



Department of Planning and Community Development

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Joseph C. Sullivan
Mayor

APPROVED

PLANNING BOARD

Robert Harnois, Chair
Erin V. Joyce, Vice Chair
James Eng, Clerk
Darryl Mikumi, Member
James N. Downey, Member

Braintree Planning Board - January 9, 2018 - Cahill Auditorium

Present:

Mr. Robert Harnois, Chair
Ms. Erin Joyce, Vice Chair
Mr. James N. Downey

Christine Stickney, Director
Melissa SantucciRozzi, Assistant Director

Chair Harnois called roll at 7:05 PM. Three members were in attendance; Members Eng and Mikami were absent from this meeting.

PUBLIC HEARINGS

7:10PM- Three Planning Board Members participated; Members Eng and Mikami were not present.

Chair Harnois explains, just for the record, that none of the Public Hearings scheduled for today will be held due to the lack of quorum. Every Public Hearing scheduled for this evening will be continued without any testimony. Chair Harnois looks for a MOTION that will continue the Public Hearings. He clarifies that one MOTION will continue all of the Public Hearings scheduled for this evening.

Member Downey **MOTION** to continue the Public Hearings for Planning Board Files #17-13, #17-07, #17-05, #15-08 REMAND, #17-12, #16-10 Major Modification, and Town Council Order #17-55 until Tuesday, February 13, 2018 at 7:15 PM; seconded by Vice Chair Joyce; voted 3:0:0.

The Public Hearings that were continued to Tuesday, February 13, 2018 at 7:15 PM are as follows:

Special Permit/Site Plan Review- Off of Washington and Braxton Streets (Thayer Athletic Fields)
Applicant: ESG, Inc/Edge Sports Group (PB File #17-13)

Grading Permit -36 Bramblewood Lane
Applicant: Georgia Kardaris (PB File #17-07)

Special Permit/Site Plan Review -639 Washington Street
Applicant: Bonnie Tan (PB File #17-05)

BILLBOARD REMAND ORDER PER THE LANDCOURT- 290 Wood Road (PB File #15-08 REMAND)
Applicant: K. Ingber Trustee of Wood Road Nominee Trust & Wood Road Realty LLC

Special Permit/Site Plan Review -236-240 Wood Road
Applicant: Logan Communications (PB File #17-12)

Major Modification - Special Permit/Site Plan Review
Applicant: Widowmaker Brewery (PB File #16-10)

T.C.O. #17-55- Application for Zoning and General Ordinance Amendment
Text Amendment/Moratorium - Applicant: Mayor Sullivan

NEW BUSINESS/OLD BUSINESS - Zoning Board of Appeal Petitions -January 2018

7:12PM- Three Planning Board Members participated; Members Eng and Mikami were not present. Chair Harnais reminds the public that, as we have done for past months where the Planning Board has taken up the recommendation of Staff, for the January 2018 Zoning Board of Appeal Petitions, we will be once again move forward the January Zoning Board of Appeal Petitions with the recommendations of the Zoning Administrator as Planning Board recommendations .

Member Downey MOTION to approve the Zoning Administrator's recommendations for each of the Petitions shown below; seconded by Vice Chair Joyce; voted 3:00.

**Petition #17-59
Marshall Street**

Christin Harriman & James Morrissey, 26 Watson Street, Braintree, MA 02184 (Property Owner: Thomas Beck c/o Attorney David Lane) for relief from Bylaw requirements under Chapter 135, Sections 135-407 and 701 to construct a 2.5 story, single family dwelling (+/- 988 sq.ft. building footprint) with an 18' x 10' rear deck on a vacant lot that does not meet the minimum lot area. 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 Marshall Street, Braintree, MA 02184 and is within a Residence B District Zone, as shown on Assessors Map 2011 Plot 08 and contains a total land area of +/-4,991 sq.ft.

Staff Recommendation

APPROVAL WITH CONDITIONS:

- 1.) Dwelling to conform to the front yard setback of 20ft.;
- 2.) Dwelling to only have bedrooms on the second floor;
- 3.) Any changes to the approved plans will require ZBA approval;
- 4.) Submission of a certified foundation submitted to the Planning & Community Development Department prior to vertical construction; and
- 5.) 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 #17-60
935-937 Granite St.**

Mark Jeske, 935-937 Granite Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to modify approved plans pursuant to Zoning Board of Appeals decision case number 16-52, dated February 27, 2017; petitioner seeks to alter approved addition footprint and garage/rear patio roofs. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located at 935-937 Granite Street, Braintree, MA 02184 and is within a Watershed Residential B District Zone, as shown on Assessors Map 1033, Plot 48, and contains a land area of +/- 20,000 sq.ft.

Staff Recommendation

DENIAL

Planning Board Recommendation

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

APPROVED

Petition #17-61
128-132 Hancock Street

Jennifer & Michael Foley, 61 Hawthorn Road, Braintree, MA 02184 seek relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 601 and 806 for relief from the off-street parking requirements for a proposed ice-cream/fast-food establishment. The applicant seeks a permit, variance and/or finding that proposed alteration is not more detrimental to the neighborhood. The property is located at 128-132 Hancock Street, Braintree, MA 02184 and is within a Commercial Zoning District, as shown on Assessors Map 1007, Plot 08, and contains a land area of +/- 8,521 sq. ft.

Staff Recommendation

APPROVAL WITH CONDITIONS:

- 1.) Petitioner shall provide, by the way of a covenant, agreement or easement, off-site parking for a minimum of two employees; and
- 2.) Petitioner shall submit a revised site/parking plan that depicts all off-street parking within the property bounds and all off-street parking spaces to be 8.5 ft. x 18 ft.

