



Department of Planning and Community Development

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Joseph C. Sullivan
Mayor

PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Clerk
Darryl Mikami, Member
Melissa B. McDonald, Member

APPROVED

Braintree Planning Board
October 9, 2012
Town Hall

Present:

Mr. Robert Harnais, Chair
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami, Member
Ms. Melissa McDonald, Member

Christine Stickney, Director
Melissa Santucci Rozzi, Principal Planner

The Chair called the meeting to order at 7:05 P.M. and called the roll: Mr. Harnais, Mr. Reynolds, Mr. Eng, Mr. Mikami and Ms. McDonald all present.

New Business/Old Business

Zoning Board of Appeals – October

#12-45

136 Trefton Drive

Applicant, Kevin Devine, 36 Winthrop Avenue, Braintree, MA 02184 was present and addressed the Planning Board. He explained that he simply wants to add a deck on the back of his house. Further, he obtained a variance for a previous addition in years past and that this would be 1 foot less into the setback and off the side of the house.

Mr. Harnais asked the Members if there were any questions, Members had none.

A Motion was made by Mr. Reynolds, seconded by Ms. McDonald to approve the recommendation for a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood.

Vote: 5:0:0.

#12-46
169 Cedar Street

Applicants, Joseph and Ann Amendolare, 169 Cedar Street, Braintree, MA 02184 were present and addressed the Planning Board. Mr. Amendolare explained that he wants to obtain a finding to remove an existing 10' x 10' deck and replace it with a permanent structure of the same size for the purpose of a laundry room and a storage closet. Petitioner submits elevation drawings to the board for review.

Mr. Harnais calls for Member questions.

Mr. Mikami questions the footings. Mr. Amendolare explains he would replace the current footings with permanent footings. Ms. Santucci Rozzi questioned if the plot plan he used was the prior plan. Mr. Amendolare provided a clearer plot plan and clarifies that no addition is being added. Mr. Harnais calls for Member questions, no further questions are asked.

A Motion for a favorable recommendation was made by Mr. Eng, seconded by Ms. McDonald.
Vote: 5:0:0

#12-45
136 Trefton Drive

Applicant, Joseph Correia, Trustee, 174 Depot Street, South Easton, MA 02375 was present and addressed the Planning Board. Mr. Correia explained that his partner is stuck in traffic and not present. He explained he is seeking a recommendation for a dilapidated house on a non-conforming 4,000 s.f. parcel of land that sits 7.5' from the right property line. Mr. Correia wants to demolish the house and combine the lot with the two other abutting parcels that he also owns. The combined total would equal 12,000 s.f. on which he intends to construct a new house that would be centered on the new combined lot.

Mr. Harnais calls for questions.

Member McDonald asks the size of the proposed new house.

Mr. Correia answers, approximately 2,100 s.f.; measuring 38' x 28' with a farmer's porch and 2-car garage under. Mr. Correia offers facsimile plans to the Board.

Ms. McDonald comments that the house is nice but questions that the combined lots will still be non-conforming, just less non-conforming. Mr. Correia clarifies that there will be 120' frontage where only 50' is required. Additionally, it will sit 29' from the right property line and 39' from the left property line; the relocation improves the site.

Mr. Eng comments that it is a significant improvement to the neighborhood.

Mr. Harnais asked if the Members had further questions, Members had none.

A Motion for favorable recommendation was made by Mr. Reynolds, seconded by Ms. McDonald.

Vote: 5:0:0.

[T.C.O. 12-043]

Stone Crest Drive – Application for Street Acceptance

Ms. Santucci Rozzi announces that no Staff Report was prepared because the Board is familiar with Stone Crest subdivision. This Board granted “As Built” Approval for the subdivision located behind the Grove Street Braintree Cleaners and they are now petitioning for street acceptance. Staff recommends favorable action.

Mr. Harnais calls for Member questions, none raised.

Motion by Mr. Eng to recommend to accept the road; seconded by Mr. Reynolds.

