



Joseph C. Sullivan  
Mayor

## Department of Planning and Community Development

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APPROVED

### PLANNING BOARD

Robert Harnais, Chair  
Erin V. Joyce, Vice Chair  
Darryl Mikami, Clerk  
James N. Downey, Member  
Phillip J. Baker, Member  
Hector Erinna, Associate

### Braintree Planning Board – October 8, 2019 – Cahill Auditorium

Present:

Mr. Robert Harnais, Chair	Melissa SantucciRozzi, Assistant Director
Ms. Erin Joyce, Vice Chair	Connor Murphy, Staff Planner
Mr. Darryl Mikami, Clerk	
Mr. James N. Downey	
Mr. Phillip J. Baker	
Mr. Hector Erinna, Associate Member, absent	

Chair Harnais calls roll at 7:01 PM. Five (5) members are in attendance and the associate member is absent.

### NEW BUSINESS/OLD BUSINESS - Zoning Board of Appeal Petitions – October 2019

**7:02 PM – Five Planning Board Members are participating.**

The Planning Board is asked to rely on staff recommendation with regard to the Zoning Board of Appeal Petitions for the month of October 2019. Member Joyce **MOTION** accept staff recommendation for October Zoning Board of Appeal Petitions; seconded by Member Downey; voted 5:0:0.

### NEW BUSINESS/OLD BUSINESS

**Approval of Planning Board Meeting Minutes for the Regular Session and Executive Session on September 10, 2019**

**7:03 PM – Five Planning Board Members are participating.**

Member Joyce **MOTION** to approve the Meeting Minutes for the Regular Session and Executive Session on September 10, 2019; seconded by Member Mikami; voted 5:0:0.

### NEW BUSINESS/OLD BUSINESS

**Approval Not Required Subdivision Plan**

**35 Roc Sam Park & 531-533 Pond Street – Plan 1059/Plot 10; Plan 1038/Plot 10 & 10A**

**Applicant: Franmar Properties of New England, LLC**

**7:03 PM – Five Planning Board Members are participating.**

Staff Planner Connor Murphy explains this ANR was part of the Applicant's approval for their Special Permit/Site Plan Review that they were granted by the Planning Board. It was conditioned that they combine the three lots in question into one. It does not affect the legal frontage; therefore, it's merely just a lot merger. Chair Harnais confirms with staff that the Planning Department has no opposition to this ANR.

Member Downey **MOTION** to approve the Approval Not Required Subdivision Plan for 35 Roc Sam Park & 531-533 Pond Street 9Plan 1059/Plot 10; Plan 1038/Plot 10 & 10A); seconded by Member Baker; voted 5:0:0.

### NEW BUSINESS/OLD BUSINESS

**Request for Minor Modification to Special Permit**

**19 Shaw Street (Windjammer Cove) – File #87-30 – Requested by John Rockwood, EcoTec, Inc.**

**7:04 PM – Five Planning Board Members are participating.**

**Appearing on Behalf of the Applicant:**

**John Rockwood, Chief Environmental Scientist, EcoTec, Inc.**

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John Rockwood, Chief Environmental Scientist, EcoTec, Inc., is here representing Windjammer Cove LLC in this matter. They are seeking a Minor Modification to their Special Permit. The property is located at 19 Shaw Street; it is six apartment buildings and the clubhouse building. The applicant is proposing to remove some existing amenities (including the existing in-ground pool, concrete patio and landscaping) and replace that with a paver patio and more landscaping. At the other end of the site, they are proposing to remove the existing tennis court and put in a smaller sports court, a paver patio, a playground and a dog park. The dog park is simply a fenced in area with pea-stone and waste containers. This is done to provide better amenities for the apartment complex. The tennis court and pool are dated, and those amenities are not undertaken by the residents anymore. These fit the more modern lifestyle. The project will impact about 14,000 square feet of the property, which is about 10% of the property. It will result in decrease in impervious surface on the property and better, more attractive amenities. The Applicant is also proposing to improve the four catch basins on the property with hoods and inserts. The water quality coming off of the site will be better than under existing conditions. The project has been before the Conservation Commission and has received an Order of Conditions.

Chair Harnais confirms with Staff Planner Connor Murphy that the recommendation from staff was favorable.

There are no questions from Planning Board Members.

Member Downey **MOTION** to approve the Minor Modification to the Special Permit for 19 Shaw Street (Windjammer Cove), File #87-30; seconded by Member Baker; voted 5:0:0.

