



Joseph C. Sullivan
Mayor

Department of Planning and Community Development

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PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Clerk
Darryl Mikami, Member
Erin V. Joyce, Member

Braintree Planning Board – February 9, 2016 – Cahill Auditorium

Present:

Mr. Robert Harnais, Chair, absent
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami
Ms. Erin V. Joyce

Christine Stickney, Director
Melissa SantucciRozzi, Principal Planner
Jeremy Rosenberger, Zoning Administrator

APPROVED

Vice Chair, Joseph Reynolds, called roll call at 7:10 PM; four members are present.

Zoning Board of Appeal Petitions – February 2016

OLD BUSINESS:

Petition #14-33, 639 Washington Street (Bonnie Tan): The Zoning Administrator explains that the Applicant has expressed that they are looking to reduce their multi-family proposal to four units, but he has not received any plans yet to provide to Planning Board. The Zoning Administrator reminds the Planning Board that they are on record for not approving the Applicant's six unit proposal.

Petition #15-10 - 60-80 Campanelli Drive (Thayer Academy/Jay Hanflig): Thayer Academy seeks to alter a pre-existing non-conforming structure located on a non-conforming lot. The proposed alteration does not meet the dimensional and density standards for the Watershed RC zoning district. A finding pursuant to Section 135-403 is required. Furthermore, a determination pursuant to Section 135-806.C for off-street parking is required for the proposed rink/field house. The Zoning Administrator reminds the Planning Board that they recommended approval with a condition of safety. There is a special meeting tomorrow night (February 10th); the Chairman has requested the Applicant and Abutters discuss some issues. It is also on ZBA agenda for February 23rd.

Petition #15-42 – 405 Commercial Street (Krishnakant Patel): The Zoning Administrator reminds that the Planning Board recommended approval with the condition that basements not be used for dwellings; this has been extended to February so that ZBA can do site visit to look at the property. There has been some abutter concern about the size of the proposal.

Petition #15-55 – 27 Woodedge Lane (Todd and Mary Ann Jackle): The Zoning Administrator reminds that Planning Board recommended no vote as clarity was needed on potential encroachment of driveway into adjacent property. The application was extended at ZBA Hearing on January 26th; the applicant is altering plans currently to remedy this issue. Revised plans have not yet been received. The last word was the Applicant was hoping to rip up the encroachment onto the adjacent property and relieving some of the need for a variance for a front farmer's porch.

Petition #15-60 – 64 Davis Road (Dung Nguyen): This was also recommended as "no vote" by the Planning Board due to potential clarification of the lot coverage, which was not depicted on plans. There was a potential for exceeding the lot coverage. Applicant has reoriented the proposed parking garage so that there would be no need for variance on lot coverage. No plans have been provided yet.

NEW PETITIONS:

Petition #15-61 128 & 0 Town Street

BSC Partners, LLC & Town of Braintree, c/o Scott Lacy, Esq., 31 Cowell Street, Plainville, MA 02762 (owner of property, Town of Braintree) for relief from Bylaw requirements under Chapter 135, Articles IV, VI, VII and VIII to construct a proposed multi-use facility next to the high school. This is a 208,542 sq. ft. commercial recreation building, with a building footprint of 157,160 sq. ft., including accessory uses consisting of two (2) hockey rinks; an indoor swimming pool; an indoor multi-sport turf field; indoor work-out/training facilities; wellness/sports facilities; pro-shop; family fun area; food concessions, and office space. In addition, the proposal will provide new parking areas and related infrastructure improvements. The applicant seeks a permit, variance and/or finding that the proposed alteration will not be more detrimental to the neighborhood. The property is located at 128 and 0 Town Street, Braintree, MA 02184, and is within a Watershed Highway Business District Zone, as shown on Assessors Map 1042, Plot 01 & 02, and contains a land area of +/- 688,997 sq. ft.

