



# Department of Planning and Community Development

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Charles C. Kokoros  
Mayor

## PLANNING BOARD

Erin V. Joyce, Chair  
Darryl Mikami, Clerk  
James N. Downey, Member  
William J. Grove, Member  
Thomas Kent, Alternate Member

### **Braintree Planning Board – June 8, 2021 at 6:00 PM – via ZOOM**

**Approved 10.12.2021**

Present:

Ms. Erin Joyce, Chair

Mr. Darryl Mikami, Clerk

Mr. James Downey, Member

Mr. William J. Grove, Member

Mr. Thomas Kent, Alternate Member

Melissa SantucciRozzi, Director

Connor Murphy, Zoning Planner

Chair Erin Joyce opens the meeting at 6:00 PM, provides an overview, explains the process to address issues on ZOOM, highlights the Agenda, and explains how to comment during the meeting via Chat, by email or by raising your hand. Chairwoman Joyce then takes attendance via a roll call. Four (4) members (Mikami, Downey, Grove, Joyce) and one alternate member (Thomas Kent) are in attendance. Chair Joyce clarifies that, since we don't have full membership on the Planning Board, Member Kent can participate and vote in all the public hearings this evening, as a full member. Chair Joyce is jumping down to New Business before our first Public Hearing is scheduled to begin at 6:15PM.

### **NEW BUSINESS: UPDATE ON THE MASTER PLAN STEERING COMMITTEE: 6:01 PM**

Chairwoman Joyce provides an update on the Master Plan Steering Committee. She explains that the Committee held their first meeting, as a group, on May 27, 2021. They will be posting updates and materials that the Committee is reviewing to the website under the Master Plan Steering Committee Section. She explains this item will be kept on the Agenda monthly so that we can provide updates. Chairwoman Joyce mentions that Director SantucciRozzi conducted the meeting. It was a great kick-off meeting. We are getting underway on our Request for Qualifications Proposals for a consultant. This consultant will help us get underway with the public process. The Director confirms it was a quick kick-off meeting. The RFP/RFQ has gone through a full legal review. The Director expresses thanks to Nicole Taub, Crystal Huff, and Lorraine See. We are getting ready to get that advertised in the Central Register, and it will be available for the public on June 16, 2021. Chairwoman Joyce looks forward to providing updates and working on this over the next year+.

There are five new Zoning Board applications; therefore, the Zoning Planner, Connor Murphy, suggests waiting until the end of the public hearings. Chairwoman Joyce agrees.

### **NEW BUSINESS: Discussion - In Person Meetings 6:08 PM**

Director SantucciRozzi states the State of Emergency is slated to end on June 15, 2021. The Director's understanding is that there are different forms of legislature, guidance and leeway on the Open Meeting Law. We don't have that information to date. Basically, all other boards are firing up to meet in person. The Director advises that the Planning Board should be getting in that mode, as well. There is a conflict with Cahill for the July Meeting, so we may explore holding the July Meeting remotely. We will definitely be live in Cahill for the August Meeting. The Director will provide updates to the Board as they transpire. The ads for July Meeting must be done by the end of next week. We are going to pursue alternate locations.

Chairwoman Joyce suggests we think about start time for meeting, as in person meetings were held at 7PM. She personally would prefer a 7:00 PM start. We should get feedback from other members. The Director states because people will have to physically travel to Braintree, she would suggest going back to the 7:00 PM start time. The Director would like to finalize that this evening. Chairwoman Joyce asks other members about start time. All members agree to a 7:00 PM start time for in person meetings.

**NEW BUSINESS – Minor Modification**

**605 Middle Street (Planning Board Decision #87-28)**

**Vincent Cuccaro, Applicant**

**6:10 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:**

**Vincent Cuccaro**

Director SantucciRozzi explains that this is a Minor Modification for 605 Middle Street – the Homes of Braintree Hills; the Applicant was here back in 2014 when he made some modifications to his deck. This condo development was approved as a cluster development, and it is tracked like a Site Plan. We need to keep track of the various improvements on the property, in particular the impervious and pervious coverages. The cluster zoning has very high open space requirements.

Mr. Cuccaro has provided a very detailed letter describing what he wants to do for his patio. It will be 9X12, and he is going to use bluestone pavers. He has provided authorization from the Condominium Association, and he has also provided a small sketch, which shows where he wants to add the patio. The Planning Staff has no concerns. It is just a procedural matter. Mr. Cuccaro states the Director has covered it very well.

Member Mikami refers to the Staff Report and asked if other patios had been constructed. Mr. Cuccaro states there is one on the premises. Mr. Cuccaro states it was built when the units were put up.

Member Downey no questions or comments.

Member Grove asks to see a sketch. Director SantucciRozzi highlights where the patio would go just off the deck. The Director clarifies that the patio is bluestone pavers and will be considered lot coverage.

Member Kent has no comments or questions.

Chairwoman Joyce has no further comments or questions.

Member Downey **MOTION to approve** the Minor Modification for 605 Middle Street; seconded by Member Grove; voted by roll call 5:0:0 (5 Votes: Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chairwoman Joyce: YES).

Director SantucciRozzi explains to the Applicant that she will send him a letter stating what has been approved, and then he can proceed with the work. When the work is complete, she will come take a look.

**PUBLIC HEARING**

**Zoning Bylaw Text Amendment – Animal Care, Retail and Services**

**Town Council Orders 21-031, 21-032, 21-033**

**Applicant: Planning Board and Citizen Petition**

**6:15 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:  
Dan Farmer**

Chairwoman Joyce explains that the Planning Board and a citizen are the co-applicants for this proposed Zoning Bylaw Text Amendment.

Director SantucciRozzi reads the Legal Notice into record.

Chairwoman Joyce asks the Director to introduce the Bylaw Amendment and then we can go from there.

Director SantucciRozzi provides a little history about when Dan Farmer approached the Director a few years back. He was very interested in pursuing a business related to animal care. The Director mentioned that pets are often raised to the level of children today, and what people do for their pets today is amazing. When she had first spoken to Dan, staff was in the process of doing the Comprehensive Rezone, and there were measures and text that incorporated some of these uses in the proposed Zoning Rewrite. As the Board and public know, the Rewrite was withdrawn about 1.5 years ago. At the beginning of this year, Mr. Farmer started to discuss pursuing this again. Mr. Farmer really knows this information. Director SantucciRozzi's tasks was the technical stuff around definitions. We are modifying some of the definitions, including animal clinic or hospital, and we are also providing new definitions for animal retail and animal grooming services. The grooming and retail use fall under the Town's general retail services category. The third definition, also a new definition, is the full-service animal establishment, where anything from retail to grooming to boarding to training falls. It is essentially a catch all category for anything related to animals. In looking at the zoning bylaw for other areas we needed to augment, the Director draws our attention to Item #2 in the Staff Report, which is the amending Section 601 and out Table of Principal Uses. The Director has created two separate categories for the animal retail and grooming. One is under 15,000 square feet, which would be more appropriate for the General Business locations also Highway Business and Commercial. Then we have the Animal Retail and Grooming, over 15,000 square feet, a larger establishment, and those are only for the Highway Business and Commercial Districts. It is really creating two types of sizes. It somewhat mirrors our retail categories now. The retail trigger is 30,000 SF, which is essentially a pretty large establishment for the General Business location. She is trying to separate size and scope to be appropriate for various locations. The third thing is identifying in the Use Table the full-service animal establishment; given the use, nature of the use and size of the business, we have targeted this for the Highway Business Zoning District and Commercial Zoning District and it is a Special Permit in both of those districts. The Board will have their discretion in reviewing the exact location. The Animal Hospital is already in Use Table, and that is not being changed but updating the definition to be more relevant. For parking requirements, which are found in 135-806, we are looking to amend the Animal Hospital. It is currently 1 per 500. She provides an example of VCA. This parking ratio is being increased to 1 per 250. For Animal Retail and Grooming, that would currently require 1 per 200 in the Retail District. Retail parking requirements are excessive. The Director is reducing that to 1 space per 250. Then we have the full-service establishment, which they are proposing 1 space per 350, with the understanding that those will be larger establishments, but there will be a lot of dog space, and we know dogs don't drive. That is basically the technical background.

