



Mayor  
Charles C. Kokoros

## Department of Planning and Community Development

Melissa M. SantucciRozzi, Director  
1 JFK Memorial Drive  
Braintree, Massachusetts 02184  
[msantucci@braintreema.gov](mailto:msantucci@braintreema.gov)  
Phone: 781-794-8234

### ZONING BOARD of APPEALS

Steven Karll, Chair  
Michael Ford, Member  
Richard McDonough, Member  
Gary Walker, Alternate  
Tim Burke, Alternate

July 26, 2021  
Zoning Board of Appeals Minutes

Present: Stephen Karll, Chairman  
Richard McDonough, Member  
Gary Walker, Alternate  
Timothy Burke, Alternate  
Connor R Murphy, Zoning Planner

APPROVED

**\*\*Please Note, Michael Ford was absent for this meeting\*\***

Meeting Commenced at 7:00 P.M.

Chairman Stephen Karll called the meeting to order. Chairman Karll introduced all members of the Zoning Board of Appeals including staff members. Chairman Karll stated to the public in attendance that items would be brought up in the order they appear on the agenda.

### **NEW BUSINESS**

Chairman Karll calls on the Applicant for Petition #21-17, 111 Monatiquot.

**Petition #21-17**  
**111 Monatiquot Avenue**

Chairman Karll opens the Public Hearing and reads the legal notice into record:

*“Steve Aucoin, Applicant, on behalf of the Property Owner, Jamie and Stephen Pratt, for Relief from Bylaw Requirements under Chapter 135-403 and 135-701 for the construction of a 25.5 Ft x 30 Ft two story addition to the Non-Conforming Single Family Dwelling. The Applicant seeks a Finding to extend the Non-Conforming Rear Yard Setback of 24 Feet where 30 Feet is required. The property is located at 111 Monatiquot Avenue, Braintree, MA and is zoned Residence B as shown on Assessors Map 2035 Plot 33 with a land area of +/- 12,840 Square Feet.”*

Chairman Karll states he is satisfied that abutters have been properly notified. Chairman Karll assigns Members Richard McDonough and Gary Walker to sit on this Application with Timothy Burke as the Alternate.

Chairman Karll acknowledges the letters of support submitted by the Applicant. Chairman Karl states abutters Kenneth and Leslie Belcher of 115 Monatiquot Avenue; Heather DiLorenzo of 110 Monatiquot Avenue, William and Virginia Fleming of 48 Oak Street; John and Gail Devine of 39 Oak Street have all expressed written support of the Applicants project.

Chairman Karll reads into record the recommendation of both Staff and The Planning Board of Approval with Condition's. Chairman Karll directed to Mr. and Mrs. Pratt if thy have reviewed the proposed conditions. Mrs. Jamie Pratt stated they have reviewed the conditions and do not have any objections towards them. Chairman Karll asks for the Applicant to present.

Mr. Stephen Pratt and Mrs. Jamie Pratt, property owners, were present before the Zoning Board of Appeals. Mr. Pratt stated their contractor, Steve Aucoin, was the Applicant on this Application but is unable to be present tonight. Mrs. Pratt explained to the Board that they have grown up in the area and have decided to stay in the Town to raise their family. Their intentions are to add a two story addition to the existing house. Mrs. Pratt stated they are proposing to add an In-Law unit on the first floor for their elderly family and bedroom space along the second floor. Mrs. Pratt further added that since the house does not meet the Rear Yard Setback – they will need a finding. Chairman Karll confirms with Mrs. Pratt that the Rear Yard Setback is existing at 24 Feet and they have requested the appropriate relief.

Chairman Karll directs to the general audience if there is anyone wishing to speak in favor or in opposition of the relief requested. No one from the public spoke. Chairman Karll stated they will entertain a motion to close the Public Hearing. Member Richard McDonough motioned to close the Public Hearing – Seconded by Member Gary Walker.