The Zoning Administrator has provided a copy of the Site Plan and has recommended deferral for two reasons. This Application is before Planning Board for ANR approval. The initial application was part of multiple properties that included the high school and some open space. The applicant is looking to consolidate some of the properties, specifically for this multi-use facility which will clarify a lot of property dimensional zoning issues. There are two potential issues for need for relief from ZBA. First, the structure being constructed is within the 100' buffer zone, which pertains to 100' distance between adjacent zoning districts. In this case there is a Residence B District, which houses the residential dwellings adjacent to this property, and this property is a highway business, and therefore, per 702 of the Zoning Bylaws, an open space buffer of 100' is required. After talking with counsel and looking at previous cases, typical relief for locating a structure within such a buffer has been governed and regulated by the Planning Board; however, applicant may look to go before ZBA to confirm that and cover all bases, potentially for financial issues. The second issue is parking; the proposed multi-use facility, which would be defined as commercial indoor recreation, would need 835 parking spaces off street; the applicant is proposing 107. This goes back to commercial indoor recreation per the Zoning Bylaws, which requires one space per 250 SF, yielding 835 spaces. This goes back to the 208,000 SF contained within this building. However, there is multiple uses for these properties – specifically the high school, and we don't want to cause a deficiency for the high school. There are also probably some legal agreement which need to be put in place between the high school and this multi-use facility. As there are still some outstanding issues as far as clarity on this off street parking required, I recommend deferral. We are working with Town and the High School to determine how many parking spots they do need. There is a neighborhood town meeting tomorrow night to discuss the project. Details for this have been evolving.

Vice Chair Reynolds asks for clarification on the recommendation to defer. The Zoning Administrator clarifies that the buffer is plain and simple, the number is there, the structure is

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50.1 feet at it's closest point from the Residence B zoning district. That is pretty clear that there would be relief, although we have said that is governed by the Planning Board and Council has made that opinion based on precedent, but the applicant wants to make sure they cover all their bases when it comes to potential financing for this project and anything that might need clarity or confirmation will be pursued. Member Reynolds confirms from a parking perspective on that variance, we are still receiving data points and we haven't yet received all of the mitigating factors that will help us come to the best decision. The Zoning Administrator agreed that this is a complicated project with a complicated site, with existing high school requiring a number of parking spaces. The ANR plan is a recent event to clarify a number of zoning issues and dimensional issues that were apparent. To say that this proposal is evolving is a correct statement. Unfortunately there is not enough information on what is the ultimate need for parking on the site, including that required by the high school. An agreement will need to be reached between the parties, the school and the partners. It is clarified that this may or may not be continued at ZBA depending upon whether parking information can be resolved prior to February 23rd date of meeting. The Vice Chair leaves it to the decision of the Planning Board as to whether a recommendation is made. The Zoning Administrator clarifies that this project will need to be seen before the Planning Board for a Special Permit.

Erin Joyce has question on ANR plan submitted. She clarifies that Parcel A and C would be the new lot that the facility will be going on, which is the lot that will be leased; Parcel B and D will be combined. It looks like High School has property line going down the middle; is there a benefit to combining all the lots for one property during this ANR process. The Zoning Administrator would defer that question to when the Applicant appears before the Planning Board. Member Joyce states her opinion is to make no recommendation on parking issue as there are still a lot of moving pieces.

Member Eng asks what the Zoning Administrator thinks is minimum parking spaces needed here. The Zoning Administrator does not have magic number but he wants to reiterate that there is no shared parking provision in the bylaws. Multiple uses have to be cumulative. This is unfortunate because you don't want to build too much parking. Member Eng feels you need to focus on sporting events at the high school and night classes. He feels there is a lot going on at that site, and the applicant needs to come before Planning Board and prove this is going to work.

Member Eng **MOTION** that the Planning Board is unable to make a recommendation at this time due to lack of detailed information; however, they request the opportunity to make a recommendation when information is available; seconded by Member Mikami; unanimously voted 4:0:0.

Petition #16-01 31 Mann Street

Erin O'Brien and Peter Werner, 31 Mann Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 609 and 701 to construct a 2.5 story attached 1550 SF garage addition with living space above to an existing single family. The garage will encroach into the side yard creating the need for a variance and exceed the

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maximum lot coverage not meet the minimum open space requirement. The property is located at 31 Mann Street, Braintree, MA 02184 and is within a Watershed B District Zone, as shown on Assessors Map 1094, Plot 40, and contains a land area of +/- 8,179 sq. ft. The Zoning Administrator is recommending approval with conditions that the petitioner provide evidence of abutters support due to the side yard encroachment.