Dan Farmer is excited about this opportunity to pursue his dream to provide service for the dogs, but also for the community members of Braintree. He feels strongly that this is such a needed service. 95% of dog owners consider them part of the family; 7 out of 10 homes own dogs; 43% of millennials and 40% of baby boomers own dogs. There are 2700-2800 registered dogs in the Town. Currently there is no place for dogs to go and socialize, have access to training, and get boarding. He would like to provide a state-of-the-art facility in Braintree. Nearby businesses are not adhering to the needs of dogs and owners. On average the current dog owner spends about \$1300/year on their dog. The current industry is projected to do over \$200Billion globally. It is a booming opportunity.

Mr. Farmer advises that there are 22 towns on the South Shore that have dog daycare, but Braintree is not one of them. Adoption rates have peaked. 74% of people have been adopting dogs. Mr. Farmer wants to provide a hands-on service. One big thing Mr. Farmer wants to do is to be a catalyst for the economy, to give local people jobs, encourage spending locally. Mr. Farmer discusses social aspects of events. He wants to create a much-needed service that residents will embrace.

Chairwoman Joyce thanks Mr. Farmer for his perspective and for the amount of work he has put in this.

Chief of Staff, Nicole Taub, states on behalf of the Mayor's office they think this is going to be a significant value-add for our community, as it is a service that our residents are not able to avail themselves of locally. Attorney Taub, as a four-week dog owner, states it is not an exaggeration when we talk about treating our dog like our children. This is a service that we don't currently offer our residents, and a significant portion of them will be able to take advantage of the opportunity. Attorney Taub also notes that the Town's general ordinances track the Zoning Bylaws on this issue; there is a companion amendment currently pending before the Town Council to General Ordinance 6.100.040 that will effectively remove the prohibition referenced in the Zoning Ordinances and model the amendments proposed this evening. Attorney Taub thinks this is particularly timely, given the tragedy our community has faced with the loss of Canine Officer Kitt last Friday. Attorney Taub notes, at the suggestion of Chairwoman Joyce which Attorney Taub shared with the Mayor and the Police Chief, we would be asking the Board to consider and approve tonight's amendment in honor of Canine Officer Kitt and his 12 years of service to our community, as a valued and heroic member of the Police Department. Chairwoman Joyce appreciates those words and thinks this Amendment would be a nice tribute for Canine Officer Kitt. She thinks we are making good progress for animal care in the community.

Chairwoman Joyce opens this discussion to Board Members.

Member Mikami thinks it is a great idea, and he doesn't see any reason why we shouldn't move this forward.

Member Downey has no comments or questions.

Member Grove, while in support of the basic idea, he has reservations with the basic language. The Animal Clinic or Hospital can only treat or prevent animal diseases; it cannot do anything with wounds or broken bones. Will the animal hospital be precluded from commercial activities of selling items? Chairwoman Joyce asks if there is specific language that Member Grove is referring to. Member Grove is referring to the new definition. Director SantucciRozzi states we can take the language in the existing definition that says "dispensing of medical services" and add that before "the diagnosis, treatment or prevention". Member Grove asks whether the animal hospital will be limited to medical treatment or can they participate in the retail business. Director SantucciRozzi states as long as other things are an accessory to the primary use.

Member Kent states it is a good idea.

Chairwoman Joyce has no further questions or comments, and does not see any comments from the public showing.

Director SantucciRozzi states we haven't had any calls or emails. The Director states we do not enter correspondence into record for the Zoning Amendment; the only thing in the file is the application and different noticing requirements for zoning bylaw text amendments. There is no motion needed with regard to correspondence.

Member Mikami **MOTION** to close the public hearing; seconded by Member Kent; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

Member Kent **MOTION** to approve sponsorship of the Bylaw Amendment for Animal Care, Retail and Services, as revised in this meeting; seconded by Member Mikami; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

Director SantucciRozzi states she will be moving on along with Mr. Farmer to the Ordinance and Rules Committee Meeting, as well as to the Town Council Meeting. She will make note of the changes discussed at this meeting.

### **PUBLIC HEARING**

**250 Granite Street (South Shore Plaza) – PB File 21-09**

**Special Permit and Site Plan Review**

**Applicant: Manj Trampoline Park LLC (also known as Space Zero)**

**6:40 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:**

**Frank Marinelli, Attorney**

**Jason Lian, Manj Trampoline**

Director SantucciRozzi reads the Legal Notice into record.

Chairwoman Joyce asks for a brief presentation from the Applicant's representative, and then the hearing will be opened for comments from the Board and the public.

Frank Marinelli, Attorney for the Applicant Jason Lian, who is the owner and Managing Director of Space Zero. Mr. Lian is a graduate of the University of Massachusetts with a degree in Finance and Computer Science. Attorney Marinelli explains that Space Zero is a small business owned by Jason and his father. The proposal is to bring a youth entertainment experience to the 7,300 Square Feet of vacant space, which is on the first floor of the interior mall near the main entrance of Nordstrom's. Attorney Marinelli discusses vacant space at South Shore Plaza and the ability to buy items online. Businesses are suffering in brick and mortar space. You cannot buy online the Space Zero indoor trampoline and recreation experience that is proposed. Attorney Marinelli refers to the file plan and explains the Space Zero experience includes ten trampolines and Virtual Reality Devices (VRD's) such as a ski simulator, a motorcycle simulator. They are also going to have rock climbing simulators, where you can feel the environment. These are very realistic and entertaining. Each one of these VRD's cost approximately \$40,000. Space Zero is going to be a family friendly, fun experience. This also had great synergy with other retail businesses at the mall. Attorney Marinelli explains the services provided by staff. If you are a minor and you want to use the trampoline, you must be accompanied by a parent or guardian. There will be adequate and trained staffing to supervise the floor. There are two function or party rooms for hosting birthday parties and other family celebrations. The trampoline charge is paid by the hour or a fraction thereof. Virtual Reality Device charges are paid by purchasing points. The hours of operation are proposed to be the same as South Shore Plaza: Monday through Friday from 10AM-9PM; Saturday 9AM-9PM; Sunday Noon-6PM. The Applicant is currently having training sessions with personnel. They have also leased space on the third floor of Wegman's at the Natick Mall, and they are in talks for a third location. It's great to see a small business take risk and provide something unique.

South Shore Plaza is located on over 111 acres of land in the Highway Business Zoning District with over 1.6Million square feet of retail space, with over 7200 parking spaces. Space Zero's lease space is less than one-half of 1% of the mall space; there are no adverse impacts. As pointed out in the Staff Report, all criteria for issuance of the special permit to Space Zero have been met. Space Zero really is retail, which is a use allowed as of right.

