



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

Braintree Planning Board
August 12, 2014

Town Hall – Johnson Chambers

APPROVED

Present:

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

Christine Stickney, Director
Melissa SantucciRozzi, Principal Planner

Chairman Harnais called roll at 7:08 p.m.

Zoning Board of Appeal Petitions – August

(Ms. McDonald was absent for this portion of the meeting.)

ZBA (14-21) 7:09 p.m.

89 Howie Road / Keith and Kristen Walsh

Mr. and Ms. Walsh addressed the Board and explained that they want to add a second story to the house for additional space for their growing family.

Ms. Stickney reported that their house was typical in size to the neighboring houses. She said that the Zoning Board issued a Decision that approved the previous addition they now want to extend vertically. She said the proposed front porch will meet the front yard setback.

There were no questions or comments from the Planning Board Members.

Mr. Harnais called for a Motion.

Mr. Reynolds made a Motion for Favorable Recommendation; seconded by Mr. Eng.

Vote: 4:0:0

ZBA (14-22) 7:11 p.m.

88 Stetson Street / James Doogue

Ms. Shirley Doogue addressed the board and explained they want to construct a 7 x 31 FT farmer's porch to the front of their home.

Ms. Stickney reported that the property had two prior Zoning Decisions for an addition at the back and a second story. The farmer's porch invades less than 2FT into the front yard and the additional 217 SF is minimal.

There were no questions or comments from the Planning Board Members, Mr. Harnais called for a Motion. Mr. Reynolds made a Motion for Favorable Recommendation; seconded by Mr. Eng.

Vote: 4:0:0

ZBA (14-20) 7:14 p.m.

1 Devon Commons Lane / New Cingular Wireless PCS, LLC ("ATT")

Adam T. Kurth, Esq., Anderson & Kreiger LLP

Attorney Kurth addressed the Board and explained that his client, AT&T is proposing a new telecommunications tower to an existing NSTAR utility transmission structure.

Mr. Harnais asked Ms. SantucciRozzi to summarize and she referred to her Staff Report. The proposed power mount pole with antennas will extend above the stanchion by nearly 10 FT within the existing easement.

Mr. Kurth presented a plan showing the tower.

Chair asked if Staff was satisfied, Ms. SantucciRozzi said Staff was satisfied.

Mr. Mikami asked about the existing structure. Mr. Kurth explained how the tower will be constructed within the stanchion. Mr. Mikami asked if there are any fee arrangements for the tower.

It was established that Devon Woods Condo Association owns the land, with an easement to NStar for the existing transmission tower. AT&T has a lease agreement in place with NStar and Devon Woods Condo Association for the use of the tower.

Mr. Mikami asked Mr. Kurth to provide the Zoning Board with information about fees or monetary rental arrangements relative to the Town's tax interest. Mr. Kurth agreed to do so.

Mr. Eng asked why the tower has to go that high. Mr. Kurth said the extension of 10 FT allows separation between the electrical components on the stanchion and the antennas. Mr. Eng asked what areas in the town will receive coverage from the antennas. Mr. Kurth presented a plan that indicated coverage in areas of Braintree Highlands, Grove Street, and the Wildwood area. Mr. Eng asked if there are plans to raise it in the future. Mr. Kurth answered that given the competitive nature of the business, this seems likely.

Mr. Reynolds did not repeat questions; he asked Ms. SantucciRozzi if Staff is satisfied, noting Items 1-4 on Page 2 of the Staff Report. Ms. SantucciRozzi said Staff was satisfied.

Mr. Harnais asked about dropped calls

Mr. Harnais called for a Motion.

Mr. Reynolds made a Motion for Favorable Recommendation; Mr. Eng seconded the Motion.
Vote: 4:0:0

ZBA (14-25) 7:25 p.m.

400 Washington Street / Bell Atlantic Mobile of Massachusetts d/b/a Verizon Wireless

Earl Duval, Duval & Klasnick LLC, Corporate Center of Braintree, represented Verizon

Earl Duval, addressed the Board and explained his client is seeking relief to mount eight (8) ballast-mounted antennas on the roof of 400 Washington Street and an additional four (4) antennas, side-mounted to a 10 FT x 12 FT rooftop equipment shelter along with a roof mounted emergency generator.

An Affidavit was submitted that indicated the coverage was needed and the other locations that were considered for the antennas. The antennas will provide both voice and data coverage. As requested, the ballast mounted antennas will be shifted to 10 FT into the edge of the building rooftop.