#### **NEW BUSINESS/OLD BUSINESS**

##### **Discussion:**

**205 Elm Street – Riverwalk Development LLC (File #15-16)**

**Landscaping and Debris Update**

**7:07 PM – Five Planning Board Members are participating.**

Assistant Director SantucciRozzi advises there were some delays on the implementation of the full Landscaping Plan. Planning Staff placed it on the agenda to try to motivate some activity. Staff visited the site before tonight's meeting and advises that Mr. Clements is about 60% done. Most of the plants are on site, and the landscapers were vigorously installing them. Staff discussed a couple of revisions with Mr. Clements. The townhouse units in the back call for some larger species planted in the front, and the owners didn't want something that big in front of the windows. Staff advised Mr. Clements, who will be here next month seeking As-Built approval, to markup the Landscaping Plan on what was augmented. That is what will be before the Planning Board next month. Staff will keep an eye on this and make sure it is watered heavily this planting season. This will probably be back on the agenda next month for either an update or the As-Built Approval.

#### **NEW BUSINESS/OLD BUSINESS**

**Discussion: 2020 Planning Board Meeting Dates**

**7:09 PM – Five Planning Board Members are participating.**

The 2020 Planning Board Proposed Meeting Dates are reviewed by Members. Member Downey advises that he will not be available for the February 11, 2020 Meeting.

Member Joyce **MOTION** to accept the 2020 Planning Board Meeting Dates: seconded by Member Downey; voted 5:0:0.

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**CONTINUED PUBLIC HEARING**

**60 Columbian Street – File #19-06 - Site Plan Review**

**Applicant: Brigham and Women’s Hospital**

**7:15 PM – Four Planning Board Members are participating; Chair Harnais has recused himself from this hearing.**

**Appearing on behalf of the Applicant:**

**David Bohn, VHB, Inc.**

**Stephen Dempsey, Brigham and Women’s Hospital**

Vice Chair Joyce asks staff for an update from staff on what has transpired between the last meeting and tonight. Assistant Director SantucciRozzi explains that, since the last meeting in June, there were some plan revisions that needed to be made based on the geo-technical analysis. That has been done. A crossing internal to the site with a switchback ADA ramp has been added. They have fine-tuned the plans and gone through the staff comments. They recently were able to negotiate and discuss the mitigation package. Staff has prepared the Draft Conditions (dated September 3, 2019). There is a quick memo that is dated today; the Applicant had a couple minor revisions to Conditions 9C, 11, and 61. Staff has no concerns with those revisions; it is more of a word choice. Condition 41 is the mitigation condition, which was in draft form when the Draft Conditions were issued, and we have had an opportunity to finalize that and the language associated with that along with specific mitigation items that will be completed as part of this project. Assistant Director SantucciRozzi does not have anything else in her notes that has not been addressed.

Member Joyce asks if there is anyone from the public that has any questions and/or comments. There are none.

Member Downey refers to Staff Report comment #2 (page 4 of 19 in the Draft Conditions), which does not address seasonal watering. Staff has talked to the Applicant about this and explains when a landscaping plan is implemented and the plantings are put in, the landscaper provides a one-year guarantee and will take care of the plants and watering during that time. Staff has encouraged the Applicant to take the next step and look at installing a well. The Applicant hasn’t committed to installing a well, at this point. They are not required to put a well in, but it is suggested because the use of water trucks can be costly.

Member Mikami asks staff to describe the traffic mitigation. Assistant Director SantucciRozzi explains that there is a cash contribution from the Applicant, and three items will be referred to this contribution. Staff explains that the first item referred to as Option B, at the intersection of Liberty and Grove Streets, will have improvements made to the Liberty Street approach traveling northbound. Where now we have two lanes, it is going to be widened to have three lanes with a dedicated left hand turn lane, a through lane and a free right lane. Staff states that will open up some opportunity, especially in the A.M. peak hour when volumes are very heavy from that direction. That design element maintains the level of service at that intersection, with the additional trips associated with this project.

The second thing is signal timing at Columbian and Grove Streets. That is simply adjusting the timing phasing of the signals to make sure that the appropriate time is added to those movement that require additional time.

The third item is at the Site Driveway on Columbian Street, which is currently signalized. This item calls for pedestrian accommodations, push button cross walk, ramps to get across, and approximately 250 feet of sidewalk on the north side of Columbian Street to be able to get up to Columbian and Grove.