As stated in the Planning Department's recommendation, which is a favorable recommendation, the proposed establishment is a nice diversification of use within the South Shore Plaza. Consumer trends are showing that your traditional shopping malls are becoming more service, experience, entertainment and recreation oriented. This is what Attorney Marinelli has found at Hanover Crossing's redevelopment. The Applicant has provided all the information requested and is working with the Licensing Board. The Applicant has already appeared before the Licensing Board and got permission for a prototype of the VRD near California Pizza Kitchen, which has been a great success. Attorney Marinelli states they have reviewed the draft conditions, and they are acceptable.

Chairwoman Joyce asks for a quick staff update.

Director SantucciRozzi states this is pretty straight-forward. We are all familiar with the Plaza with plenty of parking, plenty of circulation, plenty of entrances. This will be done in the Nordstrom wing. Her only comment is she wishes it was bigger. This is the type of use that we need to come to Braintree, similar to the changes to Zoning Amendments. We have all the plans and draft conditions, and the Director hopes that the Planning Board would move on this tonight. There are some Licensing Board items that need to be accomplished.

Chairwoman Joyce reminds everyone that this is a Public Hearing, and she opens discussion to Planning Board Members.

Member Mikami asks if the applicant has current facilities that he is operating. Attorney Marinelli states this is the first facility, and he has leased the space at South Shore Plaza; his father has leased a larger space on the third floor at Wegman's at Natick Mall. They are also in talks for a third location at the Newport Mall in New Jersey. The Applicant is committed to the concept. Member Mikami confirms with Attorney Marinelli that we have to do the Special Permit once; however, if additional Virtual Reality items are added, that is a Licensing Board issue. Member Mikami would have to agree that with the evolution of the Mall, we will see more of these options, and it is great to be more diversified and offer more options.

Member Downey notes that this is the trend, and he really likes it. He wishes the Applicant much luck.

Member Grove mentions, because of the trampoline activity, has the Board of Health had any input. Attorney Marinelli and Director SantucciRozzi confirm that the Health Inspector has submitted comment. Attorney Marinelli states there wasn't anything specific to the trampoline. Attorney Marinelli mentions that there are waivers and rules for customers to sign, and he highlights items on that list.

Member Kent asks if they would be selling t-shirts, souvenirs, etc. How would food work for parties? Attorney Marinelli states it would be brought in. There may be some products/souvenirs like t-shirts or coffee mugs. Director SantucciRozzi states there are no cooking facilities or mechanism for anything to be prepared within the establishment.

Chairwoman Joyce had a comment about emergency access. She is assuming there is an emergency access or a secondary egress on the exterior of the building, and it is easily identifiable in the event it is needed to be accessed by emergency medical personnel. Chairwoman Joyce wants to make sure it is easily identifiable. Director SantucciRozzi highlights on the plan access to the main hallway and the familiarity to emergency personnel. It is the first shop on the left when exiting from Nordstrom's. Chairwoman Joyce asks when is the timeline for opening. The Director thinks they are targeting August 2021. Attorney Marinelli states the Applicant has all the VRD's purchased and has the contractor lined up because they have construction drawings. The drawings submitted are more detailed than what you would normally see for permitting.

The Applicant, Jason Lien, states, as far as opening date goes, August would have been their original date, prior to going through the Special Permit process. They are hoping for August/September timeline, as Covid requirements are concluding. They are not doing major construction; it is basically interior design work. They are currently working on two opening. As far as sales of products, they were thinking of plushies and little toys, as they want to cater towards families. Mr. Lien states, as far as the Exit Sign goes, his interior lighting team is making sure that is extremely illuminated. For trampoline safety, there will always be someone who is certified. Producing a waiver, people will understand that safety is an issue.

Chairwoman Joyce confirms that there are no comments or questions from the public.

Member Mikami **MOTION** to enter correspondence from March 15, 2021 to June 6, 2021 into record; seconded by Member Grove; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

Member Mikami **MOTION** to close the public hearing; seconded by Member Kent; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

Chairwoman Joyce confirms that Attorney Marinelli has reviewed and agreed with draft conditions.

Member Kent **MOTION** to approve the Special Permit and Site Plan Review for 250 Granite Street, Space Zero, PB File 21-09; seconded by Member Mikami; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

#### **PUBLIC HEARING**

**201 Commerce Drive and 600 Grove Street – Major Modification to PB Decision #18-16  
Special Permit(s) and Site Plan Review  
Applicant: Marr Scaffolding Company  
7:11 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:  
Deb Keller, Merrill Engineering – Peer Review  
Dan Marr, Marr Companies  
David Hughes, Marr Companies-Real Estate  
Frank Marinelli, Attorney  
Karlis Skulte, Civil Engineer  
Jason Adams, McMahon Associates-Traffic Engineer**

Director SantucciRozzi reads the Legal Notice into record.

Chairwoman Joyce asks for a brief presentation by the Applicant and suggests that sharing the plans would be helpful.

Frank Marinelli, Attorney for the Applicant, represented Marr Companies in 2018 when Building 1 was approved by the Planning Board; he is now here in connection with Building Number 2. The Marr's have been serving the region in the construction industry for approximately 6 generations for over 120 years. Marr was established in 1898 and has played a major role in Boston-area development. Attorney Marinelli introduces the individuals appearing for the Applicant. Attorney Marinelli advises that there is an engineering peer review as concerns the stormwater. Building 2 will be located on the 16-acre site, which is located at 201 Commerce Drive and 600 Grove Street; it is comprised of two lots. Sixteen acres is able to accommodate more density than is being proposed here. The second building is a sister building to the first building. It is 40,000 square feet.

As shown on Plan C200, they will be taking the infiltration basis that currently exists and serves as an overflow for the bio-retention, and they will be putting the stormwater underground and eliminate the infiltration basin. The underground culvert chambers will have more capacity. The infiltration basin has had some issues in terms of draining. The Applicant is working with the Conservation Commission. Attorney Marinelli states we will be getting feedback from Deb Keller, the Peer Reviewer. There was a site visit with the Peer Reviewer, the Planning Director and the Project Engineer. There will be a site visit with the Conservation Commission. The proposed use is allowed by right in the commercial district. All of the dimensional and density requirements are in full compliance. The Applicant has 36% more open space than is required under the bylaws. Attorney Marinelli suggests that Dan Marr says a few words about the experience in Braintree. Marr has made a large investment in Braintree. Building #1 is one of the cleanest industrial sites in the Town of Braintree.

Dan Marr sincerely appreciates the time and effort of the Planning Staff. After almost 125 years in South Boston, they were fortunate to find the 16 acres in Braintree. They have been in Braintree for almost 3 years, and they celebrated their first year of occupancy back in April. They have thoroughly enjoyed their time in Braintree and have tried to be a good corporate citizen. They look forward to adding their second building and want to engage Braintree into their overall corporate program.

Attorney Marinelli asks Karlis Skulte to present. Chairwoman Joyce asks for a “big picture” overview. Karlis Skulte, Civil Engineer, explains that Transportation Engineer, McMahon Associates, are also on the call should there be any questions on the transportation elements. They are also responsible for the wet-lands permitting, as well as technical engineering for this project. They have a real technical understanding of everything going on at the site. Mr. Skulte will walk the Planning Board through the project and highlights both sides of the site. The site has frontage along Commerce Drive. As part of initial Phase 1 development, they have done a good job with the construction, as well as maintenance of the landscaping, regular inspections and oversight and cleaning the stormwater structures. They have done a top-notch job across all fronts. Mr. Skulte highlights the location of the existing building, as well as the undeveloped lots on the Plan. The total acreage is 16.2 acres for both properties together.