Vote: 5:0:0

Harvard Vanguard Medical Associates, Inc., 280 Ivory Street
Extension of Temporary Parking Facility Use

Mr. Harnais calls parties interested in the Harvard Vanguard extension

Attorney Carl Johnson, 536 Granite Street, Braintree, MA 02184 was present to represent the Applicant, addressed the Board and introduced Bob Clark with Harvard Vanguard Medical Associates Operations at the Grossman Drive site.

Mr. Johnson explained that he submitted a letter to the Board last week requesting an extension on the temporary permit and a Special Permit Application was filed today to allow Board review.

Mr. Harnais calls for questions. Mr. Mikami asked Mr. Johnson if there were any issues. Mr. Johnson said there haven't been any issues beyond parallel spaces and he offers traffic assessment recommendations compiled by Kim Hazarvarian of which was submitted with the revised plan. Proposed is the installation of a gate for entry and exit which will be recessed by 3 car lengths to allow more stacking on the inside. It would be a key card controlled, two-way railroad type gate. They will fence in the 70 parking spaces. Included in the Application are improved gate access to the Ivory Street sidewalk, lighting and signage will be provided as appropriate.

Mr. Johnson addressed Mr. Eng's question raised at the last meeting regarding the frequency of use at the Union Street traffic signal. He explained there are 2 routes to/from Ivory St. & Grossman Drive; stating the “T” overpass is also used.

Mr. Eng acknowledges answer and asks Mr. Johnson if there are any other issues.

Mr. Clark addresses stating that, to his observation, there are no other issues.

Mr. Eng raises concern about traffic back up.

Mr. Johnson explains that the Harvard Vanguard employees have staggered work hours between 7:30 am and 7:30 pm.

Mr. Mikami questions pedestrian safety. Mr. Clark assures employee safety.

Ms. Santucci Rozzi comments that on 2 occasions she observed unauthorized parking and vehicles exiting onto Ivory Street in a non-acceptable manner; i.e., 3 cars, side by side perpendicular to the road; requesting these issues to be addressed during the Special Permit process.

Mr. Johnson explained that they intend to implement visible painted lines. Mr. Reynolds asked about recess lines. Mr. Harnais wants temporary measures in place before the final approval. Mr. Johnson said that they have security people until the fence is up; they will install “no parking” signs and enforce safety.

Mr. Harnais reinforces the implementation of these measures for traffic safety. Mr. Johnson will suggest that Harvard Vanguard implement the gate and lighting as soon as they are available. Mr. Eng Motions for a 60-day extension; seconded by Mr. Reynolds.
Vote: 5:0:0

12-09

370 Shaw Street / Linda and William Jablonski – Multiple Dwellings on a Lot 135-710

After the Chair read the Public Notice and it was agreed to table the matter to wait for the Applicant’s engineer who was running late.

ANNUAL HOLIDAY TRAFFIC PLANS

Ms Santucci Rozzi announced that next month the South Shore Plaza and the Market Place will give their annual traffic details and schedules update for the upcoming holiday season. She questioned if the Board wants them to come back again or just submit the reports?

Mr. Reynolds comments that since there are no changes or new events that have created traffic in the past few years, he suggests accommodating this review as a paper submission. The Board agrees and Mr. Harnais directs the reports to be submitted via paper instead of a meeting with the exception of any issues. Ms. Santucci Rozzi will inquire with the Police Department for any comments they may have and forward to the Board.

Board recessed.

When the meeting resumed Mr. Harnais explained for the record that after waiting 45 minutes for the Engineer who was unavoidably stuck in traffic; he suggested that the applicants reschedule to the next available date. It was explained to Mr. Jablonski that this matter needs a majority vote and since Member Eng would not be present at the November meeting Mr. Jablonski was offered the choice of either continuing to November or December, 2012. Mr. Jablonski preferred continuing to November 13th.

