



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
Melissa B. McDonald, Member

Braintree Planning Board
Tuesday, April 9, 2013
Town Hall – Cahill Auditorium

APPROVED

Present:

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

Christine Stickney, Director

Chair Harnais called the meeting to order at 7:05 p.m. Member Reynolds was absent.

New Business/Old Business

Zoning Board of Appeal Petitions – April

ZBA (13-13) & (13-08)

65 & 79 Town Street / Paula Orinofsky and Gail Burns

Paula Orinofsky 79 Town Street, Braintree and Gail Burns, 28 Proctor Road, Braintree

Mr. Harnais explained to the Applicant that the Planning Board simply makes a recommendation to the Zoning Board of Appeal who is the granting authority.

Ms. Orinofsky introduced herself and her sister, Gail Burns, explaining they want to move the property line to give 65 Town Street more property. They may sell 79 Town Street in the future and would like to add privacy and prevent building in between the lots. Previously submitted dimensions on the plan originally submitted to the Planning Department in March, 2013 have been corrected and a second plan has been submitted.

Both properties are in a watershed; neither meet the required square footage. She submitted a picture to the Board and explained that there is area in between both properties that they want to keep for open space.

Currently 65 Town Street has 81SF of frontage; the change will bring it up to code, at 128 SF. The property at 79 Town Street will keep 100SF of frontage, staying within code.

Ms. McDonald had no questions.

Mr. Mikami discussed the accuracy of the lot size numbers that were submitted – 24,190 previously, 24,790 revised. Mr. Mikami advised the Applicants to recheck the numbers and double check before it becomes a recorded legal document.

Mr. Eng confirmed the purpose of the division and cautioned the Applicants, if they want to build later, the lots will be non-conforming. Ms. Orinofsky acknowledged and added that both lots are currently non-conforming.

With no further questions, Mr. Eng motioned for a favorable recommendation; seconded by Ms. McDonald.

Vote: 4:0:0

ZBA (13-14)

250 Granite St / Uno Chicago Grill

Joseph A. Deluca, Architectural Designer, Millennium Design Associates, Inc.
Blasé Gallo, Senior Designer, Uno's Pizzeria

Ms. Stickney pointed the Board to the latest Plan and Staff Recommendations; they spent some time reviewing the plan.

Mr. Gallo and Mr. Deluca introduced themselves to the Board.

Mr. Harnais explained that the Planning board offers either a favorable or unfavorable recommendation to the Zoning Board of Appeal who is the actual granting authority.

Mr. Deluca explained they intend to improve the exterior of the building, address signage and visibility. Presently, the building is 23.9' high. They want to add a 10FT tower extension above the existing roof line. On the Fascia, they want to mount 2 signs; one sign to be 4FT high that faces Route 37 and a second sign *3FT high, visible from the Plaza parking lot. They want to remove the existing signs, including the one in the rear of the building.* Overall, there is no change in the footprint of the building.

Mr. Gallo explained they want to replace the existing awning that wraps around the vestibule entrance with one segment over the entrance only.

Referring to the plans submitted, Ms. Stickney asked Mr. Gallo for clarification of the entrance structure; uncertain if it was an awning or canopy and pointed out the additional awnings that appear over other windows on the plans – she asked if it is an extension of the building.

Mr. Gallo explained that it is a canopy that is constructed like an awning; of a lightweight aluminum frame with a cover of metal or canvas sheeting that has not been detailed yet.

Mr. Harnais wanted clarification that the rendering submitted was simply a visual for sign reference. Although it was a different location, the sign(s) in the photograph(s) showed what Uno's intend.

Ms. Stickney asked if the sign was illuminated. Mr. Gallo answered that the name "Uno" and date of establishment will be illuminated. She also questioned the 105 SF of space reserved for a mural, stating that no artwork was available. Mr. Gallo said they were not going forward with the mural.

Mr. Deluca stated the proposed height of the canopy will be 8 Ft 8 inches. It will have an LED blue line around it and the blue LED line will surround other elements of the building.

Ms. Stickney summarized the project for the Board: The proposal is to increase the building structure with a new Fascia, add 4FT letters on the façade “UNO”; 3FT letters for “Established 1943” and a blue LED light around the building and around the canopy; all previous signs will be removed.

Ms. McDonald had no questions.

Mr. Mikami stated that what was submitted was unclear, not helpful to the Board or the Applicant. His concerns were about the tower not properly defined and the open space (distance line) conservancy area. He didn't believe the information, as submitted, was enough to render a recommendation.