Chairman Karll opens to the board for discussions. Member Richard McDonough states he has no objections to the Applicants proposal. Member Gary Walker adds the addition will be in line with the surrounding homes.

Member Richard McDonough motions to approve the requested Finding, pursuant to the plans submitted, staff recommendation and conditions as presented. Motion Seconded by Member Gary Walker. All in Favor: S.Karll – Aye; R. McDonough – Aye, G. Walker – Aye.

Chairman Karll thanks the Pratt's and wishes them luck on their project. Chairman Karll calls on the next Petition, Petition #21-18 – 136 Walnut Street.

**Petition #21-18  
136 Walnut Street**

**APPROVED**

Chairman Karll opens the Public Hearing and reads the legal notice into record:

*“Kurt E. Grusmark, Applicant, for Relief from Bylaw Requirements under Chapter 135-407 and 135-701 for the construction of a 16 Ft x 12 Ft Rear Deck to the Single Family Dwelling. The Applicant seeks a Variance as the proposed Rear Deck will have a Rear Yard Setback of 21.6 Feet where 30 Feet is required and 33.7 Feet is existing. The property is located at 136 Walnut Street, Braintree,*

*MA and is zoned Residence B as shown on Assessors Map 2038 Plot 48 with a land area of +/- 5,882 Square Feet. “*

Chairman Karll states he is satisfied that abutters have been properly notified. Chairman Karll states he will not be sitting on this petition as he lives in proximity to the Applicant. However, Chairman Karll States he is not a party of interest as defined under the State Statue. Chairman Karll assigns Members Richard McDonough, Gary Walker and Timothy Burke to sit on this petition. Zoning Planner states to the Board that there is no alternate member for this petition. Zoning Planner explains to the Applicant that Mr. Ford is absent from tonight’s meeting and cannot participate. If the meeting were to be continued, Mr. Ford and the Board can invoke the Mullen Rule to have an alternate member for the next meeting. Mr. Grusmark acknowledges Staff’s Comments.

Kurt Grusmark, Applicant and Property Owner, explains to the Board that they have recently purchased this home and are hoping to grow their family at this location. Mr. Grusmark states to the ‘Board that they are seeking relief to construct a rear deck to the Single Family Dwelling. Mr. Grusmark adds that they need a Variance as the deck will have a Rear Yard setback of 21.6 Feet and 30 Feet is required. In addition, the Applicant adds that they need egress from the rear of the property. Given the elevation of the first floor, the deck will be higher and has to be somewhat large given the change in elevation. Chairman Karll confirms with Staff and the Applicant that they need a Variance.

Zoning Planner states that the Applicant has hardships with this particular lot as the orientation of the structure relative to irregularly shaped lot necessitates the need for a variance. In addition, the sloping topography of the lot dictates a larger deck in order to provide suitable access to the Backyard. Member Richard McDonough agrees with the Hardships as discussed. Member Richard McDonough asks staff if there is anyone in favor or in opposition from the public. Staff clarifies there is no one wishing to speak on this matter. Member Gary walker motions to close the Public Hearing – Seconded by Member Timothy Burke.

Member Richard McDonough states he has no concerns in regards to the Applicants request. Member McDonough motions to Approve the requested Variance, pursuant to hardships as presented, plans submitted, and conditions proposed by staff. Motion seconded by Member Gary walker. All in Favor: R. McDonough – Aye, G. Walker – Aye and T. Burke – Aye.

Chairman Karll calls on the next Applicant, Petition #21-19, 4 Strathmore Circle.

**Petition #21-19  
4 Strathmore Circle**

**APPROVED**

Chairman Karll opens the Public Hearing and reads the legal notice into record:

*“Adam and Kathleen Lukouski, Applicant, for relief from Bylaw Requirements under Chapter 135-403, 135-701 and 135-707 for the construction of a second story addition to the Non-Conforming*

*Single Family Dwelling. The Applicant seeks a Finding as the proposed second story addition will be within the Non-Conforming Rear Yard Setback of 16.7 Feet where 30 Feet is required. The property is located at 4 Strathmore Circle, Braintree, MA and is zoned Residence B as shown on Assessors Map 2012 Plot 36 with a land area of +/- 7,503 Square Feet."*

Chairman Karll states he is satisfied that abutters have been properly notified. Chairman Karll assigns Members Richard McDonough and Gary Walker to sit on this Application with Timothy Burke as the Alternate.