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Member Mikami asks what the current level of service is at Liberty and Grove. David Boen, VHB, explains that intersection is at Level C and will continue to operate at that level with the adjustments to the signal timing that they are proposing. Member Mikami refers Mr. Boen to another project in Braintree where the Applicant has various mitigation measures that they are taking; they are going to slow down the traffic coming in and going out of their site and make adjustments in real time. Member Mikami's general question is what the Applicant will be prepared to do if the traffic is really bad. How will this be monitored? Mr. Boen states it is important to recognize that the owner wants it to maintain the best conditions as possible. The site is a bit different than a typical commercial project or retail or an office building, in that it is a medical building so there will be a flow of employees coming in the morning and throughout the day patients will be coming and going. It is a bit dispersed and not concentrated. From the analysis they got, they think conditions will be at a high level of service at the intersection of Columbian and the site access roadway. They have identified these other locations where some improvements are planned. They will subject to a MASS.DOT access permit, as part of the project, and they will require some monitoring and observation once the site is up and running. There might be a need to make some adjustments to timing.

Member Mikami asks staff how long we will be monitoring this. Staff explains the standard monitoring conditions are found on page 16. This will occur 12 months after a Final Certificate of Occupancy has been issued. As always, the Planning Board reserves their right to require the Applicant to conduct additional analysis. We also have condition 42, which are Transportation Demand Management (TDM) measures. Staff reads these five measures. If we get to a volume where employees or patients would support a shuttle, we would look to set something up. These have been identified as potential TDM measures if the volume gets to this point. Member Mikami asks how this is triggered. Will there be informal follow-up. Staff states there is one-year follow-up. Member Mikami explains why it is necessary to look at the big picture; he feels we need to think outside the box to manage or calm traffic. Member Mikami asks what the Applicant is going to proactively do to monitor or adjust traffic issues. Mr. Boen states the idea about the list of mitigation is a good example of the kinds of things that the Applicant is thinking of. The Applicant recognizes that they need to give people alternatives. They are trying to formulate car pools or stagger work hours to the extent possible. Much of the traffic will not be concentrated. The peak hour operations will be no change from what existed when the building was occupied by the prior tenant. They have a good understanding of what the patterns of traffic will be, and they will work closely with the Town.

Steve Dempsey, Brigham and Women's, states it is unfortunate that there isn't public transportation because Brigham and Women's already subsidizes up to 50% of T-passes. Peak times for a building like this are around 9:30 in the morning and 1:30 in the afternoon. Mr. Dempsey states they will provide vending options for staff to this building, and staff will most likely not leave the building during the day. Mr. Dempsey states this matter is something they are very cognizant about, and they will continue to monitor it. Member Mikami wants to be clear for every project that they need to look at the bigger picture and think outside the box. Member Mikami expresses that the Planning Board's concern is that we cannot stop the flow of traffic throughout the town at critical times during the day. Member Mikami discusses the other part of mitigation related to revenue to the town. Mr. Dempsey states we are still in discussions and are committed to that. Member Mikami has noticed that there are various handicap parking spaces around the building. Are there going to be egresses and entrances on all four sides of the building. Staff explains that there are two entrances – there is an urgent care entrance and a main practitioner entrance. Member Mikami asks if there are enough handicap parking spaces, and Mr. Dempsey states their experience is that they typically have more than enough. Staff explains that there are some ADA spaces in close proximity to the employee entrances. Mr. Dempsey states their approach is to encourage staff to park in less desirable locations so that patients can have spots closest to the building.

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Vice Chair Joyce mentions, in her notes from the last meeting, there was discussion related to the fact that this use was going to consolidate other practices in Braintree and Weymouth. Vice Chair Joyce wonders if there was any time to look into that and whether some traffic might be shifting from other practice locations. Mr. Dempsey states the bulk of the relocation is coming from the Stetson Building. Staff states that we were given a list of all the locations that were being consolidated, and the trip projections were very conservative; the Applicant did not take any deductions for pass-by trips and they plugged in Union Point at full capacity. Mr. Bohn states at the time they did the traffic study it wasn't clear which practices would move around, and it would have been premature to estimate the changes due to consolidating practices. After the building is completed and opened for a year, the monitoring will tell them more. Vice Chair Joyce confirms with Mr. Bohn that all the parking on this site will be only for this building use.

Vice Chair Joyce asks if the Applicant has reviewed draft conditions provided by staff. Mr. Dempsey is satisfied with what they were provided.

Member Downey **MOTION** to close the Public Hearing; seconded by Member Baker; voted 4:0:0.

Member Downey **MOTION** to enter correspondence into record; seconded by Member Baker; voted 4:0:0.