Mr. Reynolds motioned to continue to November 13, 2012 at 8:15 pm; seconded by Ms McDonald.
Vote: 5:0:0

12-04

20 Pond Street – MSMM, LLC; Special Permit, Nursing Home Conversion

Attorney Carl Johnson, III, representing the Applicant
Kim Eric Hazarvartian, Transportation Engineer, TEPP LLC
Dmitri Kapalis, Architect, Habeeb & Associates Architects, Inc.
Rob St. John, Director of Land Planning, Messina Enterprises

Mr. Johnson addresses the Board explaining this is a second hearing on this matter. Mr. Johnson submitted a response to the Staff Report (dated 10/2/12) which he plans on reviewing with the Board. He offers some building elevations and floor plans. He further explains that Kim Hazarvartian, Transportation Engineer of TEPP LLC is present to answer questions on the traffic assessment that was submitted. Mr. Johnson is addressing only the Staff Report issues that require comment. The Staff Report (dated 10/2/12) Pg 4 of 13, Item 5 concerning the delineation of the watershed protection district. Mr. Johnson explains he will meet with the Town Engineer to further define the watershed protection line. Further, explains his intent to correct the lines on the plans. Next item on Page 6 of 13, item B, concerns existing access and parking easements that are on the plan. Mr. Johnson explains that in 1993 there was approval of a shared plan that was submitted to the ZBA and to the Special Permit Granting Authority. The parking as noted in "Area B" is on the property of the South Congregational Church that will be addressed in the future with the Church Board.

Item C, the total square footage of the building, after demolition, has been calculated by the architect to be 32,184 s.f. and the plans have been adjusted to reflect this.

Page 7 of 13, addressing Staff comments regarding the type of light being proposed for the parking lot, looked too commercial. The Applicant proposes to provide a tear sheet of seven styles of parking light and review with Staff to come to agreement.

Applicant agrees to lower the 8 foot fence as shown on the plan to a more appropriate 6 feet and to work with Staff to potentially landscape the 180 s.f. in the parking area.

Item I – Applicant intends to meet with the neighbor, Mr. Clancy, located at 1091 - 1093 Washington St. to discuss the location of a fence for screening purposes and work with Staff. Further, there is a 5% of internal landscaping in the parking field. Total acreage shown on the plan has been corrected.

As noted on Page 10 of 13, the existing roof drains will drain directly into the infiltration basins as recommended by Staff.

The order of the total suspended solids calculation sheet has been revised per Staff recommendation.

On Page 11 of 13 (j), the operation and maintenance plan has been revised to meet the recommendation of Staff. Regarding the portable sanitary units during construction, Applicant will be located away from construction and away from the church.

12 and 13 under “M” explains that there is ample asphalt area for mail and delivery trucks which will be shown on the plan.

13 of 13 – building inspector commented on the location of the handicap spaces. Mr. Johnson explained that the slope of the land inhibits a better handicap location.

At this time, Mr. Johnson introduces Dmitri Kapalis of Habeeb & Associates Architects, Inc. to present the exterior elevation perspective that has been submitted.

Mr. Kapalis explains that this project is the treatment of the 3 story brick building integrated with the original design – Applicant proposes to combine the units in a way that is contextual with the neighborhood. Mr. Kapalis further explains the material to be installed on the upper level attempts to soften the appearance of the façade, lighten the mass of the building and add a cornice or element to add excitement.

Significant changes:

The formal entry has been relocated to the back of the building as shown on the floor plans. Intended are 9 units on each level, approximately 1,000 s.f., mostly 1 and 2 bedroom units.

Mr. Harnais asks if anyone in the public has any questions. No members of the public spoke. Next he opens questions to the Board. Ms McDonald questions the amount of parking spaces (55 spaces) = 2 spaces per unit plus one extra. Ms McDonald questions whether the parking will extend beyond the existing lot. Mr. Johnson comments that the new improvements look better than what was submitted prior. Ms. McDonald asks about the intended rental cost, Mr. Johnson is not involved with that aspect and confirms that at least 3 units will be “affordable housing”. He believes it will be a market rent.

Ms. McDonald has concerns that the appearance of the proposed building may not attract the targeted “young professionals”.

Mr. Johnson defers to Mr. Rob St. John, Director of Planning with Messina Enterprises, to explain that what has been presented so far is a demonstration that this building can be warmed up. This is a work in progress. He explained they are attempting to address the concerns in the neighborhood and the Board to diminish the mass of the structure.

