

Department of Planning and Community Development

Melissa M. Santucci, Principal Planner
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Phone: 781-794-8234 Fax: 781-794-8089

Joseph C. Sullivan
Mayor

PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
Linda Cusick Woodman, Clerk
James Eng, Member
Darryl Mikami, Member

APPROVED

Braintree Planning Board
April 13, 2010
Town Hall

Present:

Robert Harnais, Chair
James Eng
Darryl Mikami

Melissa Santucci, Principal Planner

The Chair called the meeting to order at 7:00 P.M. and called the roll: Mr. Eng, Mr. Mikami, Mr. Harnais all present; Mr. Reynolds, Ms. Cusick Woodman not present.

New/Old Business

Discussion – Archbishop Williams High School Memorial Field

For details please see Ms. Santucci's staff report dated 4/9/10.

Joe Francis, Athletic Director at Archbishop Williams High School, appeared before the Board to request permission to turn on the lights at the Storrs Avenue athletic field for two evening track meets [in addition to the events already agreed upon].

Mr. Mikami asked how relations were between the school and the abutter adversely affected by the field lights last year and if the lights had been adjusted. Mr. Francis reported that the school has had no complaint calls since the lighting was adjusted.

Mr. Eng asked about the hours set for the track meets [6:00 P.M. to approximately 8:30 P.M.] and stated he felt the request to be a reasonable one.

Mr. Harnais stated he appreciates the approach of the school in maintaining communication with the Board on this sensitive issue.

Motion by Mr. Eng, second by Mr. Mikami to grant the request.

Vote: 3/0

Zoning Board of Appeal - April

For details please see Ms. Santucci's reports.

625 Washington Street/Krause

Mr. Krause appeared to request consideration to relocate his two-car, two-story garage.

Ms. Santucci noted that the pool on the property does not meet the setbacks and asked if it were installed with a permit. Mr. Krause responded that it was on the plans and he assumed that the contractor had pulled a permit, adding that the current pool is smaller than the one that was replaced last August.

Mr. Mikami asked if Mr. Krause had spoken with Ms. Santucci [yes] and if he could explain his hardship. Mr. Krause stated his garage faces Garden Terrace and one bay is not accessible from the driveway. He wishes to be able to have two cars use the bays and this would be possible if the garage faces Washington Street.

Mr. Eng stated that he is struggling with this request to move the garage, which is now 21.5' from the property line, to 2' from the property line [on Washington Street] where he feels it would look out of place. It seems to him it is more of a convenience than a hardship. [Mr. Krause agreed.] Mr. Eng also mentioned to Mr. Krause that he is concerned about precedent-setting and stated he could look more favorably on a relocation that would have the garage 10' or more from the property line. He asked if Mr. Krause would be willing to work with staff to consider alternatives and revise the plan [yes].

The applicant was urged to request a continuance from the ZBA and the Board took no action on this petition.

100 Grossman Drive/Clear Wireless, LLC

Jennifer Lewis was present to represent the applicant. She explained that Clear Wireless, LLC wishes to modify the existing facility to add three panel antennae and two wireless dishes within stealth chimneys. They are required to appear before the ZBA because the proposed installations are within 500' of a residential structure.

There was some discussion between Board members and Ms. Lewis regarding other carriers [Sprint and Nextel], their installations at the same location and whether or not Clear Wireless would be enclosing only their own installations [yes].

Motion by Mr. Eng, second by Mr. Mikami to recommend the ZBA grant the variance.

Vote: 3/0

Page 3

Planning Board Meeting 4/13/10

100 Cain Avenue/Molloy

Mr. Molloy was present and informed the Board that he wished to construct an addition for a two-car garage with a room above.

Mr. Eng asked if there is currently a one-car garage. [Yes, the proposed structure will replace the existing garage.]

Mr. Harnais asked if they were trying to minimize the side yard intrusion. [Yes, and Mr. Molloy added that he has spoken with the abutters who have no problem with the proposed addition.

Mr. Eng asked if the applicant had any elevations to share with the Board [yes]. After examining the elevations, Mr. Eng stated that he likes the elevations and the addition seems nicely designed.

Motion by Mr. Eng, second by Mr. Mikami to recommend the ZBA grant the variance.

255-500 Grossman Drive/The Marketplace at Braintree Condominium Trust

Carol Kuosman of Keypoint Partners, property managers of The Marketplace, appeared before the Board to explain the request for signage relief for a towing sign.

Mr. Eng asked if the reason for the request was illegal parking. [Yes, people park and leave the property.] He asked if Ms. Kuosman had read staff's analysis [yes] and stated he wished the applicant to provide the cumulative total of the ground signage on site before a vote.

Ms. Santucci noted that adding this new sign would surely put the total amount of ground signage over the allowed 150 SF. It is important that the applicant provide accurate figures, but asked if the Board might consider the petition during this meeting.

Mr. Mikami asked why the applicant feels it necessary to install the signage at this time. Ms. Kuosman said they have smaller ones, but when people's cars are towed they say that they were not aware of the "no parking" restriction. The Marketplace wishes to install this larger [3' x 5'] sign in a prominent location [as drivers enter the site east of Borders] to inform the public of the parking/towing policy. Mr. Mikami asked if they expect to enforce the policy. Ms. Kuosman responded that they have been enforcing the policy for over a year now.

Mr. Harnais stated he has no problem with approval.

Motion by Mr. Eng, second by Mr. Mikami to recommend the ZBA allow the installation of the proposed signage.