Member Mikami **MOTION** to accept the Site Plan Review for 60 Columbian Street, File #19-06, with the conditions as provided by Planning Staff, including updates contained in the October 8 memo; seconded by Member Downey; voted 4:0:0.

Member Baker leaves the meeting at 7:42 PM.

Chair Harnais returns to the meeting.

**CONTINUED PUBLIC HEARING**

**20 Trefton Drive – File #19-05**

**Special Permit/Site Plan Review (Two Family Conversion)**

**Chun Patterson, Applicant**

**7:43 PM – Four Planning Board Members are participating.**

**Appearing on behalf of the Applicant:**

**Christine Patterson, Applicant's Daughter**

**Chun Patterson, Applicant**

The Applicant's daughter, Christine Patterson, provides a brief overview of the project to convert the single family home to a two-family home; they have been working with the Civil Engineer, as suggested by the Planning Board, over the past two months. In addition, the applicant has been working with Connor Murphy, Staff Planner, during this time to work out all the details.

Chair Harnais asks if there are any questions or comments from the public. There are no questions or comments from the public.

Member Mikami asks the Staff Planner if we are all set on everything. Staff Planner, Connor Murphy, explains that he had asked the Civil Engineer for the Applicant to revise the plans to include erosion control. The Civil Engineer did provide those plans, and they are satisfactory to the Planning Department's needs.

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Chair Harnais states the Applicant has worked hard at this and thanks the Applicant for doing everything they were asked to do. The Applicant appreciates all the help that was provided by both the Planning Board and staff.

Member Mikami **MOTION** to enter correspondence into record; seconded by Member Downey; voted 4:0:0.

Member Downey **MOTION** to close the Public Hearing; seconded by Member Mikami; voted 4:0:0.

Member Mikami **MOTION** to accept the Special Permit/Site Plan Review (Two Family Conversion) for 20 Trefton Drive, File #19-05, with the conditions as provided by Planning Staff; seconded by Member Downey; voted 4:0:0.

### **PUBLIC HEARING**

**260 Liberty Street (Morrison School) – File #19-12**

**Grading Permit / Daniel Armstrong, Strong Civil Design LLC, Applicant**

**7:48 PM – Four Planning Board Members are participating. (Harnais, Joyce, Mikami, Downey)**

**Appearing on behalf of the Applicant:**

**Daniel Armstrong, Civil Engineer**

Chair Harnais reads the Public Notice into record.

Dan Armstrong, the Applicant and Civil Engineer for the project, provides a brief introduction of what the project will entail. They are proposing to do an outdoor classroom or learning center for the Morrison Elementary School to be located at the back right corner behind the school. Mr. Armstrong was given a couple of tasks to work with. One was to make sure that all improvements for this project were to be handicap accessible and ADA compliant. That drove a lot of the design features of this project. One of the main features is a nature trail – there is a walking trail with a set of story-boards, which will allow teachers to set up story projects or art projects. This allows students to learn more outdoors. Along the trail, there will be activity areas, which will allow teachers to incorporate their own learning agenda. One driving aspect is to make it interactive. All of the play features would be associated with the six simple machines taught in school. Mr. Armstrong provides an overview of the design features. With the water feature, they were able to incorporate an improvement to the stormwater management system for the school, as well as associating environmental impacts and the water cycle all into one feature. Mr. Armstrong describes the resulting rain garden feature.

The main driving of the grading of the site was to try to meet the handicap requirements. There is a seven foot grade drop from the top of the slide all the way to the bottom, which did dictate a lot of pathways to be under 5%. The design itself is at 1.5% and 4.5%. Being able to meet those handicap requirements meant that we had to do some regrading, and that regrading is what triggered the grading permit. When Mr. Armstrong originally submitted the drawings, it was about 350 cubic yards of fill. Mr. Armstrong has tried to re-work it over the past month to get it down as low as he possibly could. Currently, he is closer to 200-225 cubic yards, and he can provide the updated numbers on that to staff. Mr. Armstrong highlights the underlying grid structure on the pathway that meets ADA requirements. It looks like a gravel walkway and helps reduce erosion that you would normally find on a dirt trail.

Mr. Armstrong discusses the zoning requirement to have a 50 foot buffer around the site. This is a 14 acre site, and there was no financial reason to survey the entire site. This project is less than 1% of the site. Staff suggested doing 50 feet around the project limits. Mr. Armstrong highlights the existing setbacks. Due to the

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fact that they are so far away from other properties and because this would be an additional cost that they would like to put into the project itself, they would like to get away from this one requirement. For the property they are closest to, they definitely have a 50 foot buffer. Mr. Armstrong would like to bring the setback down to a ten foot minimum around the property, as a cost savings measure for the town.