Member Joyce states going through the Staff Report for this project, she agrees with point that we do not have a calculated lot coverage presented by the Applicant, and given that they are going to be close to the maximum lot coverage, they should supply that. She would be curious if they have looked at another option; they may have enough room to put the garage and reconfigure the mudroom behind it and still be within the variance. There is no topographic evidence to support their statement that topography was restricted. Perhaps they can provide supporting information.

Member Mikami agrees with everything Member Joyce stated. It seems like an aggressive plan. He sees flat land with no topographical restrictions. He feels he could not support this project, as it is a big project.

Member Eng thinks the Applicant should consider elimination of mudroom to get better side yard clearance. They are squeezing the garage and mudroom into tight area. He would like to see the Applicant reconsider that.

Vice Chair states lot coverage and open space are numbers that are compelling in Planning Board consideration. Vice Chair would ask for those numbers to be provided before any consideration is made.

Member Eng **MOTION** to make a negative recommendation but have them reconsider side yard space and provide lot coverage calculation; seconded by Member Joyce; unanimously voted 4:0:0.

Petition #16-02 96 Prospect Street North

Brendan and Ellen Finn, 96 Prospect Street North, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403 and 701 to remove an existing rear deck and construct a new 660 sq. ft., two story addition. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located 96 Prospect Street North, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 2032, Plot 12, and contains a land area of +/- 4,417 sq. ft. The Zoning Administrator recommends deferral. The Petitioner needs to submit elevation plans to show that the addition is not more detrimental to the neighborhood, which the Zoning Administrator has requested.

Member Mikami thinks staff recommendation is appropriate.

Member Eng **MOTION** to support deferral opinion and request Applicant provide elevation to prove it will not be detrimental to the neighborhood; seconded by Member Mikami; unanimously voted 4:0:0.

CONTINUED PUBLIC HEARING

Grading Permit – John Mento of Mento Homes, 1091 Liberty (PB File #15-17)

The Applicant has requested a continuance due to the fact that we have one Board Member missing this evening, and they would prefer to have consideration by the full Planning Board.

Member Eng **MOTION** to continue this hearing to March 8th at 7:30PM; seconded by Member Mikami; unanimously voted 4:0:0.

PUBLIC HEARING

**Special Permit (Floodplain) and Site Plan Review –
Gary Gabriel – 100 River Street (PB File #16-01)**

**Present for the Applicant:
Gary Gabriel, Applicant
Shawn Hardy, Engineer**

8:15 PM – Four Planning Board members participated; Robert Harnais absent.

Member Reynolds reads Public Notice into record.

Shawn Hardy, Hardy Engineering, as said in application it is an existing 10,000 SF lot, with a vacant residential structure. The proposal is to demolish that and construct a 3 bay contractor garage. As stated, it is within buffer zone to the Monatiquot River, and it is also within a flood zone. The project has gone through the Conservation process to work through those issues. There are proposed plantings between the buffer zone for the river front. As a result of that, they wanted some river front restoration because it is a 10,000 SF lot with about 9,400 SF disturbed. Test pits were dug; there was loamy soil with some silt. Under Conservation standards, it is a redevelopment project. In order to infiltrate for the impervious area, we are proposing a series of three cultec chambers that take the roof runoff. In addition to that, as part of the Conservation process, they ask that we provide a trench drain at the base of the proposed driveway to prevent any additional runoff from getting out into the street.

Vice Chair Reynolds asks for comments from staff. Melissa SantucciRozzi, Principal Planner, states that Engineer Hardy has done a pretty good job of describing the project. The Planning Board and the Applicant have the Staff Report. Basically, staff is looking for a little more detail; there were a lot of materials submitted to the Conservation Commission, but unfortunately they were not submitted to the Planning Board. Those materials need to be submitted into the Planning Board record. Staff is pretty confident that these changes can be made in short order and the additional materials can be submitted. We have been working with the Applicant for a while on this and he needs to return to the Zoning Board of Appeals; he did receive relief from the ZBA and a

six month extension, but those have since lapsed. Staff and the Board supported those. The site needs some attention. This will clean up the building; everything will be parked inside. The only thing outside will be some new plantings, some compensatory storage and some drainage. From a stormwater perspective, in the commercial zoning district, this is a huge improvement. It removes the concerns related to the structure that was there; it received significant water damage. A good portion of the basement took on some water at one point. So, along with stormwater improvements, elevating the structure, this property will be in full compliance with the Floodplain Bylaw and also meet a lot of goals and objectives that Conservation seeks for stormwater management and re-establishment of riverfront plantings. Staff has no major concerns, just some questions in looking for further information and calculations from Mr. Hardy. Staff is of the position that, if the Board is inclined, to do Draft Conditions for the Continued Hearing.

