



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, Clerk
Darryl Mikami, Member
Melissa B. McDonald, Member

Braintree Planning Board
February 11, 2014
Town Hall – Cahill Auditorium

APPROVED

Present:

Mr. Robert Harnais, Chair
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Ms. Melissa McDonald

Christine Stickney, Director
Melissa SantucciRozzi, Principal Planner

Chairman Harnais called roll at 7:08 pm. Member Darryl Mikami was absent.

Zoning Board of Appeal Petitions – February

ZBA (14-06)

27 Marcia Road / Peter Karoul

Mr. Karoul addressed the Board stating he is seeking a finding to construct a second floor addition to his existing dwelling, on the same footprint.

Mr. Harnais asked the Applicant what was the hardship is in his situation. Mr. Karoul said the left rear and right front corner setbacks are non-conforming.

Mr. Karoul brought Plans for the Planning Board members and he was asked to pass the plans to the Board members. After review, Ms. McDonald asked if the addition is over the existing footprint. Mr. Karoul said confirmed, yes and added there will be a 1.5 FT overhang in the front.

Mr. Eng pointed out that the rear setback is 21.7 FT, falling short of the required 30 FT. He wanted to know if there was an existing variance on file. Applicant provided a certified Plot Plan indicating an easement by Quincy Water Works. Mr. Eng reviewed the easement and asked again if there was a variance on file. Ms. SantucciRozzi said that nothing was submitted indicating there were previous appeals. She said she received nothing from the Building Inspector but she can follow up with the Building Department if necessary.

Mr. Eng asked the Applicant how old the house was. Mr. Karoul said it dates back to 1950 and that he has not previously heard anything about the rear setback. Mr. Eng explained he wanted to know if there is a waiver on file allowing for the 21.7 FT because, he said, without a variance, Mr. Karoul may have a problem if he ever wanted to sell the property.

Mr. Reynolds had no other questions and stated that the addition will have no detrimental effects. He reminded Mr. Karoul that they are in a floodplain and he should be aware when construction begins.

Mr. Harnais did not have any questions.

The Chair called for a Motion.

Mr. Reynolds made a Motion for a favorable recommendation; seconded by Mr. Eng

Vote: 4:0:0

ZBA (14-07)

695-727 Granite Street / ViewPoint Sign & Awning for Burlington Coat Factory

Sean Donovan, sign installer for ViewPoint Sign & Awning, Applicant

Mr. Donovan explained that his company (ViewPoint Sign & Awning) is the local sign company for the project and will be applying for the permit and will be doing the sign installation. He also said that he searched the Registry of Deeds for the original sign permit and did not locate one.

Mr. Donovan said that they are seeking a variance to refresh the old sign with new trademarked signage. He further explained that they are changing the existing size of the sign that measures 266.24 with a slightly smaller one that measures 242 SF.

Ms. McDonald did not have any questions or comments.

Mr. Eng pointed out that the proposed sign will exceed the maximum wall sign area bylaw of 150 SF. Mr. Donovan said he searched to find a variance to support why the larger sign was allowed. He said he did not find any documentation at the Registry of Deeds and when he asked the Building Department, they suggested there may have been a fire and a move and the records may have gotten lost.

Ms. Stickney offered that there was a Sign Review Board at that time so perhaps there are Minutes that could be searched, additionally that the Town Clerk has all variance decisions on record.

Mr. Eng said that at least the proposed sign is 22 FT smaller than the existing one and that he was just trying to understand how the existing sign was permitted.

Mr. Reynolds commented that there has been a lot of site history. He said that signage is important to him and said that Staff has been addressing oversized signage in the last 8-10 years.

Mr. Reynolds said that this does not reflect specifically with Burlington Coat Factory, but rather, the overall site at Granite Plaza. In particular, the pylon sign is 3 times beyond the amount of signage allowed. The combined changes of the proposed sign involve multiple variances; however this is an example of what we are trying to clean up. Mr. Reynolds asked Mr. Donovan if there are any hardships.

Mr. Donovan said the store front is a double space and a small sign will get lost. He said that his customer is just trying to maximize the visibility based on the building size. Mr. Reynolds said that even considering the size of the building, the size of this sign far exceeds the bylaw.

Mr. Reynolds asked the Board about specific graphics. Ms. SantucciRozzi said that the pylon sign will only have the "Burlington" lettering, no further advertising.

Mr. Reynolds said in his opinion and in the interest of the Town and the Applicants' needs, perhaps there could be some tradeoff of language and size.

Mr. Harnais mentioned the pylon sign. He said the sign is tired and anything will be an improvement.