Staff Planner, Connor Murphy, states, under Article XII of the Zoning Bylaw, we do require sites to provide 50 feet because when it comes to grading we can look at the contours. In this situation, they aren't really altering too much. Mr. Murphy explains that the survey currently shows ten feet beyond the disturbed area, and he previously requested that the Applicant do fifty feet beyond the disturbed area. Mr. Armstrong states it is 125 feet before you get to the nearest property line. Mr. Armstrong explains this isn't near the property line. They have submitted to Conservation Commission and Stormwater Division, and have been approved by both. The Police Department asked about camera systems. There may be some adjustments. Chair Harnais feels that the plan for cameras should not be discussed publicly; they should be addressed privately between the Applicant and the Police Department.

Chair Harnais opens the discussion to the public for questions or comments. There are no comments or questions from the public.

Member Downey likes that the Applicant is tricking children into thinking by letting them play but incorporating education into play. Member Downey asks about the tree removals. Mr. Armstrong had mentioned that one tree was going to be removed; he advises that there was a tree showing signs of interior rot; the Landscape Architect was concerned that it could fall down and be a safety hazard. The Applicant is proposing to remove that one tree, which will be utilized to make stump seating. They are taking it down because of the potential risk of it falling down. There are a couple of standing dead trees that will be removed; otherwise, there was a lot of attention to detail of not disturbing the trees. Some of the grading areas did get close to the root system, but they have plans to create tree wells around those roots. Vegetation wise, there are invasive species and poison ivy that will be more aggressively removed. The remainder of the site is lightly under-brushed. Everything will be loam and seeded with a woody seed mix.

Member Mikami would point out that this project came before the Community Preservation Committee, of which Member Mikami is a member, and was discussed thoroughly. There are any number of learning and sensory projects going on here, as well as quiet time. Member Mikami states it looks to be a great project. Member Mikami endorses what Chairman Harnais said related to camera location. As a graduate of Morrison School, Member Mikami endorses this project.

Member Joyce thinks this is a great project and has a point of curiosity on whether all funds came from Community Preservation Account. Dan Armstrong says yes. Member Joyce asks what the budget was. Mr. Armstrong advises \$125,000. Member Joyce asks about the rain garden/recycling water feature, do they anticipate having to add water. Mr. Armstrong states maybe initially to get it started and explains that it meant to be circulatory. Basically, it is a sump catch basin. Member Joyce noticed that the wetlands are all offsite. Mr. Armstrong highlights where the wetlands are located and explains that they stayed outside the 50 foot buffer and they are doing zero impervious projects, which was a concern of the Conservation Commission, as well. Member Joyce thinks it is a great project.

Chair Harnais thinks it is a great project. Chair Harnais asks for this to be continued so that conditions can be finalized. To get the process started, Mr. Armstrong may go out to bid before the next Planning Board Meeting. Chair Harnais doesn't see any major changes on this.

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Member Downey **MOTION** to continue this hearing to the Planning Board Meeting on November 12, 2019; seconded by Member Mikami; voted 4:0:0.

**PUBLIC HEARING**

**715 West Street – File #19-13**

**Special Permit and Site Plan Review / Sara Heurlin-Frazier et al, Applicant**

**8:08 PM – Four Planning Board Members are participating. (Harnais, Joyce, Mikami, Downey)**

**Appearing on behalf of the Applicant:**

**Attorney Kimberly Bielan, Moriarty, Troyer and Molloy**

Chair Harnais reads the Public Notice into record.

Attorney Kimberly Bielan, Moriarty, Troyer and Molloy, represents the applicants on this project. Attorney Bielan explains this is an application to construct a smaller, modest addition in a buffer zone. To provide history of the property, it was previously held in common ownership with the property next door (725 West Street). There was an intra-family conveyance. The front parcel was conveyed to the Applicant at 715 West Street. The applicant was here in July 2019 when the Planning Board endorsed an ANR Plan that made the property lines more consistent with the standard property line. They went to Zoning Board of Appeals who approved zoning relief to clean up the property; there have been no appeals. ZBA granted the zoning relief necessary for this addition. Part of the property is in the Open Space Conservancy District. The proposed addition is modest, and the property has been used as a single-family dwelling since 1924. It is the Applicant's intention to preserve that structure and add-on a two-car garage and a small deck. It is three bedrooms now and will remain that way. There is really no intensification of use. There is an existing garage that is 3.3 feet from Blue Hills Cemetery, which will be torn down; the new garage will be 18 feet from the side property line. It will be an improvement, but given where the zoning district bisects the property, it was necessary to get relief from the Planning Board. It has historically been used as residential since the 1920's. Attorney Bielan has reviewed records in the Engineering Department, and these two parcels were never included to be rezoned as Open Space and Highway Business District. The parcel numbers were not explicitly shown as being rezoned. It looks like they were accidentally included in the Open Space district, and that is why the zoning is off for a single-family dwelling that was historically residential. It is a pre-existing use, with no intensification or changes other than an improvement to the property because they are increasing the setback.

