



BOARD OF APPEAL UNDER THE ZONING BY - LAW
BRAintree, MASSACHUSETTS
AGENDA
June 24, 2019

The Zoning Board of Appeal will meet on **Monday, June 24, 2019 at 7:00 P.M.** at Town Hall, Johnson Chambers, One JFK Memorial Drive, Braintree, Massachusetts 02184 to conduct the following items of business and hear the following petitions:

CONTINUED PETITIONS

Petition #19-14

126 Jefferson Street

Yiu Hung Chan, 7 Mosesso Drive, Holbrook, MA 02343 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to modify ZBA Decision No. 17-13 to reduce the size of proposed new two-story, single family dwelling from +/- 2,120 sq. ft. to +/- 1,268 sq. ft. building footprint; proposed project would intensify pre-existing nonconforming lot area and width. The applicant seeks a permit, variance and/or finding that the proposed project is not more detrimental to the neighborhood. The property is located at 126 Jefferson Street, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 1045, Plot 21 and contains a land area of +/- 9,027 sq. ft.

Petition #19-15

20 Marisa Drive

William H. Rogers, 20 Marisa Drive, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 609 and 701 to construct second story addition (additional +/- 353 sq. ft. building footprint); proposed project would intensify pre-existing nonconforming side yard setback and is pre-existing nonconforming with regard to lot area and width. 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 Marisa Drive, Braintree, MA 02184 and is within a Watershed Residence B Zoning District and Open Space Conservancy District, as shown on Assessors Map 1074, Plot 22 and contains a total land area of +/- 16,144 sq. ft.

NEW PETITIONS:

Petition #19-19

16-18 Pearl Street

McDonald's Real Estate Co. (property owner), c/o James Cranston, Bohler Engineering, 352 Turnpike Road (3rd floor), Southborough, MA 01772 for relief from Zoning Bylaw requirements under Chapter 135, Sections 135-403, 407, 613, 904.1, 904.6 and 905 to remove and replace the existing 34 sq. ft. McDonald's front wall sign, install two (2) new 14 sq. ft M-logo wall signs, portions of which will exceed the allowable height, area and quantity. Also install two (2) new directional signs to replace the existing two (2) driveway directional signs that exceed the allowable quantity of directional signage on site. The applicant seeks a variance and/or findings that the proposed project will not be more detrimental to the neighborhood. The property is located at 16-18 Pearl Street, Braintree, MA 02184 and is within a General Business District and within the Village Zoning Overlay District, as shown on Assessors Map 1006, Plot 31 and contains a total land area of +/- 25,600 sq. ft.

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Reasonable accommodations will be provided for persons with disabilities. To request accommodations, please call Braintree's ADA Coordinator at 781-794-8327 at least seven business days in advance. Arrangements will be provided at no cost.

Petition #19-20**44 Newton Avenue**

Marie A. Lenane, 44 Newton Avenue, Braintree, MA 02184 for relief from Zoning Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to address a recently constructed deck that violates the required side yard setback. The constructed deck is located 6.8 LF from the side property line, as an extension of the existing deck which is also 6.8 LF where 10 LF is required. The applicant seeks a permit, variance and/or finding that the proposed project is not more substantially detrimental to the neighborhood. The property is located at 44 Newton Avenue, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 3053, Plot 102 and contains a land area of +/- 5,001 sq. ft.

Petition #19-21**16 Mann Street**

Carine & Kevin Berner, 16 Mann Street, Braintree, MA 02184 for relief from Zoning Bylaw requirements under Chapter 135, Sections 403, 407, 609 and 701 to address a recently construct deck that violates the required rear setback. The partially constructed deck is located 16.4 LF from the rear property line, as an extension to the existing dwelling which is 28.4 LF, where 30 LF is required. The applicant seeks a permit, variance and/or finding that the proposed project will not be more substantially detrimental to the neighborhood. The property is located at 16 Mann Street, Braintree, MA 02184 and is within a Watershed Residence B Zoning District, as shown on Assessors Map 1093, Plot 17 and contains a total land area of +/- 10,275 sq. ft.

Petition #19-22**136 Pond Street**

Timothy Bothwell, 136 Pond Street, Braintree, MA 02184 for relief from Zoning Bylaw requirements under Chapter 135, Sections 403, 407, 609 and 701 to address a partially constructed addition, landing and stairs that collectively violates the side yard setback. The one story addition, partially constructed landing and stairs are located 3.3 LF from the side yard, where 10 LF is required. The applicant seeks a permit, variance and/or finding that the proposed project is not substantially more substantially detrimental to the neighborhood. The property is located at 136 Pond Street, Braintree, MA 02184 and is within a Watershed Residence B Zoning District, as shown on Assessors Map 1041, Plot 24, and contains a total land area of +/- 5,952 sq. ft.

Petition #19-23**519 Washington Street**

Emmanuel Episcopal Church (property owner) and IDIIL Learning Center, 128 Hyde Street, Newton, MA C/o Daniela Tudose (proposed tenant) at 519 Washington Street for relief from Zoning Bylaw requirements under Chapter 135, Sections 135-403, 407 and 806 (b)(c) for relief from required parking as a new daycare use and approval to utilize existing church parking spaces. The applicant seeks a permit, variance and/or finding that the proposed project will not be more substantially detrimental to the neighborhood. The property is located at 519 Washington Street, Braintree, MA 02184 and is subject to split zoning Residence B & C Districts, as shown on Assessors Map 2029, Plots 18 & 17, with combined land area of +/- 19,227 sq. ft.

APPROVAL OF MINUTES:

Acceptance of May 20, 2019 Zoning Board of Appeals hearing minutes.

Any other matters which the Chairman did not reasonably anticipate at the time of posting the meeting.

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