Ms. SantucciRozzi explained that since valid proof of the alternative analysis was provided by Mr. Duval and they accommodated the push back, Staff is satisfied.

Mr. Harnais called for a Motion.

Mr. Reynolds made a Motion for Favorable Recommendation; Mr. Eng seconded the Motion.

Vote: 4:0:0

ZBA (14-23) 7:28 p.m.

35 Eleanor Drive / Andrew and Jennifer Doughty

Ms. Doughty addressed the Board and said they have a single story ranch dwelling and would like to tear it down and build a new two-story building with a 2-car garage.

Ms. Stickney addressed the Board and noted that a plot plan was not submitted to be able to address some of the setbacks but Mr. Doughty provided a revised floor plan and renderings. She said the proposed addition is substantial but is still able to meet some of the requirements, they are entitled to a variance due to the hardship and the addition is not more detrimental to the neighborhood. There are two other houses within proximity of this property who have added on and the open space looks okay. Ms. Stickney noted that there should be a survey plan on file to verify the proposed setbacks. She asked Mr. Doughty about the front steps, they spoke with the builder and they will move them to stay within the setbacks.

Mr. Mikami asked if the only issue is the missing plan. Ms. Stickney said the house pre-existed the watershed. She said the Planning Board will recommend having a surveyed plan before they vote, she suggested he get the Plan to Zoning Board before they meet on August 26, 2014. If Applicant cannot get that to them prior to that date, it is likely they will continue to the next meeting.

Mr. Harnais called for a Motion.

Mr. Eng made a favorable Motion conditioned on the Applicant providing a surveyed plan to the Zoning Board; Mr. Reynolds seconded the Motion.

Vote: 4:0:0

ZBA (14-27) 7:36 p.m.

539 Granite Street / Sam Fathalla

Oscar Fathalla addressed the Board and explained that he is seeking relief to install a secondary ground sign on the property that measures 60 SF. Mr. Fathalla explained the new ground sign will be the exact dimensions as the previous sign and it will be backlit. The previous business had a wall sign on the building but technically, this would be a second ground sign because the Firestone building and this building are on one lot.

Ms. SantucciRozzi said there are no concerns about the ground sign, it is within the 60 SF allowed for the General Business District. She explained further that although this would be just one ground sign for this business, Firestone and this location are on the same parcel; technically this would be a secondary ground sign for this lot.

Mr. Eng asked if this sign will be exactly the same as what was there prior. Mr. Fathalla said yes and it will be lit.

Mr. Harnais called for a Motion.

Mr. Reynolds made a Motion for a Favorable Recommendation; Mr. Mikami seconded the Motion.

Vote: 4:0:0

ZBA (14-24) 7:39 p.m.

4 Paul Street / Sean Woods

Mr. Woods addressed the Board and said he is seeking relief to demolish his existing garage and replace it with a larger, two-story garage. The Applicant said that the structure is not more detrimental to the neighborhood. Mr. Woods explained that the existing garage is deteriorated; he wants to rebuild it and add a second level to it in the process.

Ms. Stickney noted the revised plans were submitted today. She said the property is in the Highlands, the lot is small and in the watershed area. The house placement pre-exists some of the restrictions.

Ms. Stickney said it is a corner lot but he doesn't have an alternative for placement. He is eligible for a hardship and it does not substantially impact the neighborhood

Mr. Mikami asked if the Applicant is keeping the new structure on the existing garage pad. Mr. Woods said yes, just enlarging upward.

Mr. Reynolds noted the corner lot but did not see it was detrimental to the neighborhood.

Mr. Eng questioned some dimensions in relation to the deck and the rear yard. Mr. Stickney noted that the house would not be placed on the lot in the same way today as when it was originally built in the 1950's.

Mr. Harnais called for a Motion.

Mr. Reynolds made a Motion for a Favorable Recommendation; Mr. Eng seconded the Motion.

Vote: 4:0:0

ZBA (14-19) 7:46 p.m.

23 Delta Road / John and Kimberly Tavares

Mr. Tavares addressed the Board and explained they are seeking a favorable recommendation for a variance to build a 20 FT x 24 FT garage on the side of the house.