Vice Chair Reynolds opens questions/comments to the public.

Eileen Nehiley, 106 River Street, located opposite the river of this location. Her concern is once the whole frame of the structure is changed, will she get bothered by water on her side of the river. Where will the sump pump go?

Mr. Hardy states the existing structure has a basement; this new structure does not because it will be a slab on grade, above fill to meet requirements for floodplain. There would be no sump pumping. The new structure would not be affecting the ground water table.

Mrs. Nehiley asks if the water stays under building all the time; Mr. Hardy states part of the requirements to build in the town bylaw is to have the slab be one foot above the flood elevation. The reason they are pumping is because there is a basement. Without a basement, the ground water stays in the ground. Mrs. Nehiley confirms that there will not be any excess water traveling over to her property.

Kevin Dwyer, 90 River Street, concern is the runoff because he has been flooded numerous times. With the pitch in the roof, (it's a gable roof with two peaks) all that runoff comes running into the driveway. He has a drain in his parking lot; when the river comes up it comes up through the drain, as well.

Gary Gabriel, Applicant, states that they are going to pick up roof runoff and pipe it into cultec chambers that leach out into the ground adjacent to the river.

He summarizes that the existing structure's gutters feed out onto the ground. It fills up neighbor's drain by running down the asphalt driveway. The Applicant is proposing to tie in the gutters, and it will improve the situation. It won't cure the abutter's problems, but they won't add to it. Vice Chair Reynolds states the Applicant will mitigate what is presently running off through 3 cultec chambers.

After getting an explanation by the Applicant, Mr. Dwyer feels you cannot stop nature or prevent flooding during a big storm, but the new building will ease the situation. His other question is related to erosion, which is a concern. How will the applicant alleviate that situation? The Engineer, Mr. Hardy, states the planting restoration that is being done by OwBow Associates will provide an improvement and stabilization.

Member Reynolds suggests Mrs. Nehiley reach out to her local Councilor and the Mayor's office with valid concerns.

Mr. Hardy states it is a small lot; we are making improvements and mitigation to improve a situation.

Member Joyce asks what is going to be the use of the building; Gary Gabriel is not sure at this time but envisions landscapers. Member Joyce asks staff about the parking count. The Principal Planner states configuration of the site allows indoor parking with no exterior parking permitted and nothing stored outside. Member Joyce asks if there will be any walkways. Gary Gabriel states in between the driveways there will be small grass swales, with egress in the back with crushed stone. The Principal Planner feels that is a good suggestion to do a crushed stone perimeter; Member Joyce agrees. Member Joyce asks what happens to the river once you get past this property line and what is the elevation. Mr. Hardy states they did test pits. They had water weeping from test pits at 108 and 106 inches below grade. That coincides with about where the grade of the river is. Member Joyce asks would overflow for culvert units be out of trench drains. Mr. Hardy states the drainage calculations with the 3 units shows that it doesn't overflow. In 100 Year Storm, the trench drains would back up.

Member Joyce asks about floodplain calculations for filling in the floodplain. Do you have to provide compensatory storage for the loss of the basement? Mr. Hardy does not believe so because the basement would be considered enclosed space and would displace that flood water. The first floor elevation of the existing structure is lower at 63.5. Mr. Hardy believes they have an artificially high flood elevation.

Member Joyce asks staff if it is okay to have 3 separate curb cuts. Staff's understanding is that it is wide open. There will be no berm installed. As far as staff is concerned, it is one big opening. Member Joyce asks if there will be floor drains in the garages; Gary Gabriel realizes utilities need to be shown on plan when it is revised.

