates that Recycleworks is the owner and applicant. This is an application for a Special Permit for use under 135-601 Table of uses and for the obligatory Site Plan Review that is required under 711. This is not a permit for development, requiring permits in the Watershed Protection District, as has been referenced in the Staff Report, nor in the buffer zone. He notes that 135-609 was not checked in the application, nor was a buffer zone under 135-702. Attorney Johnson explains that the first legal ad described the use, which deals with solid waste disposal. Our bylaw, under 102, has a definition for solid waste disposal, but for non-hazardous materials. The first legal ad indicated solid waste, which caused a great deal of concern because people thought it was a transfer station, recycling station, dealt with trash and opened to the public. That is not the case. Attorney Johnson is hoping the video will distinguish this use. This has been in operation; it is licensed by the MWRA. The organization has received a grant from Mass DEP for the target material. In 2014, the law changed and required that no organic materials or solid waste can be put in landfills, transfer stations or be incinerated. Food waste has to be treated differently. This opened up a new avenue for liquid beverages. Recycleworks has Fortune 500 clients that sell types of beverages (soda, water, beer, wine, dairy products), which are all handled differently. Recycleworks will receive "out of code" products, which is the date that takes these products out of commerce. This process will be described in the video. Recycleworks has been in operation in the Town of Weymouth. Attorney Johnson points out that the legal ad indicated that liquid waste that is extracted is put into sewage system under permits and licenses.

Recycleworks Inc. is the applicant and not the owner, and they have no control over the site. The owner has control over the site, so anything that is attributed to Site Plan Review is not within the Applicant's jurisdiction. Currently, the building is 127,000 Square Feet. This facility will occupy 38,600 Square Feet in rear, and they will discuss the appropriateness of that location. A plan of the internal layout of the facility was recently submitted. The lot is a 19.27 acre site. It is a split lot. The first 200 feet remain Residence A. The rear of the parcel and balance of the acreage was zoned Industrial. There are three court cases on this site: (1) Treadwell Harrison vs. Building Inspector Town of Braintree; (2) Treadwell Harrison vs. Town of Braintree; TOB; and (3) Treadwell Harrison vs. Textron. Attorney Johnson highlights the site on the displayed plan; the access way is Farm River Drive, a public way. As a result of Treadwell Harrison cases, the Planning Board has the ability to grant a Special Permit to cross one zone to service another. Attorney Johnson refers to correspondence entitled "A Day in the Life of the Business" for Planning Board to review.

Dan Buonagurio, explains that they have put together a very brief introduction. The video was taken from CNN regarding Coca-Cola, which describes why they are in business. Ultimately, it is to eliminate waste bottles. Recycleworks provides destruction and recycling of bottle products. Recycleworks does not process any toxic materials. Their number one priority is safety and compliance. In addition, there is a brief video that describes the operation in Weymouth—that has been running for over two years.

Mr. Buonagurio hopes the video helps to show they are not a trash transfer station; they are not open to the public; they are a small control facility with one job in mind. Mr. Buonagurio explains his career path of implementing a solid waste and recycling business since 1990. They are a solutions company. Recycleworks is one of six recipients from a Mass DEP grant to purchase this \$500,000 recycling machine. Mr. Buonagurio explains that their facility de-packages and de-waters "out-of-code" products. The Fortune 500 companies they work for have a "cradle to grave" protocol. He explains this activity is done within a closed, monitored facility, gated and secure. They are limited to their customer base, and Recycleworks has met their client's stringent guidelines. They are a low-traffic facility. Trucks are scheduled into the facility; therefore, Recycleworks can schedule this at appropriate times. Mr. Buonagurio explains that they will be a user of the Braintree Water and Sewer system and will be paying for that service.

Their environmentally friendly business model is a zero-waste facility; they re-purpose, re-use, and recycle 99% of everything that comes into their facility. They intend to be the best neighbor possible. They understand this building has been dormant for five (5) years. Mr. Buonagurio has been at the site working on improving the aesthetics of the facility.

Garrett Horsfall, Design Engineer with Kelly Engineering Group, reiterates the square footage, acreage and access provided by Attorney Johnson earlier. He explains they will be striping 231 parking spaces for the entire site based on the total building square footage, even though they only need 39 spaces; 192 spaces will be available for the other tenants that are not determined at this time. Mr. Horsfall explains the truck access and states they have run the auto-turn analysis. They are proposing landscape buffer for residential abutter, and they would like to coordinate the location and type of trees with the abutter. In discussions with Planning, they have committed to doing two water quality device upgrades at 50% occupancy of the building. All of this is within floodplain and will require permitting from Conservation Commission. As noted, he did receive the Staff Report; comments are minor and they are in the process of addressing them.