Ms. Stickney explained that it does pre-exist the watershed requirements – however lot coverage is at 33%, the new garage will put it at 36%. She said the analysis was difficult without architectural plans, the elevations are not known. She said it is fairly close to the lot line; the right side is not usable and find there may be a soil hardship that qualifies for a variance.

Ms. Stickney suggested architectural renderings before the next meeting.

Mr. Harnais questioned the use for the planned space above the garage to determine that it will not be planned for living. Ms. Tavares assured him that there was no living space planned above the garage.

Mr. Eng confirmed the garage to be 20 FT wide and asked if it was possible to decrease the garage width so it is not so close to the lot line; would they consider reducing the width by 5 FT. Mr. Eng stressed more clearance was needed. Ms. Stickney said that would be 6 FT on the rear lot line since the garage is at an angle.

Ms. Stickney suggested the Applicants ask the Zoning Board for a continuance to allow them to submit a new site plan and architectural renderings.

Mr. Eng said a wider setback was necessary.

Mr. Reynolds asked Ms. Stickney about the lot coverage. He agreed with Mr. Eng's point and agreed with Staff's suggestion to return with actual architectural renderings

Mr. Harnais called for a Motion.

Mr. Eng made a Motion for the Applicants to return with a revised plan elevation and architectural rendering; Mr. Reynolds seconded the Motion.

Vote: 4:0:0

2-10 Commercial Street – Harry Sarras, Ultimate Pizza / Landing Pub (12-02) 8:00 pm
Extension of Time to Exercise Special Permit & Administrative Site Plan Review

Mr. Sarras explained he needs time to consider contractors. They are close to getting the project within the budget and he needs more time to accomplish that.

Ms. Stickney said a 1 year extension will coincide with the Determination of Applicability that expires next year, Staff has no concerns.

Mr. Mikami asked what was causing the delay. Mr. Sarras said the brook that runs under the building is inflating the cost. The culvert needs to be enclosed to protect the culvert and the building. He is being careful on what the contractors are proposing because he wants to do the project right. He said the project is important for the landing.

Mr. Mikami asked if the Applicant is still committed. Mr. Sarras assured him that he has been in the Landing for 18 years, they want to stay and stressed he wanted to get the project right.

Mr. Eng asked if it will be complete within one year. Mr. Sarris said yes.

Ms. Stickney said that he will need to break ground by August of 2015.

Mr. Harnais called for a Motion.

Mr. Eng made a Motion to Extend the time to Exercise a Special Permit and Administrative Site Plan Review; seconded by Mr. Mikami

Vote: 4:0:0

(Ms. McDonald arrived at the meeting at 8:05 present)

PUBLIC HEARINGS

Citgo Petroleum Corporation / 385 Quincy Avenue (14-04) 8:06 p.m. **Special Permit and Site Plan Review**

Carol Voigt, Citgo representative
Christine Player, Sr. Project Manager of CLE Engineering

The Chair read the Public Notice.

Christine Player, Sr. Project Manager of CLE Engineering addressed the board. She explained the proposed dredging project and that it is necessary for maintenance. She said the last dredging was approved in 2006. The 100 FT wide berth abuts the existing Federal channel.

This project will widen the existing 100' wide berth area by 20 FT at the terminal facility and dredge to a depth of (-) 38 – (-) 40 FT below MLLW. The 3200 CY of dredged sediment will be put in a barge with an adjacent dump scow, and then it will be moved by tug to the Mass Bay disposal site located 12 nautical miles offshore. The approved dump site is regulated by the Federal EPA. Prior to disposal of the sediment, we need approval of suitability from the Army Corp of Engineers.

Ms. Player explained that dredging projects are restricted to the months of November – January per the Marine Fisheries. They have received an Order of Conditions from the Conservation Commission and are expecting approvals from the EPA and Army Corp of Engineers to determine soil quality of the 3200 CY of sediment. They are targeting a start date in November and expect the dredging to last about 3 weeks.

Jim Dugan – (a resident in the area of Vinedale Road & Pleasant View Avenue), commented that the last time Citgo dredged, the wind carried a black gooey sediment into the cove area that is inhabited with sea birds and wildlife. He asked if Citgo intends to use a boom when dredging the area.

Ms. Player answered Mr. Dugan, she explained that booms cause more problems with the rise and fall of the tides and the higher wind speeds during the winter months in costal waterways. She said that they will use an approved cautionary program that tests sediment levels as the project progresses, adjusting if necessary.