Member Mikami states to expand on Member Joyce's question on use of building, he asks how many vehicles can each of the bays handle? Gary Gabriel states five vehicles or two large vehicles. It is clarified that there may be some inside work, such as a carpenter. Because this is in a commercial zoning district, there can be inside work but this will reduce parking area. This allows for light manufacturing, fabrication, contractors, etc. We want to make sure that the whole building does not end up like this because there will be no parking. Staff will discuss this with Mr. Gabriel. Member Mikami confirmed there would be no external parking or outside storage of materials; he asks about the width of the bays, which Mr. Gabriel states would be 20' wide. Member

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Mikami asked if Conservation provided any direction related to landscaping. Mr. Gabriel states that along riverbank there would be plantings going on, but in the front there is no room. Member Mikami reminded Applicant about Mayor's initiative on beautification. Mr. Gabriel states he will do whatever he can to improve. Member Mikami asked the Engineer, if you take the amount of water coming off today going onto River Street, to what extent are the drainage improvements going to impact River Street. Mr. Hardy states it is a reduction in runoff; it is a small improvement. Member Mikami wants to make sure there will be no negative impact on River Street. Member Mikami's final question is related to whether Mr. Gabriel wanted to add second floor. Staff states this would need to come back to Planning Board to amend the Special Permit/SPR. Mr. Hardy states that would not meet parking requirements.

Member Eng asked when Applicant would respond to Staff questions; Mr. Hardy states response is readily available and will be provided pretty quickly. Member Eng asks what basement will be filled with. Applicant and Engineer state "cleanfill". Member Eng asks for Applicant to be sensitive to what kind of lighting is used around this building to be sensitive to neighbors. Gary Gabriel states the plan is to put low impact lighting.

Member Reynolds feels this is a situation that is going to be improved. This will be a positive impact on current situation and abutters. Member Reynolds feels that draft conditions for next meeting might be appropriate.

Member Eng MOTION to continue to March 8 at 7:50 PM with draft conditions; Member Mikami second; unanimously voted 4:0:0.

The applicant signed a mutual agreement to continue the Public Hearing.

PUBLIC HEARING

**Special Permit (s) and Site Plan Review –
Braintree House of Pizza LLC, 970 Washington Street (PB File #16-02)**

**Present for the Applicant:
Frank Marinelli, Attorney for the Applicant
Lefteris Zotos, Applicant**

8:45 PM – Four Planning Board members participated

Member Reynolds reads the Public Notice into record.

Frank Marinelli, Attorney for the Applicant, Anastasia and Lefteris Zotos of Braintree House of Pizza. Attorney Marinelli provides a handout of the updated elevations. By way of background, Mr. & Mrs. Zotos are Braintree residents; their children attend Braintree schools. They own and operate Braintree House of Pizza, which is currently located at 958 Washington Street; they purchased the business approximately four years ago. They still pay an installment loan to the former owner of the business. They

also pay rent for their current location at 958 Washington Street. Like most small businesses, Mr. & Mrs. Zotos wanted to do their best to be in control of their own destiny. In January 2014, they spent over \$500,000 to purchase the property at 970 Washington Street and 2 Hall Avenue, which is the property before you tonight for the Special Permit. Essentially, they want to move their business a few doors down; the building is located in the General Business Zone with Village Overlay. In addition to the purchase price, they intend to invest about \$150,000 to upgrade the current building. Attorney Marinelli shows pictures of the building currently, as well as highlighting businesses that have been located at this address since the 1930's with a general retail history.

One of the difficulties with the site is that it is essentially all building. Attorney Marinelli discusses why this is considered "fast food" and how the delivery component helps with the parking situation. In December 2015, they received a parking variance from ZBA because nearly 100% of lot is covered by building. Attorney Marinelli points out the available parking both in the municipal lot and on street. There is no real change other than an improvement of a vacant building making it a more inviting location. Their lease runs out at existing location in 2017.

This application has the support of a petition from the neighborhood. There are 35 seats in the new plan; the delivery component is 65%; the take-out is 30%; the sit down component is about 5%. It was suggested by staff to get away from internally lit channel letters on the sign. They have a much more subdued plan now. They have gone to back-lit letters. We may implement gooseneck lighting, if staff deems it appropriate. As you can see from existing photographs, the existing stucco is going to be painted a dark taupe color. In terms of staff report and improvements/revisions to plan that have been made, if you go through the staff report, page 3 talks about a cement appendage in the back of the building. That housed an old oil tank; we have a permit issued by Braintree Fire Department where the oil tank was taken away and properly disposed of earlier this month.