The Chair called for a Motion.

Mr. Eng made a Motion for an unfavorable recommendation, requesting that the Applicant reconsider the size and reduce the overall square footage of the wall sign; seconded by Mr. Reynolds.

Vote: 4:0:0

(Continued Public Hearing) Whites Hill Estates II – O.I.B Corporation (04-02)
Definitive Subdivision Plan Amendment

The Applicant submitted a letter requesting that this matter be continued to March 11, 2014.

The Chair called for a Motion to Continue.

Mr. Reynolds made a Motion to Continue to March 11, 2014, at 8:15 p.m.; seconded by Mr. Eng.

Vote: 4:0:0

(Public Hearing) 0/30 Randall Avenue and 52/60 Pearl Street (13-09)
Special Permit and Site Plan Review / Sunset Realty Trust

Frank Marinelli, Attorney for Applicant

William Frazier, Trustee of Sunset Realty Trust, Applicant

David Kelly, Site Engineer of Kelly Engineering Group

The Chair read the Legal Notice into the record.

Mr. Marinelli addressed the Board and presented the plans of the project. He explained that the proposed development will be a mixed use of office, retail and 18 residences. He went through the history of Mr. Frazier's experience with property redevelopment. Mr. Marinelli highlighted the positive elements of the project and the benefit to the town. He said that Mr. Frazier, his daughter, Cheryl and son, Bill will all be involved in the ownership and operation of the development.

Mr. Marinelli noted that the project is consistent with town bylaws and the Village Overlay; it has obtained all the Zoning Board appeals necessary. He explained the proposed plan and said the location is attractive to commuters because it is within walking distance to the train and other public transportation. He said the applicant's traffic engineer compiled a study indicating some of the perspective tenants will not have a car, an ideal balance for public transportation and the amount of dedicated parking that is planned.

Mr. Frazier presented a sampling of the actual materials that would be used for the project. Mr. Marinelli described the proposed 3 story building being approximately 33 FT in height. He submitted a landscaping plan indicating an upgrade to the surrounding area and the dedicated parking area located conveniently at a neighboring lot.

On request of the Planning Staff, he presented a plan for the lighting and a photo of the lantern that is planned. He said this was specifically chosen to compliment the lighting in use in the square. Also per request, a catch basin will be designed and on-street parking will be configured to accommodate life safety access, per the Fire Department request.

The Chair invited public comment.

Mr. Charles Kokoros, District 1 Councilor, addressed the Board in support of the project. He said he reviewed the project details. He commented favorably on Mr. Frazier's' past projects, saying that he is committed to follow through and the quality of his projects. Mr. Kokoros asked that the Planning Board support the project.

The Chair called for questions from the Board.

Ms. McDonald said that she is in support of the development of the area and expressed her concerns about the parking. She also asked what the measure of square footage is for the proposed one

bedroom units. Mr. Frazier answered the one bedroom units will be 500-700 SF and the studio space will be between 350-400 SF.

Ms. McDonald asked if the lighting shown in the parking area will be on posts. Mr. Frazier indicated the location of the posted lights in the parking areas and where additional low light will be located in other areas.

Mr. Marinelli added that they had a neighborhood meeting and all but one neighbor responded. Those that did attend (direct abutters or abutters to an abutter) supported the project.

Ms. McDonald asked further about the reserve parking location. Mr. Marinelli pointed out specifically the intended location of 6 parking spaces that the Zoning Board requested beyond the 34 granted per variance.

Mr. Eng also commented about the parking. He strongly suggested that parking be assigned to avoid problems. Mr. Frazier concurred, saying that each tenant will have one assigned parking space and the six additional parking spaces are intended to satisfy any tenant with a second vehicle and guest parking. Mr. Eng said he believed the spacing is maxed out. He did however, appreciate the landscaping layout that is intended.

Mr. Reynolds complimented the presentation, especially the details and said it was an exceptional project. He believes this project meets the spirit of what the town had in mind for the Village Overlay. He said he is looking forward to further details such as the drainage plan and feels it will transform the area.

Mr. Harnais had no questions and asked if staff had any issues. Ms. SantucciRozzi said that the David Kelly has a few small things to revise on the plans that were discussed previously. She needed feedback from the Planning Board during this hearing so she can prepare Findings.

The Chair called for a motion to continue.