There are no comments or questions from the public.

Member Downey had no comments or questions.

Member Mikami states when he looks casually at the plan, it seems like you are going over the buffer line substantially. Member Mikami asks if you looked at alternatives to meet the requirements but no go into the highway business portion of the zoning. Attorney Bielan states the entire property is within the buffer zone because they would need a 100 foot buffer. Given the width of the property and the length of the property, no matter where they develop on the property, it is going to be within that buffer zone. They wanted to remove the existing garage that is 3.3 feet of the property line with the cemetery and attach the garage to the existing house. They are not doing an overall raise and re-build of the property. Where they cited the garage was intended to be consistent with their use of the property and house that's there. That is how the garage location was chosen. Member Mikami asks if other options were explored, for example on the front portion of the house. Attorney Bielan explains that the plan was developed prior to coming to Attorney Bielan, and they wanted to maintain the house and set back the garage from the street.



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Member Joyce feels that the buffer to Open Space is more of a protection for open space or natural-scapes; the plans submitted don't really show how the proposed driveway will be laid out, but she imagines that it will be more pavement than what currently exists. Member Joyce also notes that the additional house deck area looks to be more area than would be being removed by the garage. Member Joyce asks if there was any consideration made with trying to do something with stormwater to mimic or promote infiltration or a rain garden to recognize the fact that you are in a buffer to open space.

Attorney Bielan states it hasn't been discussed and mentions that Stormwater Division advised that this project is too small to meet the applicability threshold for the Town of Braintree Stormwater Regulations. Attorney Bielan states a raingarden condition would be agreeable. Attorney Bielan states the buffer zone is between the highway business district and the open space district, and the entire property is really a buffer between the intense commercial use and the cemetery. Member Joyce offers a consideration of stormwater improvement; Member Joyce states that single-family homes are normally under exemption, but offers drainage as a consideration. Assistant Director SantucciRozzi believes that our Stormwater Permit is triggered with 2500 feet of disturbance. Attorney Bielan states that the total building coverage (or pervious area) on the property is 8%; it is very low relative to the size of the overall property. It is a small dwelling, and even with the addition there is limited ground cover relative to the size of the property. Attorney Bielan states that the Applicant would be amenable to a condition related to a rain garden. Assistant Director SantucciRozzi looks to the file to see if there are any requirements from Stormwater Division. Assistant Director SantucciRozzi confirms in the letter from Stormwater Division that this project is too small to meet the applicability threshold for the Town of Braintree Stormwater Regulations. They further state that "the proposed modifications to this existing home will have minimal impact on the abutting properties or on the public ways adjacent to the property". The Stormwater Division has no objections to the approval of a Special Permit for this project. Assistant Director SantucciRozzi confirms that the Stormwater Manager has been sending over detailed responses for different projects and has been very vocal in her concerns related to stormwater, and the comments are more far-reaching that the DEP stormwater regulations, which staff is used to applying to projects. Member Joyce points out that this plan does not provide topography, proposed grading and proposed pavement limits, which other applications have been required to provide. Member Joyce points out that when you are looking at this you cannot really tell the extent of the disturbance. We don't know how much grading is associated with this addition or how much pavement is being added. Staff suggests that a grass swale to make sure any increased flows aren't causing any concentrated diversions. This is something that Director Stickney can add to draft conditions. Member Joyce would recommend that this be done. Member Joyce asks the Applicant if they have that information on topography and proposed grading. Attorney Bielan states there is no additional grading other than to flatten the site; they are not bringing fill on. The driveway will have a minor extension; the existing driveway will not change. Attorney Bielan agrees that this information can be provided. Assistant Director SantucciRozzi agrees that we need the extent of the driveway and any changes to grading. Staff asks if the Planning board would be comfortable if Attorney Bielan puts that together and follows up with Director Stickney and that is added as a condition. Attorney Bielan is comfortable with that. Attorney Bielan also mentions that there is a pretty significant vegetative buffer between the cemetery and the property as it exists, and Director Stickney had requested that the Applicant show that line on a revised plan. Attorney Bielan states they were planning on submitting a revised plan anyways as a condition, and they will certainly add the other information requested.