The C100 drawing shows both the existing Phase 1 development. There is a 44,820 square foot warehouse building on the front of the site. There are two points of access to the property. The northerly access is the main access. The secondary access is at the southerly point. They are proposing to maintain both points of access, with no new curb cuts or entry points, for the second stage. The original project provided some staging and storage areas for equipment, vehicles and materials. Parking proposed for Phase 1 is fully compliant. There is an existing fuel storage island, which was permitted and approved as part of Phase 1.

The Phase 2 project includes the 40,000 SF building along existing powers lines that bisect the site. This is one of the larger constraints to design the project around, where there is 150-foot wide easement that cuts the property in half. There are high-tension power lines. This factors into design of project, orientation of the building and design of the stormwater. They are proposing to expand the paving in the rear portion of the site. They will be introducing new stormwater improvements that will be providing increased capacity, detention and recharge above what is provided with existing. They will be providing new landscaping and buffering along the edges and the frontage of the property, where they can. There are restrictions within the easement area. They will be providing additional, new loaming and seeding along the grass areas.

Mr. Skulte provides an overview of the Site Layout and Details Plan. As it relates to Zoning compliance with dimensional requirements, they are fully compliant with lot coverage, zoning setbacks, open space, frontage, and all other dimensional requirements. Maximum lot coverage required is 75%; they are at 66%, and are providing almost 10% more open space than required. They are proposing “at grade” entrance into the building. The expansion of the pavement is done to be able to provide turning movements for access into the building and safe movement throughout. There is one depressed loading dock proposed, similar to Phase 1.



They are providing fully compliant parking spaces for this phase of the project. They also have more than enough space for snow storage that will allow for drainage to enter into stormwater management system. They are located in spaces that would not interfere with parking required onsite. The pavement is proposed to expand to the face of the building. They propose a gravel surfaced area in the southerly area for storage of materials and equipment. This would be a dry-goods storage area. There will be a full spill response protocol on the site. They are proposing to replace the infiltration basin with new stormwater controls. Along the edge of the property, they are proposing a berm that will be able to prevent stormwater runoff from draining directly off the gravel areas untreated and will help route the stormwater. There will be site lighting proposed throughout the site as security lighting for the facility. There are some wetlands at the site, and we are before the Conservation Commission. We will be walking with the Conservation Commission later this week, and he has been working with the Peer Reviewer and Planning Staff.

Mr. Skulte highlights the Stormwater Management System It is a “net balance” site, in that we will not have a lot of soil imported. It will minimize the amount of disturbance during construction. They have great information on depth to ground water. The slopes are fairly gradual, and Mr. Skulte highlights the grade of the proposed slopes. For the Stormwater Management System, they are proposing to split the runoff. It is the same exact system proposed for the Phase 1 development. One thing that came up in discussions with the Peer Reviewer was in between the initial design of the Phase 1 development and the submission of these plans, the Town of Braintree did implement regulations for the storms to be used in the analysis. That is something that we are going to look into and work through with the Peer Engineer to make sure that the design complies with the current regulation, as well as satisfies the Peer Review and various town departments. The Applicant is increasing the capacity and putting it underground in a system that has been shown to work throughout the remainder of the site and functions better than what is there today. Mr. Skulte discusses the improvements and materials proposed, which have previously been discussed with the Peer Review Engineer.

Mr. Skulte discusses that they are working closely with Eversource. Coordination with them is a big part of this project design. The Applicant is accommodating access for Eversource so that they can maintain their towers, as needed. They did perform a suite of additional geo-technical borings, as well as a number of infiltration test pits throughout the site to support the stormwater management design. They brought out equipment to document what the actual infiltration rates are at the site, both in the rear basin and throughout the site.

Mr. Skulte states that utilities were really straight-forward. As part of the Phase 1 development, there were a number of utilities brought into the site. They have extended services out to the approximate location, which allows them to tie into those existing services that are currently there today, with minimal disruption and connect to the existing infrastructure that was designed with future capacity in mind. They are also relocating an existing hydrant at the rear portion of the site. It is currently inactive and they are proposing to relocate it to the north portion of the site and make it active.

Mr. Skulte discusses the Landscape Plan that was developed as part of the initial submission. They are proposing to supplement the plantings with additional new street trees and shrubbery. They are committed to relocating the existing landscaping that currently exists around the perimeter of the existing parking area. They will be replanting those throughout the property and providing additional landscaping and buffering along the rear portion and supplementing some landscaping where feasible along the frontage of these locations, as well. The slopes will be grass slopes, which would be easier to maintain and more visually appealing than what is there today. Mr. Skulte can answer any site design questions.

Chairwoman Joyce asks the Peer Reviewer to provide a brief update.

Deborah Keller with Merrell Engineering and Survey states that she did meet on the site last week, and she is in the process of finishing up her review. In the next couple of days, she will have a letter for Mr. Skulte. Ms.

Keller states that Mr. Skulte touched on the major components, which is making sure that analysis meets the required storm intensities under the stormwater regulations. She does want to commend the owner of maintaining a great commercial site. It looks fantastic out there. She wants to confirm the overflow connection to the Commerce Drive municipal drainage. They are looking for two more proposed connections, which are adjacent to Commerce Drive. She wants to verify that those connections can be made. She has minor clean-up in the report, which she can work through with Mr. Skulte. She has not seen any major issues or concerns at this point.

Chairwoman Joyce reminds the audience that this is a public meeting.

Chairwoman Joyce asks the Board for their comments or questions.

Member Mikami asks, following up on Phase 1, what has been our experience with traffic in terms of volume and have there been any issues with trucks and traffic. Director SantucciRozzi suggests that Jason Adams from McMahan provide a response.

Jason Adams, McMahan Associates, did prepare a traffic assessment, which included a review of existing traffic volumes entering and exiting the site during peak hours. This site peaks earlier (before typical commuter periods). The vehicles are arriving and departing the site before 7:00 AM, and then they return to the site and depart before 4:00 PM. There are pretty low volumes on the existing site. For Phase 2, much of the building is going to be used by people already on the site. The numbers provided by Marr did check out with what they observed in the field. They feel very comfortable in projecting that the project would add about 10 entering vehicles in the morning peak and 10 exiting vehicles in the evening peak. Member Mikami confirms that we would continue to monitor this. Director SantucciRozzi states because she did not work on Phase 1, she would need to check monitoring requirements in the original permitting. The Director is not aware of any complaints related to traffic, but in the event the original permitting did not include monitoring, she can add monitoring once full-buildout is complete. The Director states it was helpful that Mr. Adams did projections with both ITE and real numbers. Member Mikami notes the importance of monitoring traffic. Member Mikami's other question relates to whether there is traffic striping. Do people know where they are going. Mr. Skulte states there is signage that directs people to the correct gates. The parking spaces are striped. Member Mikami was interested in the circulation striping or signage so people know where they are going. Mr. Skulte states there is not directional signage. The folks that predominantly use the site are there on a daily basis and are familiar with the site.

Member Downey asks about the hours of operation and confirms with Mr. Skulte that this will be the same as Building 1 with a similar use as warehouse and contractor's yard.

There are no comments or questions from Member Grove.

Member Kent discusses traffic, and asks if Weymouth has a role to play. Attorney Marinelli states they did notify Weymouth Abutters, and Robert Perkins from Weymouth did provide a letter of support. He testified in 2018 and mentioned in his letter of support what an improvement the Marr's had done with the property. Member Kent asks if building being constructed would be conducive to solar panels. Mr. Marr states even though the building was designed for solar panels, it is not feasible to install them without incentives from the municipality. Chairwoman Joyce does not have any comments or questions at this time.