Mr. Mikami agrees with Member McDonald and explains that the entire Board and officials throughout Braintree are concerned about how this looks. Mr. Mikami asks if there are any drawings of the formal entry, none available. Questions the rendered landscaping, Mr. St. John confirms that this mirrors the landscape plan.

Mr. Mikami questions the white area at the top of the building, what type of material, hardy board or fiberboard has been suggested – everything is applied over the brick veneer for cost efficiency.

Mr. Mikami questions what type of equipment that will be on the roof. Mr. St. John explains there will be standard HVAC units on the roof but positioned at the back of the building.

Mr. Mikami asked about any “green” plans – Mr. St. John explained about the LED fixture, but Staff wanted to find one that was more residential in appearance but not cast light onto the neighboring properties. They will endeavor to work on this. Mr. Kapalis, Architect, discusses the low “E” insulated glazing on the windows that are able to save energy and they intend to insulate the exterior veneer.

Mr. Mikami refers Mr. Marshall’s memo, on the last page, Mr. Johnson referenced Page 12 of 13(m) of the Staff Report– “there is sufficient area within the expansive field of asphalt”. Melissa Santucci Rozzi explains she is referring to the “u-shaped” parking area where she is encouraging the use of some landscaping. The area is approximately 50’ x 100+’ long. Mr. Johnson explains, supported by Mr. St. John, that they are looking for alternatives to break up the asphalt but that an island would not be practical.

Mr. Eng addresses Mr. St. John about the quality of the appliances intended for the units. He assures that because they intend to attract professionals for renters, in these market rate units, they intend to use granite countertops, stainless steel fixtures, nicer finishes, especially concentrating on the kitchens. Mr. Eng questions if the exterior materials intended to be used will be able to be kept clean on this heavily travel street. Mr. Kapalis assures the Board that the materials will be kept clean, last long and look nice.

Mr. Eng questioned about cable dishes installed on the exterior. Mr. St. John said they will probably be prohibited given the many other Braintree options for cable and internet.

A final inquiry: the current demolition to the roof. Mr. St. John explains it is the removal of all the roof mold and replacing the roof.

Mr. Reynolds asks for a brief explanation of the traffic circulation. Mr. St. John explains that the tenants will use the existing common access between the property and the Church, entering from Pond Street. They are also working with the Church on an alternative layout which may gain them a few more parking spaces. Mr. Reynolds questions the cut-through issue that was raised in the August meeting by an Abutter.

Mr. St. John explained that he and the Pastor of the Church are working on an alternative solution to prevent traffic cutting through the Church property. Currently, the Church is trying orange cones. Mr. Reynolds requests that information be assembled within a month to address the traffic control situations. He also raised the question about church event parking to interfere with residential parking. Mr. St. John believes that events would not interfere with residential

parking and if that becomes an issue, it will be addressed at that time. Mr. Reynolds wants clarification regarding the comment in the Staff Report regarding the handicap parking. Jennifer Turcotte, the engineer on the project explained that the proposed 4-spot location is the highpoint of the parking site to be in ADA compliance. Compliance prevents a closer location to the main entrance, a distance of 80'-90' and no canopy is planned.

Mr. Reynolds asked if the storm drains have been finalized. Sheet C-4 Utility plan is noted that shows 49 subsurface infiltrators to be located beneath the parking lot. These drains will accept all runoff on site except the lower Pond Street location of the property. An improvement is planned for the Pond Street area to remove the current discharge and redirect it to a stormceptor. Mr. Reynolds questioned if any water in the basement has been found, none per Mr. St. John.

Mr. Harnais comments that he likes what was presented and hopes it moves along, would like to get to conditions on the next hearing. Since the Agenda is full for the November Planning Board meeting, the next date is set for Tuesday, December 11th when conditions will be heard.

Motion by Mr. Reynolds to continue the matter to December 11, 2012; seconded by Mr. Mikami, continued to December 11, 2012 at 7:30 pm.