Planning Board Recommendation

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

Petition #17-62
350 Granite Street

Foxrock Properties LLC, 150 Newport Avenue Extension, Quincy, MA 02171 for relief from Bylaw requirements under Chapter 135, Sections 135-407, 9042 and 908 to install a comprehensive signage package that includes monument, wayfinding, directory and wall signs, pursuant to the plans submitted. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located at 350 Granite Street, Braintree, MA 02184 and is within a Highway Business District Zone, as shown on Assessors Map 2040, Plot 12, and contains a land area of +/- 75 acres.

Staff Recommendation:

CONTINUANCE

Planning Board Recommendation

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

Petition #17-63
50 Monatiquot Avenue

John E. O'Toole & Katelyn M. O'Toole, 45 Oriole Street, West Roxbury, MA 02132 for relief from Bylaw requirements under Chapter 135, Sections 135-407 and 701 to construct a two-story, single family dwelling (+/- 2,400 sq. ft. building footprint) on a vacant lot that does not meet the minimum lot 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 50 Monatiquot Avenue, Braintree, MA 02184 and is within a Residence B District Zone, as shown on Assessors Map 2034 Plot 16A and contains a total land area of +/- 15,277 sq.ft.

Staff Recommendation

DENIAL:

- 1.) Petitioner should construct a single family dwelling within the "by-right" developable area; and 2.) Proposed siting of the dwelling is not consistent with the neighborhood.

APPROVED

Planning Board Recommendation

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

NEW BUSINESS/OLD BUSINESS

Request for As-Built Approval - 429-445 Quincy Avenue (NKA #441)/Site Plan Review- File #15-07

Applicant: K. Spillane LLC, BookShe LLC and Harry White LLC

7:12PM- Three Planning Board Members participated; Members Eng and Mikami were not present.

Assistant Director Melissa SantucciRozzi explains that this Request for As-Built Approval is not ready for presentation; staff is working with the Applicant to get the last few items into the record pursuant to the Conditions. Staff is requesting that this item be tabled until the February meeting.

NEW BUSINESS/OLD BUSINESS

Minor Modifications/Request for As-Built Approval- 501-555 John Mahar Highway (PB File #95-13)

Special Permit and Site Plan - Applicant: Mahar Highway LLC

7:13PM- Three Planning Board Members participated; Members Eng and Mikami were not present.

Assistant Director Melissa SantucciRozzi explains she has prepared a Staff Report for 501-555 John Mahar Highway, which is the Jake&Joe's and Chateau location. As the Planning Board may recall, there has been some back and forth with Applicant. She explains the Applicant has asked for some modifications from some of the Conditions; some of them are minor and other ones are basically what are shown on the Site Plan as As-Built Conditions. Staff is recommending that the Planning Board vote a minor modification based on the site and use configuration that is there now with the understanding that it does not exceed the limits of the Permit that they were originally granted, but not necessarily as dictated on that Site Plan.

They are also asking for some conditions to be waived, specifically Conditions 15, 24, 64, 86 and 96. These conditions are attached to the Staff Report for clarification. The Planning Board is holding a total of \$30,000 in As-Built Surety, \$39,287.50 in incomplete site improvement surety and \$20,000 in Traffic Bonds for Ivory Street. All of the required Easements have been recorded. They did revise the Stormwater O&M, but they still need to make one more revision. They have made good faith effort on the landscaping, but staff feels it needs a little bit more. The rationale behind that is that this site was constructed 20+ years ago, and the understanding at that time from the Planning Board and Staff was that was when the plantings should go in. They went back this spring and put some plantings in, but they are not large enough. Staff is recommending five mature trees be added in the spring. Staff has shared this with Ron Marshall at Messina Enterprises. They are not here this evening, but he said this is acceptable.

Based on what the Applicant has asked for, staff recommendation is to release the As-Built Surety of \$30,000, release the Incomplete Improvement Surety of \$30,000 and retain \$9,287.50 for the additional plantings and landscaping, release the Traffic Bond of \$20,000 for Ivory Street and waive the Requirement to comply with Conditions 15, 24, 64 and 96 (but not Condition 86, as this is for traffic mitigation, and if they decide to come back and modify this and do the full build-out, we might need to exercise those conditions in the future). Staff also recommends granting the Minor Modification based on the Site Conditions pursuant to Conditions 19, 26, 53 and 66. Staff includes that the Applicant complete Item No.6 for the plantings in Spring 2018, and she has requested that about 20 conditions be survived as follows: 1, 14, 29, 30, 31, 32, 33, 34, 35, 49, 50, 51, 54, 55, 57, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 72, 74, 77, 78, 79 (modified to 4 times a year), 80, 81, 82, 83, 85, 86, 87, 89, 90, 91, 92, 93 and 95.

APPROVED

There are no questions from Planning Board Members, and Chair Harnais entertains a motion to provide As-Built approval as outlined in Staff Report II.

Member Downey **MOTION** to provide As-Built approval as outlined in the Staff Report II; seconded by Vice Chair Joyce; voted 30:0.

NEW BUSINESS/OLD BUSINESS - Approval of Meeting Minutes

7:15PM- Three Planning Board Members participated; Members Eng and Mikami were not present.

Vice Chair Joyce **MOTION** to approve the December 13, 2017 minutes; seconded by Member Downey; voted 30:0.

Vice Chair Joyce **MOTION** to adjourn the meeting; seconded by Member Downey; voted 30:0.

The meeting adjourned at 7:16 PM.

Respectfully submitted,
Louise Quinlan,
Planning/Community Development