



Department of Planning and Community Development

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Joseph C. Sullivan
Mayor

PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Member
Darryl Mikami, Member

APPROVED

Braintree Planning Board
May 24, 2010
Town Hall

Present:

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng
Darryl Mikami

Christine Stickney, Director
Melissa Santucci, Principal Planner

The Chair called the meeting to order at 7:00 P.M. and called the roll: Mr. Mikami, Mr. Eng, Mr. Reynolds, Mr. Harnais - all present.

New/Old Business

Approval Not Required – 175 Campanelli Drive/AMB properties

Attorney Frank Marinelli was present representing AMB Properties for 175 Campanelli Drive. An Approval Not Required plan was present for the Planning Board endorsement. A staff report was provided to members recommending endorsement.

Motion by Mr. Eng, second by Mr. Reynolds to approve endorsement of the ANR mylars
Vote: 4/0

Planning Board Organization:

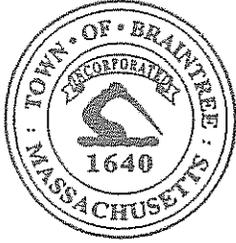
Due to the resignation of Member Cusick Woodman, a new clerk of the Planning Board is needed.

Motion by Mr. Mikami, second by Mr. Reynolds to nominate Member James Eng
Vote: 4/0

Staff will prepare notice to the Registry of Deeds, Town Clerk and the Mayor's office.

Motion by Mr. Eng, second by Mr. Reynolds to adjourn at 11:00 P.M.
Vote: 4/0

Respectfully submitted,
Christine Stickney, Director of Planning and Community Development



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400-432 John Mahar Highway/Pulte Braintree LLC
Application for Major Modification to Planning Board Decision 04-9

The Chair opened the continued public hearing.

Mark Mastroianni of Pulte Homes was present with Reed Blute, Chris Huntress and Mike Rosatti to continue discussion with the Planning Board on the request by Pulte Homes to modify Planning Board Decision 04-9 [The Residences at Union Station].

Mr. Mastroianni informed the Planning Board of the submittals made since the last public hearing and the issues on which the Planning Board had requested additional information. He went through the details of the financial contribution to the Matalina Park proposed.

The Chair asked for comment from the public.

Carol Kippenhan, resident at 37 Kendall Avenue, expressed her concern with the use of the emergency access as a construction entrance. Under the prior developer, there was an agreement the entrance would be used only for emergency purposes. Ms. Kippenhan cited her past experience with the dust and dirt from the prior construction. In addition she commented that in her opinion the improvements to Mattulina Park would only attract older kids from out of Town that would come to cause trouble at the park.

Jeff Keane, resident at 36 Kendall Avenue, noted his house has three generations of his family living there and there are many small children in the neighborhood. He noted during the last construction the gate was left open and he had to call the building and engineering departments to get the gate secured. He felt the construction vehicles should enter from John Mahar Highway and suggested the funds going to Mattulina Park be used

to widen that driveway entrance. He also added that the Town has not kept the promise relative to Mahar Highway and that there would be no driveway cuts off Mahar Highway.

Paul Cataldo, resident at 86 East Boscobel Street, concurred with the previous speakers. No changes should be made to Mattulina Park. He too had a bad experience with the dirt and dust during the last construction.

Marianne Robinson, resident at 31 Kendall Avenue, noted the original developer promised to clean her house and she is still waiting. She noted that the compost and leaf dump area is a big traffic generator. If additional construction traffic is added, it would make the situation worse.

Walter Sullivan, resident at 241 Plain Street, asked if the emergency access gate can be conditioned to be closed. He said portions of Plain Street up to the cemetery are in need of "dressing up" and work is needed on Kendall, Plain and Liberty Streets.

Ruth Pettengill, resident at 42 Spring Street and a frequent visitor to the cemetery commented that truck traffic to the leaf composting site is quite noisy and the addition of construction vehicles [from Jonathan's Landing] would further intrude on cemetery visitors' need for serenity at the cemetery.

An individual identifying himself as a resident of 45 Columbus Avenue questioned if anyone is looking out for the ecosystem and the sensitive wetlands in this area and off the Monatiquot River. He noted previous violations and wants the Planning Board to provide assurances the ecosystem is being protected.

Mr. Keane *[for the second time]* commented that there is no way a construction vehicle can take a right hand turn out of the emergency access due to a manhole that is 8" - 10" above the pavement. He also commented that he does not want to see Mattulina Park end up like the BJ's in Quincy.

Edward Bolle, a Weymouth resident and business agent for the sheetmetal workers, questioned use of the emergency access as construction entrance with a five year build-out. He is a member of the Weymouth Zoning Board of Appeal and has experienced similar developments beginning with unit ownership and becoming rental and affordable Section 8 housing because the units are not selling.

Jim Nazzaro, resident at 15 Harness Lane, felt using the emergency access as a construction entrance is very dangerous given the number of small children in the neighborhood. He concurred with prior speakers that Mattulina Park is a small thing in the overall picture that the developer should be mitigating.

Pam Cadigan, resident at 401 Plain Street, questioned why are they not considering the use of the main entrance at Mahar Highway as the construction access.

Kathy McLeod, resident at 320 Pearl Street asked if Pulte could guarantee no rentals, if the units do not sell. She noted the Town has plenty of affordable housing and she is concerned the development will devalue the properties in the neighborhood.