APPROVED

Mr. Adam Lukouski, Property owner and Applicant, presents before the Zoning Board of Appeals. Mr. Lukouski states he is looking to construct a second story addition to the Single Family Dwelling. Mr. Lukouski states that the surrounding properties are mostly two story single family dwellings. Alongside the Applicant, was the Architect, Michal Szymanski. Mr. Szymanski presented to the board the overall proposal to rehabilitate the Single Family Dwelling. Mr. Szymanski added that the design of the second story addition would match and complement the design of the existing Single Family Dwellings along Strathmore Circle. Mr. Szymanski directed to the Board the need for relief. The Single Family Dwelling is Non-Conforming with respect to the Rear Yard Setback as it is existing at 12.5 Feet and the required setback is 30 Feet in a Residence B Zone. The Applicant is proposing to construct the second story addition along the Non-Conforming Rear Yard Setback which requires a Finding. In addition, the Applicant is proposing to expand the footprint of the Single Family Dwelling within the Non-Conforming Rear Yard Setback. The proposed expansion will have a Rear Setback of 15.7 Feet which is greater than the existing Non-Conforming Rear Yard Setback of 12.5 Feet. Mr. Lukouski directed to the board his intentions to expand the Single Family Dwelling to provide more living space for his family. Mr. Lukouski further added that an addition to the existing Single Family Dwelling would be in line with the Single Family Dwellings in the area.

Zoning Planner for the Department of Planning and Community Development stated the Staff Recommendation to the Board of Approval with conditions. The Zoning Planner highlighted the proposed addition would be within the Non-Conforming Rear Yard Setback. The Zoning Planner further added the design of the addition is similar the Single Family Dwellings located along Strathmore Circle.

Chairman Karll asks staff if there is anyone in favor or in opposition of the requested relief. The Zoning Planner states there is no one from the public wishing to speak. Member Richard McDonough motions to close the Public Hearing – Seconded Member Gary Walker.

Chairman Karll directs to the Zoning Board of Appeals for any comments regarding this Application. Member Gary Walker states this addition offers no harm to the neighborhood and would fit in nicely. Member Walker further added this addition would give the aspect that it was always there.

Member Gary Walker motioned to Approve the requested Finding pursuant to the Plans Submitted, Conditions as recommended by Staff and that the project was not more detrimental

than what currently exists. Member Richard McDonough Seconded the motion. All In Favor: S. Karll – Aye, R. McDonough – Aye, and G. Walker – Aye.

Chairman Karll calls on the next Applicant, Petition #21-20, 350 Granite Street.

**Petition #21-20  
350 Granite Street**

**APPROVED**

Chairman Karll reads the legal notice into record:

*“Susan King of Sign Design, Applicant, for Relief from Bylaw Requirements under Chapter 135-407, 135-904.2 and 135-905 for the installation of a 1.89 Ft x 16 Ft (30.24 Square Feet) Wall Sign to the existing Office Building. The Applicant seeks a variance as the proposed sign will exceed requirements for Wall Signs in a Highway Business Zone. The property is located at 350 Granite Street, Braintree MA, and is zoned Highway Business District as shown on Assessors Map 2040 Plot 12 with a land area of +/- 7.5 Acres. “*

Chairman Karll states he is satisfied that abutters have been properly notified. Chairman Karll assigns Members Richard McDonough and Gary Walker to sit on this Application with Timothy Burke as the Alternate.