Jayson Gauvin, Green International, prepared the traffic trip generation report for the proposed project. He has a brief Powerpoint presentation to provide a project overview and quick summary of findings. He provides detail on how they determined the site trip generation, the site distance evaluation, the truck traffic analysis and also the movements entering and exiting the site. He confirms the square footage as 127,000 square feet with the applicant is proposing to occupy 38,600 square feet. As part of Town Zoning Bylaws, if a project is expected to generate less than 50 vehicle trips during the peak hours, it is not required to submit a full traffic impact and access study. Through coordination with Town Planning Staff it was determined that the process, moving forward was going to need a Trip Generation Report. They did collect traffic count data on West Street in the vicinity of the site driveway. This included a 24-hour vehicle count that counted traffic volumes as well as accounting for vehicle classifications and vehicle speeds around the site driveway. They also looked at Crash Data Analysis from Massachusetts DOT Crash Record System for the latest three years available. They used the western cemetery private way and the eastern driveway with Addison Street. They found that there were no crashes reported in that area, and no safety concerns as part of crash data review. They looked a few years back from the last three years, as they are aware that the site has been vacant for about five years. Still, there were no safety concerns that came out of their Crash Data Review.

With regard to Trip Generation, the Institute of Transportation Engineers (ITE) does case studies in their trip generation manual. They have land uses for many things, and the way they generate their trip generation estimates are based on real-life case studies. They count traffic volumes entering and exiting these sites during peak hours, during the week day, and they develop an overall average rate as well as a linear regression model that calculates the trips that are expected to be generated from these facilities. The Applicant was able to generate a more accurate trip generation estimate, as Recycleworks can very accurately specify the truck trips and vehicle trips that they are expecting to enter and exit their site throughout the weekday. They also did take a look at the ITE Land Use Code 140-Manufacturing Use, which is the most similar to Recycleworks facility. ITE data generates almost twice what Recycleworks actual data generates. It was brought to the Applicant's attention that, during a Neighborhood Meeting held on August 1st, the suggestion of a Health & Fitness Club would be more desirable for the space. They did a quick Trip Generation comparison, and with ITE Trip Generation data, a Health & Fitness Club would generate a much higher trip volume.

They also looked at Site Distance. The way they measure Site Distance in the field is according to industry standards. Stopping Site Distance (SSD) is the distance that is required for an approaching vehicle to react and stop to avoid a collision with an object that is approximately two-feet high in the road.

In addition, they look at Intersection Site Distance (ISD), which is basically the amount of time required for a vehicle exiting the project site driveway to proceed, react and complete the desired movement out of the site. The American Association of State and Highway Transportation Officials define the minimum criteria you need to meet for the safe site distance. If the available Intersection Site Distance at the site driveway meets or exceeds the minimum Stopping Site Distance for the posted speed on that roadway, then there is adequate safe site distance at that location. Recycleworks meets or exceeds these minimum required site distances for the posted 30 MPH speed limit on West Street. They did note that the minimum requirements are not met for 85th percentile, which are a very conservative estimate. There are no safety concerns at the driveway. There are additional things to do to lower speeds on roadway such as additional warning signs, increasing enforcement along the roadway, narrowing the travel lanes and widening the shoulders; these have all proven to be effective mitigation solutions to reduce travel speeds along the roadway. He references the uniqueness of the Recycleworks facility in that they can dictate the truck route to and from their facility. In order to minimize disruption to residential area, they have identified that the preferred truck route would be to exit the site and take a left onto West Street, take a right onto Brooks Drive, travel onto Forbes Road, take a left onto Granite Street and access the I93 highway there. Trucks entering the site would take this route in reverse. This suggested route would avoid the Five Corners area. They are committed to directing their clients to use this route.

Along the truck routes, they used "auto-turn" software to complete turning movements at the site intersection driveway and key intersections. They used the WB67, which is the largest vehicle that is expected to enter and exit the site. They used this truck to determine safe turning within and to and from the site. In summary, Recycleworks is a low generator of traffic, and the site distances meet the posted speed.

Chair Harnais opens discussion to the public and asks that speakers please state name and address.

Joe Denn, 581 West Street, feels it is not an ideal place for a site as it is residential and commercial. He asks about line distinguishing commercial vs. residential. Garrett Horsfall distinguishes residential and commercial zones on the displayed plan. Mr. Denn clarifies that he is concerned with zoning of residential vs. commercial on the roadway. Chair Harnais explains zoning is for land and not roadways. Mr. Denn asks about the size of trucks; Dan Buonagurio clarifies they are tractor trailer and box trucks. Mr. Denn states it is not an ideal location; he feels 20,000 gallons daily going into the Braintree sewer system is a question. Director Christine Stickney explains that MWRA approves this; Chair Harnais explains we do not permit these activities.