Member Downey **MOTION** to enter correspondence into record; seconded by Member Mikami; voted 4:0:0.  
Member Downey **MOTION** to close the Public Hearing; seconded by Member Mikami; voted 4:0:0.

Member Joyce **MOTION** to approve the Special Permit/Site Plan Review for 715 West Street, File #19-13, with the conditions as provided by Planning Staff and Applicant will work with Planning Department to show

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topography (existing and proposed) on the Site Plan along with considerations for stormwater as coordinated with the department; seconded by Member Downey; voted 4:0:0.

**PUBLIC HEARING**

**13 & 24 Johnson Lane / 14 Roc Sam Park Road – File #19-14**

**Special Permit(s) and Site Plan Review / KRM Realty Trust, Applicant**

**8:27 PM – Four Planning Board Members are participating. (Harnais, Joyce, Mikami, Downey)**

**Appearing on behalf of the Applicant:**

**Attorney Frank Marinelli**

**Garrett Horsfall, Kelly Engineering**

**Raymond McPeck, Sr.**

**Raymond McPeck, Jr.**

Chair Harnais reads the Public Notice into record.

Attorney Frank Marinelli, appearing on behalf of Raymond and Margaret McPeck, describes the three contiguous properties as shown on the Existing Conditions Plan. They are located in the commercial zoning district. In addition to being the property owner, Mr. McPeck is the founder and principle of a long-time Braintree business, Baystate Collision Center, which operates on the Johnson Lane property. There are a total of 8 employees that work at Baystate Collision Center, including Mr. McPeck and his son. BCC is one of three certified Porsche repair centers in Massachusetts. Baystate Collision Center, and the automotive repair use are uses by right in the Commercial Zoning District. Attorney Marinelli provides background information on Mr. Peck's personal and business history. In 1998, the building at 24 Johnson Lane was purchased; in 2002, Mr. McPeck bought the contiguous parcel. In 2016, the parcel at 14 RocSam Park was purchased. The site is a consolidated 1.3 acres. We have .297 acres at 24 Johnson Lane with the 3774 square foot existing building, .67 acres at 19 Johnson Lane with the old 2150 square foot building which is coming down, and .414 acres at 14 Roc Sam Park. The proposal is to combine all three lots, keeping the building at 14 Roc Sam Park. That building is rented to an engineering firm. That use will stay there, as a tenant. The Applicant is asking for a Special Permit for an office-type use in a Commercial District to validate the office use in conjunction with this overall redevelopment and consolidation of the property.

The building at 24 Johnson Lane is 3774 square feet; that is where Baystate Collision conducts its business presently, and they also conduct business at the 2150 square foot building at 19 Johnson Lane. It creates a disjointed operation between the two buildings. When the site is redeveloped, the 14 Roc Sam Park will remain with the existing engineering tenant. The building at 24 Johnson Lane will go to a similar compatible use with Baystate Collision, a use-by-right in the industrial district.

What you will have on the left of the plan is the bulk of the redevelopment that the Applicant is discussing tonight. You will have a 9,775 square foot building at 19 Johnson Lane, which is currently occupied by a 2150 square foot 70 year old building. You will now have a state-of-the-art collision center that is 9,775 square feet. The current Baystate Collision Center operation is a combination of the 3,774 square foot and the 2150 square foot building that is coming done, or almost 6,000 square feet. The intent is to take 8 employees and give them a better space with a brand new building, where they can keep the cars inside the building. Attorney Marinelli discusses the amount of time needed to repair and appraise cars and that the average time for repair is about two weeks. There is not a high daily turnover.

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Chair Harnais discloses that his brother-in-law owns the property that abuts this property and he wants to ensure that there is no conflict. Attorney Marinelli and the Applicant appreciate the disclosure and have no problem with that.