Director SantucciRozzi discusses standards that we hold applicants to, and she has never seen a commercial operation run so meticulously. She really wants to commend Dan Marr and Dave Hughes. This is a project that the community can be very proud of. They are setting the standards and set the example of how commercial sites should operate. In conjunction with Peer Review, we can wrap up comments on drainage to get this project permitted.

Chairwoman Joyce states it looks like, pending the completion of the Peer Review, we may be able to move towards draft conditions for our next meeting. What would be the date for the continuance? Director SantucciRozzi states in July we have six public hearings already scheduled; she suggests we continue this to July with the understanding that it may need to be pushed to August. Attorney Marinelli requests that this be continued to July, if possible, and that draft conditions could be reviewed in advance, which is the customary process. Chairwoman Joyce personally feels, given the response of the Applicant, that if we have everything in order, given the fact that we have had a very lengthy presentation tonight with no public comment aside from the abutter support, if we were to be able to fit this into July, we should be able to conclude this matter without spending too much time on this hearing at the July meeting.

Member Mikami **MOTION** to continue the public hearing to July 13, 2021, at 6:15 PM; seconded by Member Kent; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

### **CONTINUED PUBLIC HEARING**

**232 Peach Street, South Middle School, Grading Permit PB File #21-05**

**Applicant: Town of Braintree**

**8:06 PM – Four Planning Board Members and one Alternate Member are participating.**

Chairwoman Joyce understands that this matter is being continued to our July 13 meeting without testimony.

Member Downey **MOTION** to continue this hearing until the Planning Board Meeting on Tuesday, July 13, 2021, at 6:15 PM; seconded by Member Grove; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

### **NEW BUSINESS – Minor Modification**

**Watson Park/Gordon Road (Planning Board Decision #20-08)**

**Town of Braintree, Applicant**

**8:07 PM – Four Planning Board Members and one Alternate Member are participating.**

#### **Appearing for the Applicant:**

**Kelly Phelan, Conservation Planner**

**Elise Leduc, Woods Hole Group**

Kelly Phelan, Conservation Planner, reminds us that this location was before the Board back in January for the Permit for work in the floodplain and grading. Since then, they learned some new information that necessitates this change. Ms. Phelan advises that Elise Leduc from Woods Hole Group will walk us through those changes.

Elise Leduc, Woods Hole Group, shares her screen and explains they were before the Board earlier this year as part of the overall project at Watson Park to restore the habitat and control the erosion on the coastal bank. One of the other features of this project was to install flood control earth and berm from the existing stone seawall all the way around to the location of the current splash pad. That is really to tie into a ten-foot contour protecting for a certain level of storm. There were associated rain gardens to treat regular stormwater during a typical rain event but also to serve as an overflow if a very large rain event or significant coastal storm were to cover over the ten-foot earth and berm. It could drain out through these rain garden pipes and through the existing stormwater outfall. When they brought on Fess and O'Neal, another engineering firm to start working on the construction drawings and the bid documents, they did a more excessive drainage analysis of the site, and what they discovered is that there is a small section at the other end of the wall where the topography is just under ten feet where, without additional work, they would be leaving an opening for coastal flooding from minor coastal storms, which they are attempting to prevent through the earth and berm on the other side.

Therefore, they are requesting permission to place an additional piece of earth and berm from the end of the seawall on the southwestern side around the existing wildflower meadow and up between the tennis courts and the existing baseball fields. Much of this is very low and very minor grading changes. Much of this runoff is less than a foot change. The biggest change will be down by the seawall. They will be raising the elevation of the pathway in this section approximately 2 or 3 feet. This will require an additional 420 cubic yards of fill. The original proposal was for 580 cubic yards. The design for this is the same as the one for before. This would require one more rain garden beside the baseball field being highlighted. It is essentially an extension of the same design in order to carry forward the goal of the original design, which was to protect the park from minor and moderate coastal flooding, while also having some additional benefits of those rain gardens. The Town's long-term goal for this site is to allow salt marsh migration into this park area. This would give the Town approximately 50 years of protection. It is essentially the same project extended to the other end of the field. Ms. Leduc has been working in close discussion with not only the Conservation Planner, Kelly Phelan, but also with the Recreation Department and the Department of Public Works to make sure that everyone is on board with the impact that this may have to the fields and the maintenance that it would require.

Members Mikami, Downey, Grove and Kent have no comments or questions.

Chairwoman Joyce has a question with regard to improvements at the baseball fields at Watson Park. She recalls there being some plans to do park improvements, and she wonders how this work plays into any future improvements at the park. Director SantucciRozzi reminds this Board that an individual from the baseball leagues was before Planning Board and Conservation Commission for improvement projects. They proceeded to Community Preservation to seek funding to do that work. Currently, Mayor Kokoros has decided to slow that process down and do an assessment of all baseball fields around town and the entire needs of the Town. That project is currently on hold. Chairwoman Joyce comments that she spends a lot of time at these fields, and she is very familiar with them and their current condition. One thought regarding the current work and the extension of the pathway down to that other end, there is a current pathway that people take to stay out of the fields near the area where the Applicant is proposing the drainage depression with the catch basin structure. Chairwoman Joyce is wondering if should accommodate some sort of path in that depression, as it is a pretty well used area for people moving around the field. Ms. Leduc thinks it is a great comment. She understands exactly the location Chairwoman Joyce is talking about, and Ms. Leduc can pursue this discussion with Town Departments and Fess and O'Neal. Ms. Leduc thinks this is a very good point and something they should consider as they finalize these construction drawings. It would be a shame to stop a main thoroughfare of pedestrian traffic through the park. Ms. Leduc states it sounds like something that is very doable. Chairwoman Joyce has no further comments. Director SantucciRozzi is going to take the original decision, substitute the new plan, revise a few of the figures and address this walkway situation.

Member Mikami **MOTION to approve** the Minor Modification with the additional conditions as discussed; seconded by Member Grove; voted by roll call 5:0:0 (5 Votes: Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chairwoman Joyce: YES).

**NEW BUSINESS – Minor Modification**

**175-185 Campanelli Drive (Planning Board Decision #19-02)**

**AG-EIP 175 Campanelli, LLC, Applicant**

**8:23 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:**

**Garrett Horsfall, Kelly Engineering**

**Frank Marinelli, Attorney**

**Dave Nevins, EIP Corp.**

**Bruce Levine, EIP Corp.**

**John Hennessy,  
Hunter Emerson, EIP Corp.**

Attorney Frank Marinelli appears on behalf of AG-EIP 175 Campanelli, the owners of the industrial property at 175-185 Campanelli Drive. Attorney Marinelli introduces members of the team, and he presents that EIP is a fully-integrated Real Estate company. They have acquired, developed or sold over 100 Million square feet of real estate, and currently they own and manage over 21 Million square feet, 92 properties in 19 states. They have a strong tenant, vendor and financing relationship, which includes banks and life insurance companies. The application tonight is to further invest in the site and make improvements. Specifically, after a long drought of having most of the building vacant, EIP has signed a lease with TJX to lease the 282,000 SF remaining space for warehousing. The Minor Modification request tonight is completely devoted to making the site adjustments to accommodate the TJX occupancy. EIP's ownership since 2016 resulted in improvements. The property pays approximately \$500,000 in real estate taxes to the Town of Braintree. The improvements continue tonight, as highlighted by the red boxes on the Site Plan, which show the changes that TJX requires to occupy the majority portion of this building. The site is over 24 acres. It is an approximate 470,000 square foot industrial building. It is one of the largest industrial properties in the town. It is located in the Commercial Zone, which does allow industrial tenants, such as the exiting Fireking at the northerly section of the building.