Attorney Marinelli feels that all questions from staff report have been answered. There was a request made by staff to add a window consistent with Village Overlay District; they have done that in the front of store. The front door will be centered in the front elevation on Washington Street. They have added a window on the Hall Avenue side. As requested, they have screened the meters. They have also screened the ventilation for the grill and oven on the roof. They have reviewed draft conditions with staff and they are acceptable.

The Principal Planner, Melissa SantucciRozzi, states that she had very a productive meeting with the Applicant and Attorney this morning; she feels it is going to be one of the show-pieces in South Braintree Square. He has been dedicated, good to work with and has taken all of our suggestions and considerations to paper. This is a huge improvement; she has provided draft conditions, similar to conditions for Jimmy John's, which regulate the business and provide for improvements. There may be a need for a couple small plan revisions. Things are going very quickly in the right direction.

Member Reynolds opens discussion up to public for questions/comments.

Phil Milstein, resident at 8 Hall Avenue, asks what space is 2 Hall Avenue. Attorney Marinelli states there is a cement bunker at the back of the building, with an address of 2 Hall Avenue, which housed an oil tank at the back of the building that was removed. The cement bunker will be removed and the area will be encompassed with a chain link fence and green vinyl slats for trash receptacles.

Staff states that decision will reflect minor improvements at 2 Hall Avenue.

Councilor Michael Owens, District 5 Town Councilor that represents this District, wants to rise in support of project; he likes the latest revisions. He has made it a point to work within South Braintree Square on beautification. This includes working with local businesses to engage them, encourage them and support them to enhance the character of small businesses. He likes concept of goose-neck lighting. He likes the idea of windows that open, similar to Southside Tavern. He feels this is inviting and adds a level of vibrancy. His hope is that this can be a more upscale establishment that offers the same price point. He hopes this can move in the right direction, and he appreciates staff's help on this.

Member Joyce refers to comment in Staff Report related to planters or window boxes. Attorney Marinelli thinks that is a great idea, but there is limited space available because of space needed for pedestrians and handicap accessibility. However, they will continue to look at other possibilities for hanging plants. Member Joyce asks if there is a need for an easement in the area where they are storing trash. Although they own the property at this time, in the future something may change. Attorney Marinelli agrees that is a good suggestion.

Member Mikami wants to make sure there are no structural issues with the building. Attorney Marinelli states the bones of the building are good. Mr. Zotos agrees that the building is well built. Member Mikami asks if there will be under canopy lighting under all the canopies. Attorney Marinelli agreed that there would be low-voltage under all the canopies. Member Mikami asked about where delivery cars are parked and where parking is done for staff. Attorney Marinelli states employees are either picked up or take public transportation. Mr. Zotos moves his car periodically depending upon trips for the business. They have a smart car that does deliveries, which will come to side door, pick up product and deliver. Member Mikami clarified that effectively you could be in the new building by the end of 2016. Member Mikami discussed the new concept of bicycle racks and electric vehicle charging stations. Attorney Marinelli feels that would be a good idea for the municipal lot. Councilor Owens agrees with comments about bicycle racks and electric charging stations. This has been something he has discussed with Mayor Sullivan. He is hoping they can get a little more serious about this. He feels it will enhance the village overlay and bring a level of vibrancy and quality of life. He supports that entirely; the first step should be to add bike racks in the municipal lot. He will put that higher on his list to advocate for.

Member Eng asks Councilor Owens with the increased number of tables, are you comfortable with number of parking spots available? Councilor Owens feels the biggest issue with parking is the MBTA station; people park in South Braintree Square and go to the "T". He is, however, comfortable with parking available for Braintree House of Pizza. Member Eng just wants Mr. Zotos to be successful. Member Eng asks what the legality of using 2 Hall Avenue for your restaurant. Attorney Marinelli states it is completely legal; it is General Business Zone. The Principal Planner clarified that it is all General Business, and the Applicant owns both parcels.

Member Reynolds feels the presentation was very thorough, and this is a great improvement for the site. He agrees with the comments made by Councilor Owens. Looking at Draft Conditions, he knows there has been a lot of work done by staff and the applicant. The Principal Planner will clarify 2 Hall Avenue usage and add the suggested condition for the Easement. Councilor Owens wants to state for the record that he plans to sit down with Attorney Marinelli and Mr. & Mrs. Zotos to ensure that the aesthetics are done properly.

Member Eng **MOTION** to accept correspondence from January 15, 2016 through Item 14, Staff Report with Draft Conditions dated February 8, 2016; seconded by Member Mikami; unanimously voted 4:0:0.