Mr. Dugan also raised a noise issue; Ms. Player explained that the contractors are working with the tides around the clock trying to complete the project as soon as possible. The noise is unavoidable with this kind of equipment. The task of dredging runs on a cycle with the tides, the associated noise is not around the clock or on a determined start/stop schedule.

Michael Lang (East Braintree Civic Association) commented that the Civic Association does not have a problem with the project and said that Dan Quirk will also be dredging in the same area. He suggested that Citgo may be able to coordinate with Mr. Quirk.

Ms. McDonald expressed that the project is an improvement – she noted the health issues raised by Mr. Dugan and asked about the maintenance. Ms. Player said the purpose of the dredging is necessary for the operation and safety of ship berthing during fuel delivery.

Mr. Mikami asked how frequent is dredging needed. Ms. Player said it is approximately every seven years, but it is reviewed yearly. Mr. Mikami asked if Citgo does the sediment monitoring during the

entire project. Ms. Player said that it is for a 2 to 3 week period at the start of the project, per the permit approval of Federal and State agencies.

Mr. Eng asked if the removed soil is tested prior to dredging. Ms. Player said there is 4 months of testing prior to any dredging approvals.

Mr. Reynolds asked how the noise complaints are handled. Ms. Player again mentioned the tides and the necessity of a 24 hr. cycle operation. She said the noise is unavoidable for this kind of equipment operation. Mr. Reynolds asked Staff if the Planning Department has experience with dredging. Ms. SantucciRozzi said they do not permit 24 hr. operation, and said it requires the Mayor's approval.

Mr. Dugan again addressed the board and asked who he contacts if sediment comes ashore again. Ms. Player assured the Board that a contact list including all the safety agencies will be submitted. Mr. Dugan was informed he could get the list of phone contacts from the Planning Department.

The Chair called for a Motion to accept the correspondence.

Mr. Reynolds made a Motion to Accept the Correspondence dated June 12, 2014 – July 30, 2014; seconded by Ms. McDonald.

Vote: 5:0:0

The Chair called for a Motion to Close the Public Hearing.

Mr. Reynolds made a Motion to Close the Public Hearing; seconded by Mr. Eng.

Vote: 5:0:0

Mr. Reynolds made a Motion to Approve the Special Permit with Conditions; seconded by Ms. McDonald.

Vote: 5:0:0

7, 7 Rear and 11 Independence Avenue / Thomas Fitzgerald (14-06) 8:35 p.m.

Special Permit and Site Plan Review

Jack Garland, Attorney for Applicant

Thomas Fitzgerald, Applicant

Arthur Choo, Architect, Choo Architects of Quincy

Paul Tirrell, Site Engineer

Steve DesRoche, Land Surveyor, Neponset Valley Survey Associates, Quincy

Chair read the Public Notice.

Jack Garland, attorney for the Applicant, addressed the Board. Referring to the plans, he noted the changes from the plans that were first proposed in the prior year.

He said Mr. Fitzgerald has now acquired the rear lot (7R Independence Ave.) and the Quincy property will simply be green space. The proposed project also provides more parking. With 85 spaces, it exceeds the 72 required parking spaces. He explained that both the Planning Board and Zoning both have concerns about the large amount of taxes in arrears. He said the Applicant made a payment of \$33,000.00 on 8/11/14; he is planning another payment on Oct 15, 2014 and will continue to pay the balance of the Braintree taxes by December 2014. Mr. Fitzgerald also paid off the tax arrears on the two Quincy parcels.

Mr. Garland introduced Arthur Choo who discussed the parking configuration, the location of the dumpster & the LED lighting. He presented the elevations, renderings and samples of the exterior finishes.

Mr. Tirrell, followed and explained that he did full test pits in the rear parking area taking care of the storm water runoff system. He explained they plan to use the existing utility hook-ups. He said the lot can accommodate the building; the proposed site plan accommodates the parking and impervious surface.

Mr. Garland referred to the Traffic report noting the reported peak numbers and other statistics.

Mr. Harnais opened to Public comments or questions.

Patrick Barry – resident on Oak Grove Terrace. Mr. Barry said that he previously filed a case in Land Court against the Applicant concerning the parking variance that was granted by the City of Quincy. He further said that other variances were granted by the Braintree Zoning Department. He stated that he is opposed to the four story penthouse unit, saying it would be detrimental to his view and it would set a precedent.