Vote: 5:0:0

12-08

79 Shepard Road / Stephen and Paula Connolly / Special Permit and Site Plan Review

Chair read the Public Notice.

Jason Youngquist, PE, of Outback Engineering, 165 East Grove St., Middleboro, MA, for Stephen and Paula Connolly addressed the Board. Tom Lewis, the general contractor for the proposed project was present. The proposed project replaces and expands the existing garage, part of which extends the existing footprint by 4' x 10'. Mr. Reynolds asks Staff if there are any outstanding issues. After no questions are asked from the public, questions are opened to the Planning Board. Ms. McDonald has no questions. Mr. Mikami asked Mr. Youngquist if he was familiar with the Staff issue of a renovation being done without the knowledge of the Planning Board or the Conservation Commission and how it was being remedied?

Mr. Youngquist begins to address an issue relative to a rear deck when Ms. Santucci Rozzi clarifies that Mr. Mikami is referring to the shed. It was determined that the current owners erected a shed that was too close to the property line and Mr. Mikami asks Paula Connolly if the issue is being remedied. Ms. Santucci Rozzi addresses and stated that the Staff Report referenced the shed. Further, the owners need to inquire with the Building Department to either remove the shed or obtain relief to keep it.

Mr. Eng then asked Mr. Youngquist to indicate on the plan where the additional storage is. Mr. Youngquist proposes compensatory storage to be located on the other side of the house. He further explains that the storage lost is 19.3 C.F.; storage added is 23.6 C.F. provided at the same

elevations as is being removed. He states that the additional storage is gained by digging down a half a foot in a portion of the yard which will also be re-loaded and seeded.

Mr. Reynolds inquires with Staff to ensure that all requirements and staff questions have been addressed. Mr. Santucci Rozzi confirmed that the response from Outback Engineering clarified all questions and conditions. She further noted that some revisions to the Conditions were made in regard to the shed; asking for an Elevation Certificate. Mr. Youngquist explains that because the shed is on pilings, there is no need for compensatory storage.

Mr. Reynolds confirms with Ms Santucci Rozzi that the substantial questions have been answered. They were.

Mr. Harnais asks Mr. Youngquist if he read the Conditions and asked if he had a problem with them. Mr. Youngquist did not have any issues nor did Paula Connolly.

Mr. Reynolds makes a motion that the Board to accept the correspondence between August 21, 2012 and October 4, 2012, seconded by Member Eng.

Vote: 5:0:0

Chair asks if there are any public comments, none stated.

Motion to close public hearing by Mr. Reynolds, seconded by Ms. McDonald

Vote: 5:0:0

Mr. Reynolds motions that the Board approve the Special Permit including the revised Conditions; seconded by Ms. McDonald.

Vote: 5:0:0

10-01

Dave and Busters – 250 Granite Street **9-Month Review of a Special Permit**

Andrew Upton, representing Dave and Busters of Massachusetts, Inc., introduces the Manager, Derrick Robinson and Assistant manager, Merrill Becht.

Mr. Robinson outlined review of operations policies consisting of employees issues, procedures, fraud prevention, minor regulations, dress requirements; building safety issues (capacity) opening and closing procedure, police and security at peak hours.

Ms. McDonald had no question.

Mr. Mikami addresses Mr. Upton and Mr. Robinson and wants to know where the requested written report is. Reminds Mr. Upton that what was requested was an outline of noted topics, 2 weeks prior to the meeting, therefore he had no questions. Mr. Mikami stresses the importance of submitting it ahead so the Board can review in advance. Mr. Mikami has no questions.

Mr. Eng withholds his comments until formal submission.

Mr. Reynolds goes with the will of the Board.

Mr. Mikami recommends the matter get tabled and require the applicant, per the condition, to submit a narrative within the required time frame and in the applicant's best interest to return with some other senior managers.

Motion seconded by Mr. Reynolds.

Vote: 5:0:0

Motion to adjourn made by Mr. Eng, second by Mr. Reynolds to adjourn at 9:45 P.M.

Vote: 5:0:0

Respectfully submitted,

Elizabeth Schaffer