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

Member Eng **MOTION** to approve application with conditions being concluded; seconded Member Mikami; unanimously voted 4:0:0.

NEW BUSINESS/OLD BUSINESS

Request for Minor Modification – 429-445 Quincy Avenue (File #15-07) Decelle-Burke Associates for the Property Owner (Quirk Automotive Group), Applicant

The Principal Planner Melissa SantucciRozzi has been working with the Quirk Automotive Group, their Attorney, Mr. Marinelli, and their Civil Engineer, Mr. Burke, who will be setting up the plans. She reminds the Planning Board that there were a series of grading permits done to this site, which is the Hilltop Site, former Flibbotts property, which Quirk has bought several pieces, combined them all, discontinued some roads; the Planning Board approved a Site Plan Review last year. Engineer Burke worked diligently through the MEPA process, and as a result of the MEPA process, there are some changes to the plan—all very positive from the staff's perspective. Mr. Burke will present those this evening, and the staff can address any other comments or questions the Board has once Mr. Burke's presentation is concluded.

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Jim Burke represents Quirk Auto Dealerships for their new dealership at 429-445 Quincy Avenue. The building itself has not changed. They went through Mass Highway and MEPA; MEPA asked for environmental and esoteric changes. They requested four electric car services; they are located to the south of the building. They wanted a bike rack, which we added. The site had a double barrel access, with two lanes coming in to the site and two lanes going out. Mass Highway did not like the double barrel access; they reduced it down to their typical commercial curb cut, 24' wide drive with a 30' radius. That changed some catch basin locations and a drain manhole here and there. This allowed us to go from 896 spaces to 905. Mr. Burke clarifies where the new parking spaces, charging stations for electric cars and bicycle racks would be located on the site.

The Principal Planner asks if Mr. Burke can show the elevations. The Principal Planner reminds that part of the Site Plan Review did not have the final elevations, but with much coordination with Mr. Burke and Mr. Twohig, the site contractor, these plans were provided and does include the archway for Jeep, as can be seen in the top photo. Mr. Burke highlights what is new on the elevation plans.

Member Reynolds asks the Principal Planner, for the clarity of the Board's sake, if there is anything else that needs to be highlighted. She states "no".

Member Joyce asks about pedestrian access off of Quincy Avenue; Mr. Burke states it is maintained and starts from Quincy Ave and goes up to the dealership.

Member Mikami states bike racks and electric vehicle charging stations were added by MEPA; do other Quirk dealerships have similar requirements? Mr. Burke does not think so. Member Mikami states this might be a new trend that we see coming as a requirement; Member Mikami feels that everything else looks logical. We are assuming that Jeep is moving in. When do we think that will happen? Mr. Burke states there is still some ledge to remove, so realistically probably in the Spring of 2017.

Vice Chair Reynolds adds the request for due diligence with no change to foot print and no change to height.

The staff will be putting together a minor modification template, highlight those changes and have Member Eng sign that as Clerk. They will record that so that at the Registry the updated plan is referenced as the Record Plan, with the increase in parking and the record elevation, as well.

Vice Chair Reynolds states they have two votes to be taken this evening; one is the minor modification vote and the other would be for the elevation changes that have been submitted.

Member Eng **MOTION** to approve the Minor Modification; Member Mikami seconded; unanimously voted 4:0:0.

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Member Eng **MOTION** to approve the elevations as submitted; Member Mikami seconded; unanimously voted 4:0:0.

**Approval Not Required Subdivision Plan – 110 Quincy Avenue
South Shore Development LLC c/o Paul Feldman, Applicant**

Director Stickney states this is an existing lot off of Quincy Avenue. It is an older home at the corner of Cedarcliff and Quincy Avenue. Presently, he has about 45,000 SF for the lot area. He has sufficient frontage on both streets. The Applicants want to divide the property into two lots. The first lot, where the existing structure would remain, is a two-family structure, and they will have 20,786 SF with 114 feet of frontage on Quincy Ave. The second lot, that would be vacant at this time, has frontage on Cedarcliff, has 80 feet of frontage and would have 24,355 SF.

Staff recommends it is in proper form for endorsement by the Clerk.

Member Reynolds asks how old existing house is; Applicant states very old.