Tricia Keegan, 146 Eleanor Drive, her backyard is 200 yards to the facility. Is any part of the property zoned industrial? Chair Harnais explains a lot of Cities and Towns have eliminated industrial zone; it is commercial. Ms. Keegan asks how waste is disposed. Dan Buonagurio states liquid waste goes from the machine to a holding tank and then to a mixing tank. In the mixing tank, the PH is corrected, as per MWRA and Town of Braintree's requirements; then it is released down the drain in 2500 gallon batches. Ms. Keegan asks if there are acid or other chemicals to deal with the neutralization of this product. Mr. Buonagurio states they use Sodium Hydroxide is used to bring the PH of the product up; Ms. Keegan asks if there is bulk storage for Sodium Hydroxide. Mr. Buonagurio states no. Ms. Keegan wants to make sure there is no other risk to abutters and also asks about pest control, such as rodents and roaches. Chair Harnais states this is controlled by the Health Department, and it is one of the conditions for every project. Ms. Keegan asks how is product "off-loaded"? Attorney Johnson explains "off-loading" is done inside the building. Ms. Keegan does not think it is zoned for this industrial process, and she asks about noise. Chair Harnais states it is zoned for this use. Attorney Johnson states the equipment is run by electricity and there is no noise. The electrical transformer is within the building. Ms. Keegan asks about noise ordinances. Chair Harnais explains that we have noise guidelines that are part of the requirement.

Ms. Keegan feels that it is an industrial process being done on a commercial property. She feels that we need to determine whether this is a commercial application being put in a residential zone, and what effect does that have on the abutters (noise, traffic, pests). It is a very big concern for the residents of the Granite Park neighborhood across the street. Ms. Keegan mentions that the Applicant showed a preferred route to be used, but she feels that there is nothing to legislate that this route must be used. She states there is a plethora of concerns that neighbors have. She states the neighbors want to have a healthy relationship with whoever goes into that property, but they just want to make sure these concerns are considered.

Bob Campbell, 38 Fallon Circle, would like a condition added that no commercial vehicles can go through residential neighborhoods. Director Stickney states we can designate a truck route as part of Conditions. Chair Harnais explains that residents need to follow-up with Police for traffic issues.

Tuan Lee, 468 West Street, asks what the hours of operation are. Mr. Buonagurio explains 6AM to 5PM. Tuan Lee states Recycleworks had a proposal before the Town of Stoughton in April 2018. There was strong opposition. The Town of Stoughton proposed changing hours of operation. This was not acceptable to Recycleworks. At that time, the application was withdrawn. Mr. Lee is concerned with not knowing number of trucks and types of trucks. Mr. Buonagurio addresses the Stoughton issue; he went to buy property in Stoughton that was located directly across from the middle school and the high school. The School Committee came out in opposition of any type of business such as Recycleworks on the first day. Recycleworks withdrew their proposal from that town because of its location in the School Zone. The Town of Stoughton never proposed that Recycleworks operate from 7:30 AM to 2:30 PM.

David Hynes, 526 West Street, (direct abutter), hired an attorney, and he would like this to be continued so that his attorney could be present to make a presentation on his opposition at the next meeting. Chair Harnais states that we are not going to close the Public Hearing tonight.

Janine Parotti, 530 West Street, highlights where her property is located and states the property has been in her family for four generations. Her property is directly in front of the proposed property. She explains what happened five years ago to close the business (i.e. poor condition of property; illegally subleasing of property, non-compliance with requests from Town to correct unclean conditions). She realizes there is a new owner of the property that wants to rent the building out, but her concern is with the tractor-trailer traffic; she has concerns with the validity of the traffic reports regarding accident history. She has insurance claims to prove that her fence has been taken out on numerous occasions over a 30 year period. She feels people do not comply with the speed limit on West Street – the average speed is 40 MPH. Chair Harnais explains this is a use “by right”; he doesn’t imagine a tractor-trailer entering that location is going to be speeding. She has concern with frequency, noise and smell of trucks. She feels quality of life will be awful. She has concern with business operating on Saturdays. She is concerned with food waste, rodents, and smells. Chair Harnais explains that the Health Department controls that, and they should be contacted. Chair Harnais explains that the Planning Board cannot control what kind of trucks come in; the Planning Board can control the access to the site if there are multiple access points. Chair Harnais explains the Site Plan Review process does not give the Planning Board the right to say “no”; the Planning Board can give reasonable conditions under Site Plan Review, but the Planning Board cannot state what type of business goes in a location if they are a use “by right”. Ms. Parotti states they are not opposed to business, but are concerned with Quality of Life.