Attorney Marinelli states they are creating a better environment, a brand new building, for the key and chief occupant of the property. The site improvements proposed are in excess of \$600,000. They use all water base paint and a clear-coat urethane. The new building will have sufficient bays, prep area and spray area. They use LED lighting, which is more environmentally friendly. Operationally, the building is a better building for the chief use of the property. The combined site becomes a conforming lot, over one acre in size. There are 36 parking spaces, where 33 parking spaces would be required for the uses described. The Planning Department pointed out, on page two of the Staff Report, that this would be compliant with 135-701 and that "zoning compliance improvement is a rarity for this commercial watershed area". There are stormwater management and treatment improvements, which will be explained by Mr. Horsfall and which are discussed in the Staff Report. Attorney Marinelli highlights the Traffic Impact Assessment, as provided by MDM Transportation Consultants, Inc., which evaluated the site and states the proposed uses will not materially impact operating conditions along Roc Sam Park Road and Johnson Lane. There is a recommendation in the Traffic Impact Assessment for Stop Signs; all of which they will incorporate into any approval. Attorney Marinelli mentions that the Fire Department requested a change in the access gate on Roc Sam Park Road from an 18 foot opening to a 20 foot opening, and the Applicant is in agreement.

Garrett Horsfall, Kelly Engineering, provides an overview of their pretty extensive stormwater management upgrades. There are very little to none stormwater controls on this site currently. On the majority of this site or about half, sheet flows down to Johnson Lane. On the other half, the westerly side of the site, it drains through a series of catch basins and manholes. Mr. Horsfall describes how the flow continues onto Pond Street, and he mentions that there is an existing 18 inch line which runs north to south underneath the proposed building location. They will be picking that up and diverting it around building. They will be upgrading that line to a 24 inch. They will be providing two water quality devices to capture the stormwater from this site. The runoff from paved areas will be captured in deep sump catch basins. The proposed roof will be captured and recharged in a subsurface recharge system. The increase in impervious area on site is about 1700 square feet. The stormwater management system has been designed to capture and recharge the amount required per DEP requirements. Mr. Horsfall states it is a pretty substantial upgrade from what is there today.

Member Joyce mentions that is drainage that runs through the parcel now that his being re-routed. Is that drainage coming from Roc Sam Park Road, which is a private way? Mr. Horsfall states there is a catch basin that picks up the majority of the Roc Sam Park Road drainage; this will be re-routed around the building to accommodate the building. Member Joyce asks if they need a drainage easement. Mr. Horsfall states there isn't one today; if one seems necessary, they can chase it down. Member Joyce acknowledges that there is a sewer easement there currently. Assistant Director SantucciRozzi states there is quite a bit of improvement north of that area from the Academy Bus project. As these projects come up and we make improvements, it sometimes improves the drainage in the street because it is all interconnected.

Attorney Marinelli explains that the owners in that area sometimes contribute to paving and other items, but there may never have been formal systems. Project by project, you try to improve things. As Garrett Horsfall stated, currently you have uncontrolled runoff, and they are putting in a "Best Management Practices" Stormwater Management and Treatment System. Attorney Marinelli states it is all improvement.

Member Mikami asks if there is any hazardous waste cleanup that needs to occur. Attorney Marinelli advises that Mr. McPeck has had a 21E Phase 1 done with each property that he has purchased. Assistant Director

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SantucciRozzi asks if copies could be submitted for the record. Member Mikami confirms the Applicant is not anticipating any problems.

Assistant Director SantucciRozzi asks if there are monitoring wells. Mr. McPeck advises that they are there for observation, as needed, with no ongoing monitoring. Chair Harnais wants to continue this matter to ensure that he doesn't have a conflict. Assistant Director SantucciRozzi states Member Baker can invoke the Mullin Rule before the next hearing, in case Chair Harnais cannot sit on this. Assistant Director SantucciRozzi will be meeting with Attorney Marinelli and the Applicant and working on draft conditions.

Member Downey **MOTION** to continue this hearing to the Planning November 12, 2019; seconded by Member Mikami; voted 4:0:0.

**CONTINUED PUBLIC HEARING**

**144 Allen Street – File #19-04**

**Special Permit/Site Plan Review**

**144 MPB Nominee Trust, Applicant**

**8:52 PM – Four Planning Board Members are participating.**

Assistant Director SantucciRozzi advises that the Applicant has requested that this matter be continued without testimony to the Planning Board Meeting on November 12, 2019.

Member Downey **MOTION** to continue this matter to the November 12, 2019 Planning Board Meeting; Member Joyce seconded; voted 4:0:0.

Member Downey **MOTION to adjourn** the meeting; seconded by Member Mikami; voted 4:0:0.

The meeting adjourned at 8:53 PM

Respectfully submitted,  
Louise Quinlan,  
Planning/Community Development