Attorney Frank Marinelli was present before the Zoning Board of Appeals on behalf of the Applicant and property owner. Attorney Marinelli mentions the properties owned by the Foxrock Companies in Braintree with respect to 55 Messina Drive and The Braxton Street office park. Attorney Marinelli adds that the Property Owner is good cooperate citizen of the Town. Attorney Marinelli presents to the Board the challenges of the property at 350 Granite Street. Attorney Marinelli adds that the office building was once used a single tenant building when the site hosted the Boston Phone Company. Attorney Marinelli highlights that sloping topography of the site from Granite Street, which is bound by wetlands to the East and South of the building. In addition, the Building itself is fairly distant from Granite Street and obscured by the sloping topography and mature vegetation. Attorney Marinelli states the property owner has struggled with tenanting this building to its full capacity. South Shore Dental is a corner tenant of this building with its own direct entrance. Attorney Marinelli states to the ‘Board that the manager of the sign company, Scott Clement, is present if a discussion is needed.

Attorney Marinelli highlights the proposed wall sign to the Board stating it is slated to be installed above the existing doorway at the front of the building. This proposed wall sign will allow users of the site to identify the location of the tenant within the building. Attorney Marinelli adds that the site is limited to an aggregate total of 150 Square Feet of all signage which is challenging to meet for a multi-tenant building.

Chairman Karll questions if there is anyone in favor or in opposition of the requested relief. No one from the public spoke in favor or in opposition. Chairman stated the ‘Board shall entertain a motion to close the Public Hearing. Member Richard McDonough motioned to close the public hearing – seconded by Member Gary Walker.

Chairman Karll opened for discussion amongst Board Members. Chairman Karll stated to the Board of Appeals that the Applicant has justifiable hardships for the relief requested. Member Gary walker states the sign meets the expectations of the board. Alternate member Timothy Burke questions why the Applicant is need of relief. The Zoning Planner states there has been variances issued to this property for the existing signage in regards to the number of signs and height of the wall sign along the roof. The aggregate square footage total applies to the entire site and not just the business itself. The Zoning Planner adds that the increase in square footage will render all wall signage to 170 Square Feet. Member Timothy Burke states he is satisfied with the explanation.

Chair states they shall entertain a motion on this petition. Member Gary Walker motions to Approve the request Variance, pursuant to the plans submitted and conditions as recommended by staff. Motion seconded by member Richard McDonough. All in favor: S. Karll - Aye, R. McDonough - Aye, G. Walker - Aye.

Chairman Karll calls on the next Petitioner, Petition #21-21, 197 Grove Street.

**Petition #21-21  
197 Grove Street**

APPROVED

Staff clarifies to the Chairman Karll that the Applicant has requested the Public Hearing be opened and continued to the August Meeting as there are changes needed to be made to the Plans.

Chairman Karll reads into record the Legal Notice:

*"Amar Gaikwad, Applicant, for Relief from Bylaw Requirements under Chapters 135-407 and 135-701 for the construction of 22 Ft x 24.3 Ft 3 Story Addition to the Single Family Dwelling. The Applicant seeks Variances as the proposed addition will have a Front Yard Setback of 19.6 Feet where 20 Feet is required and a Side Yard Setback of 7 Feet where 10 Feet is required. The property is located at 197 Grove Street, Braintree, MA, and is zoned Residence B as shown on Assessors Map 1105 Plot 2 with a land area of +/- 11,944 Square Feet. "*

Member Gary Walker Motioned to continue the Petition to August 23<sup>rd</sup>, 2021. Seconded By Member Richard McDonough. All in Favor: S.Karll - Aye, R. McDonough - Aye, G. Walker - Aye.

Zoning Planner stated that the minutes listed on the agenda were still being edited and will be brought before the Board at their next meeting.

Chairman Karll States they shall entertain a motion to close the meeting. Motion made by Member Walker - Seconded by Member McDonough. All in Favor: S. Karll - Aye, R. McDonough - Aye, G. Walker - Aye and T. Burke - Aye.

Meeting adjourned at 8:13 PM.