Attorney Marinelli explains, as the Board knows, there is floodplain and watershed overlay, but none of that is implicated by tonight's proposed improvements. There are no changes in the building footprint, in fact, with the improvements to accommodate TJX. EIP is removing some pavement and reducing existing lot coverage by 3%. The Minor Modification will increase Open Space from 12.1% to 15.3%. These are all improvements, along with the Hawk Landscape Plan. In looking at Plan L4, it shows a planting legend with close to 400 plantings. On the southerly side of the building, there are many parking spaces segregated by the curved boulevard that is created. It is very nicely segregated to create curbed access way for trucks that is separate than parking for employees. Attorney Marinelli explains that staff had suggested an emergency access out the back on the westerly portion of the employee lot. Garrett Horsfall of Kelly Engineering has incorporated that. TJX required a guard shack with security fencing.

Attorney Marinelli provides a highlight of the background of this site under Planning Board File #19-02. The 2019 decision allowed Fireking Bakery to make the adjustments needed for their occupancy. On page two of the Staff Report, the Planning Director traces the history of the modifications. Attorney Marinelli explains the nature of TJX traffic and staffing, which is far less intensity than United Liquors. There are expected to be about 60 tractor trailers coming and going on a daily basis. There is plenty of parking on the site. There is easily the ability to provide 141 more employee parking spaces, if needed. Attorney Marinelli highlights the benefits to the site and requests the Planning Board's approval of this Minor Modification, which would allow the site to no longer be vacant and would allow the site to be occupied by a "blue ribbon" publicly-held company, TJX.

Chairwoman Joyce asks for an update from Staff. Director SantucciRozzi mentions the most recent Major Modification, and states the Applicant is in the process of implementing the loading docks. They have a few outstanding items on site that have been resolved in the past week or so related to the compensatory storage, which will be under construction shortly. We have one tenant that is going to take the whole space, which is easier to manage from the landlord's and the Town's perspective. The Director expresses that there seems to be adequate parking on the site, and she thinks this is a good use for the property. Attorney Marinelli states they have reviewed the proposed conditions and they are acceptable.

Member Mikami asks for more clarification on the morning shift and the night shift. Attorney Marinelli states there are approximately 85 employees in during the day; that same work occurs in the night shift with 45 employees. Tractor trailers come in from early morning until about 9PM. This is highlighted in the TJX Memo. Comparatively, it is significantly less employees than former uses by United Liquors and Bradlees. Attorney Marinelli states they want to have the ability to have a 24-hour operation.

Member Downey has no comments or questions.

Member Grove has no comments or questions.

Member Kent has no comments or questions.

Chairwoman Joyce asks if this is new warehouse space for TJX or a relocation of existing space. Hunter Emerson states this is overflow and additional warehouse space needed to accommodate additional inventory to go to stores in New England, as far as Maine. Chairwoman Joyce states great that they chose Braintree. We have been looking to revitalize some of these buildings. Chairwoman Joyce thanks the Applicant for their presentation.

Director SantucciRozzi states they do have a call tomorrow with TJX Companies and the Mayor related to getting TJX Companies to register the vehicles that will be using this site in Braintree, which is beneficial from an Excise Tax position. Hunter Emerson of EIP mentions that he has reached out to TJX and should have an answer for the call tomorrow. Chairwoman Joyce thinks it is very helpful to have these items mentioned during these meetings. These fine details can really be beneficial to the Town.

Member Mikami **MOTION to approve** the Minor Modification for 175/185 Campanelli; seconded by Member Downey; voted by roll call 5:0:0 (5 Votes: Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chairwoman Joyce: YES).

**NEW BUSINESS – Minor Modification**

**200-551 Grossman Drive – The Marketplace (Planning Board Decision #94-04)**

**Seritage KMT, Applicant**

**8:42 PM – Four Planning Board Members and one Alternate Member are participating.**

**Appearing for the Applicant:**

**Randy Miron, Bohler Engineering**

**Melissa Cobb, McG Architecture**

**Jim Doerschuk, Mc Architecture**

**Matt McDonnell, Seritage KMT**

Randy Miron, Bohler Engineering, on behalf of the Applicant, a 34-acre shopping plaza, and they are talking about the spaces between Nordstrom Rack and Ulta. This Minor Modification request is to convert those two spaces to a grocery store. As part of that, there are some minor exterior improvements being proposed. There are new doors being added, relocation of ADA parking spaces, add some crosswalks, new cart corals, and modifications to loading areas in the rear. They are proposing to relocate the compactor and add a grease trap.

Director SantucciRozzi reminds the Board that Seritage has done a wonderful job in making this asset more viable. Randy and Matt are bound by a nondisclosure agreement. However, the Director can advise that this is going to be an Amazon Fresh Market. She suggests that we take a look at their website; it is a wonderful addition to The Marketplace and really exciting for Braintree. The Director states that Mr. Miron has done a wonderful job being responsive to her questions, and she is recommending approval of this Minor Modification.

Member Mikami asks if there will be any deliveries out of this facility being sent to customers using Applicant's vehicles – similar to PeaPod; Mr. Miron states they do have dedicated spaces upfront for pickup. Matt McDonnell states that will not be their key volume outlet. They want to run as a grocer; however, there is customer pickup, which is something that has evolved in response to this last year, where customers want to stop by and pick up what they have pre-ordered.

Member Mikami explains that he is talking about the grocer delivering based on an order received from a client with the grocer's vehicles. Member Mikami's point is, if that was going to be an active part of their business, he would like to know where are the trucks going to go? where are they going to circulate? is it only going to be from the back? Are there only going to be 50 trucks? Mr. McDonnell's understanding is that they be running more as a traditional grocer and they will not be doing that type of volume in delivery. Member Mikami thinks that will be important to identify and confirm, and he feels, if that was going to be an active part, that might change the dynamic. Director SantucciRozzi's understanding is that you would be able to order your groceries similar to Prime. The Director explains the nature of these deliveries and that they eliminate vehicle trips. She doesn't have concerns with that aspect of the business. Member Mikami is questioning how many delivery vehicles there will be. He is not concerned about 1 or 2; he is concerned about 20 or 30. Member Mikami feels we should know going in how this is going to work because the circulation is in one direction. It is in our best interest to understand the business model a little bit more.

Chairwoman Joyce adds that at some point we are speculating about a use that is new to us. We are at a disadvantage to not have the actual tenant here to speak to this. The Chairwoman thinks perhaps there is a threshold in our bylaw that would apply, and she has similar concerns.

Member Grove agrees with Member Mikami, especially due to traffic pattern. He would suggest that Vendor Deliveries be restricted to the rear of the building. Mr. Miron clarifies that he gets deliveries from Whole Foods, and it is done through unmarked cars. Nino Cammaleri, Attorney with Seritage Growth Properties, clarifies that the tenant is a grocery use, and they are not permitted to use drive aisles for pickup and delivery. They have to follow the rules of the condo association. The curb-side pickup is for people that don't want to go into the store. It isn't new to the property. Member Mikami is talking to the grocer making outbound deliveries. Is it going to happen? To what extent will it occur? Will it have any impact? Mr. Cammaleri states there is no right for the grocer to have trucks queue up and take deliveries; it is not permitted under the lease nor under the bylaws of the condominium. Mr. Cammaleri advises that it is not something that is anticipated, having handled the lease. Member Mikami states he appreciates Mr. Cammaleri's response, and that gives him some comfort. Member Mikami explains that we are excited to have a new tenant here, but it is the Board's responsibility to ensure the rules are being followed. Mr. McDonnell states our other tenants are equally important to us, and we wouldn't want a tenant to conduct their business in a way that causes tenants from other businesses to suffer.