Member Eng **MOTION** to endorse ANR plan; seconded by Member Mikami; unanimously voted 4:0:0.

**Approval Not Required Subdivision Plan – 128 Town Street (Map 1042 Plots 1 & 2)
Town of Braintree c/o Michael Coughlin, Applicant**

Director Christine Stickney states, as you know, the town has moved forward on the sports complex—the Petersen Pool and other amenities. The school site is comprised of five lots for a total acreage of about 83 acres; the high school building itself sits on four corners of the lots. In order to do the lease that is needed for the complex, there had to be a lot created in which the lease is a portion of that lot for zoning, calculations and recording of information. The Director has provided a memo, which is on file and which explains the five existing lots and their acreage. The new lots, which they are calling Lots A and C, would be combined to create almost 16 acres (15.8); a portion of that will be the actual complex building and the existing parking lot (where the students park). That is zoned Highway/Business. Six of those 16 acres would be leased to the sports complex. There will be discussion with Zoning Board of Appeals application as to relief of parking. There will be discussion at subsequent Planning Board Hearing related to buffers and other site plan improvements and some type of agreement with the School Department, as to a covenant. The creation of A and C will be one lot of 16 acres. The remaining parcel (lots B and D) is diminished in size to 38.4 acres, and that will be where the actual high school is located. Two of the other existing lots are going to remain the same (Plots 58 and 4D). All of the lots will have frontage.

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Member Joyce asks about combining all lots so that line does not go through the high school building. Director's understanding is that directive was given from the Mayor's office, after conversations with the School Department, to take care of what needs to be taken care of for complex and leave everything else as is. The Zoning is Highway Business for that 16 acres and the remaining parcels, whether new or old, remain Open Space Conservancy. Member Joyce asks if an engineer can certify an ANR plan and property line. The Director states, in this particular case, the feeling was because it is town property and because it is an accumulation of the deeds, the Town Engineer stated that he has met their requirements. The Director states they normally have a Land Surveyor.

Member Mikami asks the changes to this ANR plan, if there are any anticipated developments regarding parking, will that impact this at all. The Director states, because it is a campus, they will be done as a covenant or easement. The Town will retain ownership of all the property. It is a lease given to the builders of the complex.

Member Eng asks if we vote on this tonight, will it have any effect on our future vote or our duties as a Planning Board. The Director feels if you endorse this tonight, it only becomes effective when it is recorded at the Registry of Deeds. For the calculations of zoning purposes, setbacks and things like that, the staff had suggested that they create the lot, of which a portion will be leased. Because otherwise, we were trying to do zoning calculations over four lots, which was getting very difficult as to setbacks and buffers. It will make it clearer for the public and for the boards that have to review it, but not have any impact on your decisions. If it is endorsed tonight, it affects three of the five lots; two will remain the way they exist today.

Member Joyce asks, from a timeline and logistical perspective, why couldn't the project move forward under the assumption that this lot was going to happen and not endorse the ANR to make sure the project is moving forward and there aren't further changes to lot lines. The Director clarifies the idea of not recording it immediately will give you the same effect. It will be endorsed and ready to go once all the permits are approved. Obviously, if the permits are not approved or a major modification is made to something, they will have to refile another ANR or modify it. At least, this way it gives you a lot that reflects the re-zone. You will be able to see the building on the lot and see the leased area.

Member Eng agrees with Member Joyce's comment about having a PLS confirm the lines because there is a lot of survey data on here.

Director Stickney makes the suggestion that, if the Planning Board has concerns, rather than take action on it, we continue this to the next Public Hearing and get questions answered.

Member Reynolds recognizes there is a timeline of events (ZBA, Site Plan Review) would this have any effect on that, in your opinion. Director Stickney states this is just

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an effort to make a cleaner plan; they already applied with existing lots and configuration they were.

Member Eng **MOTION** to delay the endorsement of this ANR until March 10 (filing) to deal with making sure that a Professional Land Surveyor reviews it to make sure all lines are perfectly labeled; seconded by Member Joyce; unanimously voted, 4:0:0.

Member Eng **MOTION** to approve Meeting Minutes of January 12, 2016; seconded by Member Mikami; unanimously voted 4:0:0.

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

The Meeting adjourned at 9:55 PM.

Respectfully submitted,

Louise Quinlan

Planning/Community Development