Mr. Eng made a Motion to continue to March 11, 2014 at 8 p.m.; seconded by Mr. Reynolds
Vote: 4:0:0

125 Ivory Street / Covanta /SEMASS (11-06)
Request for As-Built Approval
Tom Stanwood, Covanta

Ms. Stickney reported to the Board that a Traffic Report was submitted that prompted discussions with the Traffic Engineer, Jason Adams of McMahon Transportation Engineers & Planners. Subsequently, he made some new submissions and adjusted some tables. She said at this time, Staff is recommending the project is completed to satisfaction and they are ready for As-Built approval.

Mr. Harnais asked Ms. Stickney if the all the plans are completed. Ms. Stickney said As-Built plans and an As-Built Traffic Study were submitted and all issues have been addressed.

Ms. McDonald had no questions or comments.

Mr. Eng asked if Ms. Stickney was satisfied with the report. Ms. Stickney said she reviewed the report; some of the figures contained in the original traffic report were in error once compared with the appendices. Being just a format issue, it has since been adjusted. The traffic studies were done in

January of 2014. Overall, the area has experienced some traffic increase but other factors, such as Jonathan's Landing also contributed to the increase. The amount of trucks has not changed, only the pattern of traffic circulation of the trucks is different. There has been no increase of trucks or tonnage per negotiations previously made with the Mayor.

Mr. Eng asked Ms. Stickney if she is satisfied with everything, she said yes, she is.

Mr. Reynolds commented that Covanta did a nice job on the project. He confirmed with Ms. Stickney that all concerns and previous issues have been satisfied. Mr. Stanwood commented that a fence that was scheduled to be removed has already been done.

Ms. Stickney noted to the Chair that the As-Built Certificate contains 22 conditions that will survive. Conditions #14, 28, 34, 38, 48, 49, 50, 51, 52, 53, 54, 55, 58, 59, 61, 64, 66, 67, 68, 69, 72 and 73 shall remain as surviving and run with the title of this property.

Chair asked Mr. Stanwood when do last trucks leave daily and if there are any overnight trucks staying there. Mr. Stanwood said that two loaded trucks are permitted inside and two empty trucks are permitted outside overnight.

Mr. Harnais commented this needs to be adhered to, he said he received some complaints from neighbors.

The Chair called for a Motion.

Mr. Eng made a favorable recommendation for As-Built Approval; seconded by Mr. Reynolds.
Vote: 4:0:0

Mr. Eng made a Motion to release the As-Built Guarantee; seconded by Mr. Reynolds.
Vote: 4:0:0

50 Forbes Road / Karma Nominee Trust (10-07)

Request for As-Built Approval

Planning Department Staff requested that this matter be continued and the Applicant agreed.

280 Ivory Street / Harvard Vanguard (12-10)

Request for Extension of Time on Parking Use

Carl Johnson, Attorney for Harvard Vanguard

John Clark, Director of Real Estate for Harvard Vanguard

Carl Johnson addressed the Board.

Mr. Johnson said the site has been well managed; it operates properly and has served the needs of the Harvard Vanguard employees. The sandbags have been replaced with an asphalt island as requested and there have been no problems with security. This is a temporary situation and Harvard Vanguard plans to make a decision in June of 2014. Mr. Johnson asked that the Board extend the permit.

Ms. McDonald had no questions or comments.

Mr. Eng asked Mr. Clark if the parking was originally underestimated. Mr. Clark said the changes in healthcare and the location has undergone many building changes including increased patient turn-around time. He said he is trying to find a solution to the parking problem.

Mr. Eng said that it is a very crowded facility and asked Mr. Clark why he isn't seeking more space. Mr. Clark said the current temporary parking space has worked and they have not had any issues. Mr. Eng strongly suggested that Mr. Clark search every nook to find more space.

Mr. Reynolds agreed with Mr. Eng and said he would like Harvard Vanguard to stay in Braintree because he believes it is good for the community. He said he hopes there is a solution before Mr. Clark comes before the Board again.

Mr. Harnais had no questions and called for a Motion.

Mr. Eng made a motion to extend the time on the temporary parking use by one year, to January 31, 2015; seconded by Mr. Reynolds.

Vote: 4:0:0

29-39 Hayward Street, The McGourty Company, Inc. (05-09)
Request for Minor Modification

The Applicant requested that this matter be continued.

Approval of Minutes January, 2014

Chair Harnais called for a Motion to accept the Minutes.

Mr. Reynolds made a Motion to accept the Minutes of January, 2014; seconded by Mr. Eng.

Vote: 4:0:0

Mr. Harnais called for a Motion to adjourn the meeting.

Mr. Eng made a Motion to adjourn; seconded by Mr. Reynolds .

Vote: 4:0:0

The meeting adjourned at 8:45 p.m.

Respectfully Submitted by,
Elizabeth Schaffer