Vote: 3/0

Page 4

Planning Board Meeting 4/13/10

Request for Lot Release - Whites Hill/O.I.B. Corporation

For details please see Ms. Santucci's staff report dated 4/13/10.

James Douglas was in attendance representing Steve Caruso of O.I.B.

Ms. Santucci explained that she has been working with Mr. Caruso on the amount of the bond to be submitted in order to have the Planning Board release the six lots. The Department is in receipt of a progress as-built plan for the subdivision. Town Engineer recommends a bond amount of \$54,170 plus a 20% contingency [total of \$65,004] to ensure completion of the incomplete public improvements.

Mr. Eng asked if the applicant were in agreement with the amount [yes] and Mr. Mikami noted that the Town Engineer's memo states that the gas service is missing. Both Mr. Douglas and Ms. Santucci explained that there will be no gas service on the property as it was not possible to have newly paved Liberty Street dug up to connect to the gas line in the street.

Motion by Mr. Eng, second by Mr. Mikami to release the six lots of the subdivision contingent on the posting of \$65,007 cash surety.

Vote: 3/0

Request to Hold Carnival [May 12th to 16th] – 250 Granite Street/Fiesta Shows

For details please see Ms. Santucci's staff report dated 4/9/10.

John Flynn of Fiesta Shows and Judy Tullius, Manager of the South Shore Mall, appeared before the Board concerning the request to hold the annual carnival on the parking lot in front of Circuit City. All arrangements are exactly like those for the 2009 carnival.

Mr. Harnais asked if the carnival included games for which prizes were awarded [yes].

Mr. Eng asked if Pizzeria Uno would be negatively affected by the loss of parking. Ms. Tullius responded that, on the contrary, Pizzeria Uno is very much in favor of the carnival's location as many carnival-goers eat at their establishment.

Ms. Santucci informed the Board that they would need to waive compliance with two of the Conditions of Approval for the mall expansion [Planning Board File 08-3] – Conditions #58 [regarding onsite parking] and #78 ["no outside display, sale or storage of any items..."].

Motion by Mr. Eng, second by Mr. Mikami to waive compliance with Conditions #58 and #78 to allow Fiesta Shows' annual carnival at 250 Granite Street.

Vote: 3/0

Other Business

The Chair addressed in a very forceful manner the anonymous mailing which has been circulating in Town in opposition to the possibility of Dave & Buster's locating on Granite Street. He was very clear in expressing his belief that hiding in anonymity is cowardice. Board members - and others - present themselves and their opinions to the public and if anyone has an opinion and wishes to influence others in that regard, he/she should do so by identifying him/herself.

Mr. Mikami expressed his agreement, stating that anonymous actions do not deserve the light of day.

Mr. Eng echoed the Chair's sentiments.

Recommendation to Town Council - Altering the Layout of Union/Middle/Lisle Streets
For details please see Ms. Stickney's staff report dated 4/13/10.

Ms. Santucci explained that Town Council had approved the Order of Taking at their April 12, 2010 meeting. The vote tonight would be to ensure that the "taking" process would be completed. Staff suggests the Board recommend favorably for the Order.

Mr. Eng asked exactly how the \$5 million would be allocated. Ms. Santucci was unfamiliar with the details of the project, but stated she would follow up.

Motion by Mr. Eng, second by Mr. Mikami to forward a favorable recommendation to Town Council.
Vote: 3/0

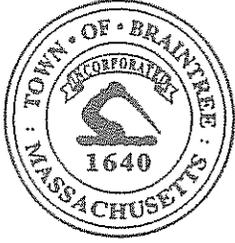
Approval of Minutes for 2/9/10 and 3/9/10

Motion by Mr. Eng, second by Mr. Mikami to approve Planning Board minutes for both meetings.
Vote: 3/0

Motion by Mr. Eng, second by Mr. Mikami to adjourn at 8:00 P.M.
Vote: 3/0

Respectfully submitted,

Linda Raiss



Department of Planning and Community Development

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Braintree Planning Board
April 13, 2010
Town Hall

Public Hearing at 7:30 P.M.

Present:

Robert Harnais, Chair

Melissa Santucci, Principal Planner

James Eng

Darryl Mikami

400-432 John Mahar Highway/Pulte Braintree LLC

Application for Major Modification to Planning Board Decision 04-9

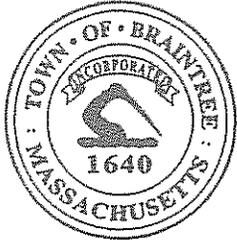
The Chair opened the public hearing, noting that the applicant – wishing to appear before a full board - had requested continuance.

Motion by Mr. Eng, second by Mr. Mikami to continue the hearing to May 11, 2010 at 7:30 P.M.
Vote: 3/0

The continuance was posted at the entrances to Town Hall for public benefit.

Respectfully submitted,

Linda Raiss



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Braintree Planning Board
April 13, 2010
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Public Hearing at 8:30 P.M.

Present:

Robert Harnais, Chair
James Eng
Darryl Mikami

Melissa Santucci, Principal Planner

250 Granite Street/Dave & Buster's of Massachusetts, Inc. Application for Special Permits and Site Plan Review

The Chair opened the continued public hearing, noting that the applicant – wishing to appear before a full board - had requested continuance.

Motion by Mr. Eng, second by Mr. Mikami to continue the hearing to June 8, 2010 at 7:30 P.M.
Vote: 3/0

The continuance was posted at the entrances to Town Hall for public benefit.

Respectfully submitted,

Linda Raiss