Walter Sullivan [*for the second time*] asked if anything is planned for behind Mattulina Park between the newly constructed tennis courts.

With no further comment from the public, the Chair asked for Planning Board participation.

Mr. Eng commented that he did not have time to visit other Pulte sites but he did check out various websites that had been mentioned relative to Pulte workmanship. He noted that much of the information was from unhappy homeowners in other states, but he did check Pulte out on the Better Business Bureau site and was disappointed to see that they were rated as "C". This concerned him and questioned the Pulte representatives if they knew why they would be given such a rating? He wants to be assured that Braintree is an "A+" when it comes to this development and dismiss the negativity.

Mr. Mastroianni noted that Pulte Homes is the largest homebuilder nationwide and Mr. Blute added that Pulte Homes is a wholly-owned subsidiary in 69 different markets in 29 states. He has been with Pulte Homes of New England since 1995 and the company has been around since the early 1990s. The company's philosophy, that the best advertisement is a satisfied customer. And, many times they are less vocal [than a dissatisfied one]. In addition, he noted that Pulte has a dedicated warranty service available "24/7" and explained how a homeowner's complaint is handled.

Mr. Eng noted that he is pursuing due diligence in assuring that Braintree is obtaining the best quality and urged the Pulte representatives to investigate why the Better Business Bureau is rating them with a "C".

Mr. Mikami requested that the applicant review the beautification program previously described to the Planning Board at the last hearing [May 11, 2010].

Mr. Mastroianni described in detail the three areas: Mattulina Park, Plain Street along the righthand side and John Mahar Highway up to the intersection with Grove Street.

Mr. Mikami commented that the current Planning Board was not the same as the Board who had approved the project. He asked Pulte representatives why the main gate cannot be used.

Mr. Mastroianni used an aerial photo of the site to show how using the Mahar entrance would disrupt the residents at Jonathan's Landing and cause damage to the existing curbing and landscaping. The proposed construction route would be monitored and construction vehicles would be prevented from taking a left turn into the neighborhood.

Mr. Mikami asked the Pulte representatives if they could minimize the use of the emergency access and, if so, by what percentage or the number of days.

Mr. Blute said that he believes 50% of the construction vehicles are employees and tradesmen pick-ups and vans that could use the main entrance at Mahar Highway. There are long span vehicles that carry deliveries of roof trusses that require larger turning radii. Other vehicles will be concrete mixers or drywall delivery vehicles. He did acknowledge that they could revisit the issue of the construction vehicles and perhaps limit the use of the emergency access point.

Mr. Mikami welcomed their reconsideration and noted it would benefit the neighborhood. He also asked for the proposed construction schedule for the remainder of 2010.

Mr. Mastroianni used the site plan to point to the existing building where they will complete the units. Next they would proceed to pour foundations for either Building A or B before year's end.

Mr. Blute responded to how Pulte will remain involved with the project. When the project is 100% complete it will be turned over to a homeowners' association comprised of the development's residents and the association will take control of property management. Pulte has other projects in Hanson, Marshfield and Pembroke also underway.

In response to the question of rentals, Mr. Blute explained the company's financial structure and how it prohibits rentals because they are not established in a way to hold assets. Pulte Homes builds to market demand. If for some reason the pace accelerates then they will build faster. They normally build 50% before starting a new building based on pre-sales and market demands.

Mr. Reynolds commented that it is obvious that there are neighbors' concerns that need to be addressed. Although draft conditions have been prepared, he would like to look more closely at the issues raised this evening [regarding the use of the emergency access and the proposed beautification].

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Planning Board Meeting 4/13/10
Public Hearing @ 7:00 P.M.

Chairman Harnais stressed to the Pulte representatives that they need to reconsider the construction route and consider use by a limited number of trucks. Whatever conditions are set, the applicant must adhere to. He asked if there is an existing condo association for the 11 homeowners in the first building. Mr. Blute responded that there is an establish association and he added that Pulte has their own mortgage company.

Mr. Eng asked if there are only one bedroom units in Buildings A and B. Mr. Blute responded that the buildings are one and two bedrooms. There is no proposed building that is only one bedroom units.

Chairman Harnais stressed again that the applicant must consider the neighborhood comments tonight.

Mr. Cataldo asked if all the flooding issues had been addressed. Chairman Harnais noted that much of the last two meeting was devoted to discussions on drainage. Items have been addressed.

Mr. Keane asked why Pulte could not access the property via the old Hammett's driveway.

Mike Sample, resident at 10 Harness Lane, added that currently rubbish trucks use the main gate with no problem. Why not construction vehicles?

Ms. Santucci noted that she involved with the prior developer concurred that there was a terrible dust and dirt issue. The Town actually sought violations against the developer. However, she wanted to note that the general site excavation has been done, utilities have been installed and the driveway has been installed and paved and she is hopeful there will be less adverse impact on the neighborhood since work will be mostly building construction. She suggested to the Board that the applicant should submit a dust plan that can be incorporated into the conditions before the next meeting.

Motion by Mr. Reynolds, second by Mr. Eng to continue the public hearing to June 8, 2010 at 8:15 P.M.

Vote: 4/0

Respectfully submitted,

Christine Stickney, Director of Planning and Community Development