Mr. Mikami questioned further about the open space conservancy. Mr. Deluca explained that in 1992, UNO's retained an attorney, Carl Johnson, who did an initial filing. His opinion was that the 2008 zoning changes eliminated relief from the buffer.

Mr. Mikami deferred to Ms. Stickney. Ms. Stickney stated the department was not able to obtain the opinion that is referenced but she was shown a copy of it that evening. She was not sure what Attorney Johnson was stating because the current By-Law (Sec. 702 – Buffer Zones) states that within a highway business district, no building, structure or part thereof, (in her opinion, the tower) shall be erected or placed within 100 FT of the open space conservancy.

Ms. Stickney further explained that she suggested to the Applicant, that while they were seeking relief for the other issues, they should address Sec. 702, in their request for relief.

Mr. Mikami discussed the sign details further and stated he would have preferred all the details to be determined before going before the Zoning Board.

Mr. Deluca explained that in fairness to Uno's, there was an attempt for due diligence to meet with the Building Department and discuss what the likely issues were. They fashioned the ZBA Application from the initial Opinion of Attorney Johnson. Mr. Forsberg of the Building Department did not believe that the Fascia would be a controversial issue.

Mr. Mikami said unfortunately, Mr. Forsberg is neither on the Planning Board or the Zoning Board of Appeals.

Mr. Eng stated that the application is confusing. He was only able to sort some of it out from Mr. Mikami's questions. He suggests that the Applicant should return with some clarification. Mr. Eng asked if the parking has been addressed relative to the new seating plan.

Mr. Deluca stated that he understood that the Plaza site is under a singular requirement for parking. He believed that the parking was done as a “total” not as a “per unit” method. He said it was explained to him that it was not required (although he was not sure if that was correct).

Mr. Eng wants the Applicant to return and answer the questions that remain unanswered due to the lack of documentation. He stated to the Chairman that he would withhold further questions and would like the Applicant to return with definitive answers at the next Planning Board meeting.

Mr. Harnais explained to the Applicants that the Planning Board will likely not vote this evening. The Board would want to make a good recommendation to the Zoning Board but enough accurate information has not

been submitted. Mr. Harnais explained the options of the Applicant are to either return at the next meeting and provide the answers or request the Planning Board to vote and they'll move to the Zoning Board.

Mr. Gallo asked when the next meeting date is. Ms. Stickney informed him, May 14th. She further explained that the particulars of the South Shore Plaza that originated when it was created. She agreed with the Board that the information provided is insufficient to render a decision. She suggested it was in the Applicants' interest to reschedule their meeting with the Zoning Board of Appeals to May in order to return to the Planning Board on May 14, 2013 with those answers for a favorable recommendation prior to going to the Zoning Board.

Mr. Eng motioned that they inform the Zoning Board that there are still unanswered questions that the Planning Board has to address before a recommendation and the Applicant has agreed to come before the Planning Board on May 14, 2013; seconded by Ms. McDonald.

Vote: 4:0:0

Other Business

Introduction of John King – chairman of Economic Development Subcommittee New Braintree Chamber of Commerce

Mr. Harnais introduced John King to the Planning Board. Mr. King addressed the Board stating that he was a member of the newly formed Braintree Chamber of Commerce and appointed Chairman of the Economic Development Committee, a subcommittee of the Chamber. The intent of the subcommittee is to guide Braintree Residents or Braintree business owners to the right people that can benefit their business.

Minutes

Mr. Mikami motioned to approve the Minutes for January and February, 2013; seconded by Ms. McDonald.

Vote: 4:0:0

Public Hearings

7:30 pm (13-01) 35 Rocsam Park Road / Franmar Properties of New England Special Permit (135-609) / Site Plan Review

The Chair read the Notice and stated the Applicant has requested this matter be continued without testimony.

Mr. Eng made a Motion to continue the hearing to May 14, 2013 at 7:30 p.m.; seconded by Ms. McDonald.

Vote: 4:0:0

8:00 pm (12-09) Continued Public Hearing
370 Shaw Street / William and Linda Jablonski
Multiple Dwellings (135-710)

The Chair read the Notice and stated the Applicant has requested this matter be continued without testimony.

Mr. Mikami made a Motion to continue the hearing to May 14, 2013 at 8:00 p.m.; seconded by Ms. McDonald.

Vote: 4:0:0

The Chair asked if there was any more business, with no more he called for a Motion to adjourn

The meeting adjourned at 8:01 p.m.

Respectfully submitted,
Elizabeth Schaffer