Member Downey asks how many cart corals will be on the site? Director SantucciRozzi states there will be nine cart corals. Mr. McDonnell states they will have staff responsible to maintain the corals.

Member Grove shares the same concerns of Member Mikami. If we are going forward tonight, he would like to have a condition that the store would need to come back to the Planning Board for approval if they are making deliveries. Mr. Cammaleri would like clarification on this, and he asks if another retailer in the Marketplace were doing customer deliveries, are they prohibited. Member Grove states this is one of Amazon's prime activities. Mr. Cammaleri states this is a grocery store, and he doesn't think this is fair to place this on the operation.

Chairwoman Joyce would like to interject. She feels there are two issues. There is the issue that this is a grocery store, which is a permitted use as shown in the plans before us. We also have the issue that we may need to review definitions in our bylaw related to deliveries from a grocery store. She doesn't think this discussion is appropriate for tonight. Chairwoman Joyce understands that some Board Members have concerns related to the running of this facility, but what is before us is a grocery store. Director SantucciRozzi also needs to interject and states we are not here this evening because it is a grocery store. We are here this evening because they are making some very minor site alterations in the form of the addition of cart corals and a grease trap because they will have prepared food.

If they were making no revisions to the outside of the building, they would not be before us this evening. We cannot condition something where we treat one retailer differently than other retailers. This site has an abundance of parking, and they are prohibited from doing anything out front. The Director explains how one car providing delivery to a few customers actually reduces the traffic in and out of the site. We have an opportunity to provide a use that will greatly serve the residents of Braintree. Member Grove doesn't agree with the Director; he thinks the volume is considerable. Member Grove doesn't think what he recommended as a condition is prohibitive. It just makes them come back if they are proposing those types of activities so that we can see if there is an issue and deal with it. Chairwoman Joyce clarifies that they are not before us for a use. In order to be consistent with our jurisdictional authority, perhaps we should look at and re-evaluate our definition of a grocery store in the modern use. We have concerns, but we are basing them on speculation. All the information we have been provided by the Planning Department and the Applicant is that this is a grocery store. Director SantucciRozzi wants to point out that Amazon has warehouses full of food where they do major distribution out of. She explains that part of today's grocery store model is having personal shoppers, and she cautions the Board related to over-conditioning. This applicant could have just gone in, if they were not making changes outside, but in an effort to track changes and make sure we have the most current site attributes on file with the department, we are working with them through this Minor Modification.

Member Kent asks about dedicated space for recycling bottles and cans from the customer. Mr. McDonnell explains that the recycling bins are in the rear of the facility and states that there is nothing featured at the front of the store for that.

Chairwoman Joyce asks about hours of operation. Mr. McDonnell states there were no unique hours of operation; it is comparable to other businesses in the Marketplace. Chairwoman Joyce asks if there were any proposed improvements or changes to exterior lighting. Mr. Miron states they are adding site lights to better illuminate the area in the back. Chairwoman Joyce states she is concerned about additions to lighting at the rear of the store because there is spillage into abutting neighborhoods. Mr. Miron states currently there are some lights that exist in the back. He explains that they provided a photometrics plan, and it doesn't show any light spillover. Director SantucciRozzi wants to go back and double check the conditions. She would like to remind the Condominium Association that they should be shutting off all lighting, except security lighting, an hour after the plaza closes. This would help with the Chairwoman's concern. Chairwoman Joyce does understand the security aspect, but she would like some consideration. Chairwoman Joyce asks if there was any thought for exterior seating for prepared food. Mr. Cammaleri states we are limited in using the outdoor space. Mr. McDonnell states the sidewalk is a little too narrow to provide for this. Chairwoman Joyce states this site seems very over-pavemented, and, if there was any ability to add additional landscape and to sit outside, it would be a benefit. Chairwoman Joyce mentions the speedbumps at the front of the stores, which slow down traffic. As people want to get out of there quickly and may be familiar with the back of the building, there is some cut through traffic in the back. The Chairwoman wonders whether there was any way to provide a sign that passenger vehicles should be restricted to the front area. There may be an unexpected new flow of traffic using the back of the building that could be dangerous to people doing deliveries at the back. Mr. McDonnell is not sure how to address this, as the route is also shared by additional units in the entire run. Director SantucciRozzi explains that is a full travel route, and it also for emergency access. The Chairwoman wasn't suggesting closing this area, but perhaps installing signage to slow traffic to add a level of safety.

Chairwoman Joyce summarizes that we have the Minor Modification before us for exterior improvements. We have concerns from the Board, but she would agree with the Director in that she would not feel comfortable adding a condition to speculate a use that was not discussed or portrayed to us this evening. That is something we should address as a community outside of this application moving forward.

Director SantucciRozzi states she will be sending a letter to the condominium association noting the lighting shutdown and also noting signage should be installed along the back drive. The Director states Seritage is one of the businesses more willing to work with the Town, and they have been an excellent partner to work with.



Member Downey **MOTION to approve** the Minor Modification, 200-550 Grossman Drive, PB Decision #94-04; seconded by Member Kent; voted by roll call 4:1:0 (5 Votes: Member Mikami: YES; Member Downey: YES; Member Grove: NO; Member Kent: YES; Chairwoman Joyce: YES).

### **June Zoning Board of Appeal Recommendations**

**9:40 PM – Four Planning Board Members and Alternate Member Thomas Kent are participating.**

There are five new Petitions and before the Zoning Board of Appeals for June 2021. The materials related to each of the Zoning Board Petitions scheduled to appear before the Zoning Board of Appeals on Monday, June 21, 2021, can be found on the Zoning Board of Appeals page on the town website. Chair Joyce asks the Zoning Planner, Connor Murphy, to present them in order.

#### **Petition 21-12** **235 Wood Road**

Mr. Murphy explains that the Applicant is seeking relief (Variance) to install a 5-foot X 15-foot awning to the existing Hotel as no more than one wall sign is allowed per business in a Highway Business Zone

**Staff Recommendation:** The awning is existing and was never permitted. As the hotel is being rebranded, new signage is being proposed. The awning represents the entrance to the hotel and provides a wayfinding and directional benefit to the user of the site. Staff recommends Approval with Conditions.

Member Mikami has no comments or questions.

Member Downey asks which hotel this is. Candlewood Suites is going to become a Sonesta Suites.

Member Grove asks what other signage they are proposing. Mr. Murphy explains they were granted signage, as of right, for one wall sign and one ground sign. Member Grove confirms that they want their name on this canopy. Mr. Murphy confirms.

Member Kent has no comments or questions.

Chairwoman Joyce states the color on the awning is more subdued than what is there now, and she has no further comments or questions.

Member Kent **MOTION** to go with staff recommendation to approve with conditions; seconded by Member Downey; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

#### **Petition 21-13** **65 Hollis Avenue**

Mr. Murphy explains that the Applicant is requesting relief (Finding) to demolish the pre-existing non-conforming two-family dwelling (Structure and Use) and reconstruct a two-family dwelling on a non-conforming lot.

**Staff Recommendation:** Staff has been working with the Applicant in regards to this proposal. Staff is recommending the Applicant reconfigure the front porch of the site for a better driveway layout and for updated landscaping.