Bruce Parks, 23 Milton Road, had a question about use. Is the type of materials allowed in the facility controlled by the Planning Board? Today it is beverages, but could that be changed to pills, as shown in the video? Chair Harnais states we can limit it to liquids.

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Director Stickney explains it is a generic category that they are falling into; she explains that the Planning Board needs to make findings for this decision, and in those findings they will go back to the Applicant and clarify, in a generic way, what products will be brought to the facility. They can be conditioned in the decision stating if they want to expand it to some other category, they may need to come before the Planning Board again.

Dan Buonagurio, Sodium Hydroxide neutralizes PH. They are dictated by their permitting with the MWRA. These are only consumable liquids. They never could be any types of toxics. Nothing can go down the drain that is oil, poison, gas or anything. There are many liquids they cannot deal with beyond 2% milk because of the fat, oil and grease content. Mr. Parks is concerned that this may change over the years. Chair Harnais explains that would be conditioned into the Planning Board Decision.

Paul Parotti, 530 West Street, mentioned weight of trucks and the concern of the side of the road collapsing because of traffic. He feels the road is in horrendous condition; the run-off has been eroding, and it is a major concern.

Tricia Keegan, 146 Eleanor Drive, asks about crushed containers and residual materials. She wonders if this is treated with acids for PH balance. Dan Buonagurio explains the nature of bringing PH up; perfect PH is 7.2; inexpensive waters have a much lower PH. You need to correct PH so that it does not erode the fittings and the fixtures within the pipeline of Braintree's Sewer System to make it "non-acidic". Trisha Keegan asks if the storage tanks and mixing tanks freeze in the winter. Dan Buonagurio explains he is a tenant; he does not use secondary heat; they would use the heat that is there to heat the environment. They do not need to heat tanks. Trisha Keegan asks about water consumption. Dan Buonagurio states water is not used; toilets and sinks are used.

Chair Harnais states the Planning Board is not making a decision tonight.

Attorney Johnson discusses distinction for Site Plan Review. He refers to items staff brought up regarding the fence being in disrepair, Attorney Johnson states the applicant is attending to everything they can attend to. Items are being brought to Conservation Commission on September 6. He feels the Site Plan is beyond the Applicant's control. Attorney Johnson is happy to hear that truck routes and type of liquid would be conditions.

Member Downey confirms that the Applicant has leased only the rear portion of the facility and asks what the lease terms are; Mr. Buonagurio explains he has not yet leased building, but it will be a five-year lease

Member Mikami **MOTION** to continue the hearing to September 18, 2018 at 7:15 PM; seconded by Member Downey; voted 4:0:0.

CONTINUED PUBLIC HEARING

236-240 Wood Road – File #17-12

Special Permit and Site Plan Review

Logan Communications, Applicant

9:45 PM – Four Planning Board Members participated; Member Joyce was absent.

Director Christine Stickney explains that the Applicant has requested that this hearing be continued until the Planning Board Meeting in September.

Member Mikami **MOTION** to continue the hearing to September 18, 2018 at 7:15 PM; seconded by Member Downey; voted 4:0:0.

CONTINUED PUBLIC HEARING

**639 Washington Street – File #18-13
Special Permit and Site Plan Review
Bonnie Tan, Applicant**

9:46 PM – Four Planning Board Members participated; Member Joyce was absent.

Director Stickney explains that we have heard from Attorney Phelan and reminds the Planning Board that we are awaiting Alternate Members due to conflicts. The Applicant has requested that this Hearing be continued to the September Meeting of the Planning Board, as we are waiting for an alternate member to be appointed to the Planning Board.

Member Mikami **MOTION** to continue the hearing to September 18, 2018 at 7:15 PM; seconded by Member Downey; voted 4:0:0.

CONTINUED PUBLIC HEARING

**639 Washington Street – File #17-05
Special Permit and Site Plan Review
Bonnie Tan, Applicant**

9:46 PM – Four Planning Board Members participated; Member Joyce was absent.

Director Stickney explains that we have heard from Attorney Phelan and reminds the Planning Board that we are awaiting Alternate Members due to conflicts. The Applicant has requested that this Hearing be continued to the September Meeting of the Planning Board, as we are waiting for an alternate member to be appointed to the Planning Board.

Member Mikami **MOTION** to continue the hearing to September 18, 2018 at 7:15 PM; seconded by Member Downey; voted 4:0:0.

Member Mikami **MOTION to adjourn** the meeting; seconded by Member Downey; voted 4:0:0.

The meeting adjourned at 9:47 PM.

Respectfully submitted,
Louise Quinlan,
Planning/Community Development