



Braintree Town Council Committee on Ordinance & Rules

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Sean Powers, Chairman
David Ringius, Jr, Vice- Chairman
Charles Kokoros, Member
Timothy Carey, Member
Charles B. Ryan, Ex-officio

April 2, 2019 MINUTES

A meeting of the Committee on Ordinance & Rules was held in the Cahill Auditorium on Tuesday, April 2, 2019 beginning at 6:30pm.

Chairman Powers was in the Chair.

Clerk of the Council, Susan Cimino conducted the roll call.

Present: Sean Powers, Chairman
David Ringius, Jr, Vice- Chairman
Charles Kokoros, Member
Timothy Carey, Member

Also Present: Joseph Reynolds, Chief of Staff
Christine Stickney, Director Planning and Community Development
Russ Forsberg, Building Inspector
Elizabeth Mees, Historical Commission Chair
Ronald Frazier, Historical Commission Vice-Chair
Rayna Rubin, Historical Commission
Santina Giannino, Historical Commission
Kate Nedelman Herbst, Historical Commission

There was a moment of silence for all those serving in our armed services, past and present, and the meeting was opened with the pledge of allegiance to the flag.

Approval of Minutes

- March 5, 2019

Motion: by Councilor Ringius to approve minutes of March 5, 2019

Second: by Councilor Kokoros

Vote: For (4 – Carey, Kokoros, Powers, Ringius), Against (0), Absent (0), Abstain (0)

New Business

- None

Old Business

• 18 025 Mayor: Demolition Delay Ordinance or take up any action relative thereto

The Demolition Delay Ordinance is something the Town has been looking at for a number of years now. The driving force is the Historical Commission. It allows for some time to take a look at the structure to determine if it is deemed to be historic in nature and if it is worthy of preservation, photography or to keep components of it. Proposed is for structures 75 years in age or older.

Members received an updated version of the Demolition Delay Ordinance with revisions voted and accepted by the Historical Commission and reviewed by John Goldrosen, Town Solicitor.

Russ Forsberg, Building Inspector stated the original procedure proposed amounted to about 305 days. I have done a re-calculation and what the total impact would be 134 days which also incorporates the 4 months if the building is found to be significant. That is a significant change to the proposal. There is a revision taking out "or part thereof". This is a significant change to this proposed ordinance. Now the only thing affected by this is talking about a total demolition. Statistics for the past three years: In 2019 thus far there have been 2 requests for total house demolitions. In both instances they would not they have not been applicable to this regulation. They were not at least 75 years old. In 2018 we had a total of 6 house demolitions. One of which would have been applicable. In 2017 there were 5 demolitions. Two of which would have been applicable.

Councilor Kokoros stated according to this and Chapter 40C you, the building inspector, has the final say in an emergency situation. Correct? You feel comfortable with that?

Russ Forsberg, Building Inspector stated that is correct. The building code supersedes this. We can take actions in an unsafe situation.

Councilor Ringius stated I will be supportive of this as I have in the past. It was important to clarify some of the points. It has been an important discussion. You are all a volunteer board and I appreciate the work you have done.

Councilor Powers stated I think this has been fully-vetted multiple times and I appreciate that.

Councilor Kokoros stated I feel far more comfortable. I have been your biggest critic but you have done a good job making corrections and changes to make it something that I can live with too so I appreciate it.

MOTION read by Councilor Ringius for favorable recommendation to the full Council:

That the Town Council vote to amend Title 5 of the Town's General Ordinances, by adding "Chapter 5.700: Demolition Delay", as submitted.

Motion: by Councilor Ringius for favorable recommendation to the full Council

Second: by Councilor Kokoros

Vote: For (4 - Carey, Kokoros, Powers, Ringius), Against (0), Absent (0), Abstain (0)

It was unanimously voted to adjourn the meeting at 7:18 p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 18 025 Mayor: Demolition Delay Ordinance
- 18 025 Dated April 1, 2019 revisions to Demolition Delay Ordinance
- 18 025 Flow Chart from Historical Commission