Mr. Murphy is sharing the Site Plan and explains that the teal blue is supposed to be a horse-shoe driveway. Staff is recommending they have a single driveway in the middle with landscaping in the front and between the two entrances to the garage.

Members Mikami and Downey have no questions or comments.

Member Grove asks how we are going for a Finding on this. Mr. Murphy explains that under Section 6, Chapter 40A, it requires a Finding. More specifically, it is a pre-existing, non-conforming use in a pre-existing, non-conforming structure on a non-conforming lot. Mr. Murphy clarifies that, under Section 6, Chapter 40A, you are allowed to work with these non-conformities through a Finding with the Zoning Board of Appeals. Member Grove's opinion is that, once you demolish the building, your non-conformity no longer exists. So, it should be a demolition and a request for a Variance. Mr. Murphy explains that part of the Finding is to demolish. He states that through the Zoning Board of Appeals you are granted the Finding to demolish and reconstruct. Member Grove doesn't agree. Mr. Murphy explains that staff did vet this through our Assistant Town Solicitor, Crystal Huff, and she did agree that it required a Finding.

Member Kent has no comments or questions.

Chairwoman Joyce has comments regarding the Site Plan and features shown on the Site Plan. It looks like there is a street tree on Hollis that is going to be impacted. There is also a utility pole in the proposed driveway location. The Chairwoman's concern is this is not shown on the site plan. There is also no proposed grading shown. She would like this to be added to the plan to get a better assessment of the work being proposed. The Chairwoman also did not see a reference as to where the topography is coming from. Maybe it ties from GIS, but we should confirm that. Mr. Murphy states we have met with Applicant and discussed the utility pole and trees; we have also discussed grading and asked for all this to be on the plan. Mr. Murphy did bring up to the Applicant and their attorney that they need a datum on their Plot Plan.

Member Mikami **MOTION** to supports staff recommendation; seconded by Member Downey; voted by roll 4:1:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: NO; Member Kent: YES; Chair Joyce: YES).

**Petition 21-14**  
**22 Jefferson Street**

Mr. Murphy explains that the Applicant is seeking relief (Finding) to construct a second story addition to the non-conforming single-family dwelling along a non-conforming side-yard setback.

**Staff Recommendation:** Staff recommends approval with conditions.

Chairwoman Joyce asks for clarification of the plan. Mr. Murphy provides the plan and clarifies that they are finishing above the garage.

Members Mikami, Downey and Grove have no comments or questions.

Member Kent asks if the abutters have weighed in. Mr. Murphy states they have instructed the Applicant to get abutter support before the meeting. The Applicant showed Mr. Murphy a form that he was hoping to have signed by abutters. Member Kent has concerns about the second story related to the abutters. Member Kent feels it is important for them to get support from the abutters.

Chairwoman Joyce asks if there are any proposed grading changes at the front. Mr. Murphy states to the structure itself they are proposing a first-floor addition to the front of the structure. The parcel is within the

floodplain partially towards the rear. Staff asked the applicant to put flood information on the plan. Mr. Murphy explains that they are changing the footprint in the front for something they could do through a Building Permit. Chairwoman Joyce asks if the entire site is in the floodplain; Mr. Murphy explains that it is not accurately reflected within the balance of the parcel, but when he used the town's GIS maps they noticed it was within the floodplain. Staff subsequently checked the flood maps, and they asked the Applicant to put the flood information on the plan. Chairwoman Joyce is having difficulty understanding the plan. We need to encourage the applicant to provide a better plan. There is clarification on whether they are filling around the garage or is it existing. Mr. Murphy states it is existing. Mr. Murphy clarifies that the only footprint change is the Mudroom. Mr. Murphy doesn't anticipate any grading change as part of this project.

Member Downey **MOTION** to support staff recommendation; seconded by Member Kent; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

**Petition 21-15**  
**23 Farm Road**

Mr. Murphy explains that the Applicant is seeking relief (Variance) to construct a 22.47 ft. X 5.5 ft. front porch to the single-family dwelling. The proposed front-yard setback is 19 feet where 22.6 feet is existing and 20 feet is required.

**Staff Recommendation:** Staff has worked with the Applicant in regards to this proposal. Since this site abuts the OSC Zone (East Middle School) they are subject to the 30 Foot Buffer under Zoning Bylaw Section 135-702(B)(c). Staff recommends the Applicant revise the front porch to be outside of the 30-foot buffer. Staff is of the opinion the relief request is diminimus in nature as the proposed addition does not generate any habitable space to the single-family dwelling and the proposed setback is deficient by 1 foot of the required setback. Staff recommends Approval with Conditions.

Member Mikami asks Mr. Murphy to share a drawing and confirms that they are going to try to meet the 30-foot buffer that is required.

Member Downey has no questions or comments.

Member Grove states this doesn't seem to be a functional porch; is there any reason they can't reduce to 4.5 feet and meet the setback? Mr. Murphy states they could.

Member Kent has no questions or comments. Chairwoman Joyce has no comments or questions.

Member Mikami **MOTION** to support staff recommendation; seconded by Member Downey; voted by roll 4:1:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: NO; Member Kent: YES; Chair Joyce: YES).

**Petition 21-16**  
**444 Quincy Avenue**

Mr. Murphy explains that the Applicant is seeking relief (Variance) to revise the signage that was granted to the existing motor vehicle dealership. The Applicant is proposing to reduce the number of wall signs that will be on the building with the refacing of the existing ground sign.

Mr. Murphy explains, as a back story, we are not seeing a change in use nor a change in owner. They are actually consolidating and switching dealerships. It will be a dealership with less signage.

**Staff Recommendation:** Staff recommends approval with conditions for this petition.

Mr. Murphy shares the proposed wall signs, and explains they are proposing the three wall signs for the front façade of the building, which is set back from Quincy Avenue.

Chairwoman Joyce confirms that the property slopes down from Quincy Avenue.

Members Mikami and Downey have no comments or questions.

Member Grove confirms with Mr. Murphy that this is a total reduction of signage, and Member Grove wonders why they need a Variance to reduce the signage. Mr. Murphy explains that they are actually revising the location of the signs.

Member Kent has no comments or questions.

Chairwoman Joyce has no comments or questions.

Member Mikami **MOTION** to support staff recommendation; seconded by Member Downey; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

Chairwoman Joyce wonders, with regard to the conversation that the Board had related to deliveries of groceries, she thinks members are bringing up a good point about uses moving forward and the ways that people are getting goods and services from grocery stores. Chairwoman Joyce was wondering if there is the ability, and via what avenue, to look into retail to capture the discussion from earlier. Chairwoman Joyce states perhaps this could be done as part of the Master Plan discussion or maybe incorporate this into our bylaw. Director SantucciRozzi states it is definitely something we should look at, but the reality is that this is already happening all around us.

Member Mikami thinks his observation was blown out of proportion. He wasn't challenging whether Best Buy can do delivery. He was clarifying a business whose business model is delivery, and it was the volume that we are concerned about. Chairwoman Joyce thinks that these blended services (like retail and delivery) are something that should be put on the list to look at within our Master Plan and bylaws. Member Mikami feels it is our responsibility to clarify these matters, and applicants should be prepared to address these matters.

Member Mikami **MOTION to adjourn** the meeting; seconded by Member Downey; voted by roll 5:0:0 (5 Votes – Member Mikami: YES; Member Downey: YES; Member Grove: YES; Member Kent: YES; Chair Joyce: YES).

The meeting adjourned at 10:13 PM.

Respectfully submitted,  
Louise Quinlan, Planning/Community Development