Marylyn Carney of 244 Independence Avenue – Ms. Carney stated that she is located directly across from this proposed building. She said that she is opposed to the four story level, that there are no other buildings in the neighborhood that are that tall; that this will set a precedent.

Brian Black – 26 Holmes Street

Mr. Black said he was happy to see the plan changes and stated his two concerns. He said there are four Redwood Lindens (trees) that grow to 65 FT. He wanted to know if the trees or vegetation overgrow the approved plan, do they have to go before the Planning Board again. Mr. Harnais explained what constitutes a change before it goes before the board.

Mr. Black said he is also concerned about an increase of rat population. He wanted assurance that a pest program is in place as part of the project. The Chair explained about enforcement of the Conditions that go with any approval.

There were no further public questions.

Mr. Garland addressed the 4th floor, he said the total is 55 FT in height and because of the way the penthouse is sited on the building will be sitting on the property, and he regarded it as a 3 story. Mr. Garland assured the Board about the pest issue.

Ms. SantucciRozzi asked what the current pest control plan is in place concerning some soil currently being moved. Mr. Fitzgerald assured the Board that there are bait boxes currently in place per the Building Department.

Ms. McDonald agreed that this lot needs improvement and environmental cleanup; she said she likes the parking arrangement much better now. She noted the submitted comments about Fire emergency access and that BELD recommended underground utilities.

Mr. Mikami asked Mr. Garland who are members of the Independence Neighborhood Association. Mr. Garland said both Quincy and Braintree comprise the Association. Mr. Mikami said he will reserve his comments without a Staff Report.

Mr. Eng asked Mr. Choo about the neighbors' concerns about the height of the proposed 4 stories. Mr. Choo did not consider the penthouse a 4th floor because the first level is below grade, the upper level is less than a half story (an architectural standard) is not considered a separate level and it is 40 FT back from the front face of the building.

Mr. Eng asked Mr. Fitzgerald if he would he consider eliminating the penthouse. Mr. Fitzgerald said he will not eliminate the penthouse. Mr. Eng noted the LSP Report, he asked Mr. Garland to assure the neighborhood that it will be clean and no hazardous material will be on or near the site. Mr. Garland stated that all State and City cleanup conditions will be met.

Mr. Reynolds only commented about the drainage calculations, reminding the Applicant that these calculations are very important considering the terrain and he will be focusing on this issue.

Mr. Harnais only commented on the improved parking.

Pat O'Donnell – 72 Hughes Street

Mr. O'Donnell reviewed the penthouse on the plan. He questioned if the penthouse would be visible from a building across the street. Mr. Choo noted the setback figures and the height.

Brian Black – address unknown

Mr. Black asked about the Planning Board process and the intended construction timeframe. He was informed that if and when the project is approved, the builder has 18 months following approval (20 day for appeal). Mr. Harnais explained that the Board hasn't decided to vote on the project yet. Mr. Fitzgerald informed him that he plans on beginning the project as soon as the appeal period ends and that construction will last approximately 18 months.

Mr. Garland asked about the time frame for the Planning Board to vote on the project approval. Mr. Mikami expressed that this is the first project he has encountered that has been scheduled before a Staff Report has been prepared prior to the meeting. Mr. Mikami noted the timing of the payment of back taxes and not having a Staff Report available.

Mr. Harnais said he understood the applicants concerns and also the Boards need for a Staff Report, therefore is not ready for the Planning Board to make a decision. Mr. Garland expressed that the Board consider that all are in agreement that this site needs to be cleaned up as soon as possible.

Mr. Harnais said that the project is getting better and agreed that the property needs to be cleaned up but it is important to make this project fit the neighborhood. Further, the Staff Report is an integral part of consideration before they can responsibly make a decision. He suggested continuing to the next hearing.

There were no further questions or comments, the Chair called for a Motion to Continue. Mr. Eng made a Motion to Continue to September 10, 2014; seconded by Mr. Reynolds.

Vote: 5:0:0

(Mr. Harnais recused himself and left the room.)

372-394 Quincy Avenue / K Spillane, LLC & Carbon Copy, LLC (14-05) 9:15 p.m.

Special Permit and Site Plan Review

Frank Marinelli, attorney for the Applicant

Jim Burke, Project Engineer, DeCelle Burke and Associates Engineering

Mr. Reynolds chaired and read the Public Notice.

Jim Burke addressed the Board; he explained the subject location and the building. He said the Applicant wants to raise the existing 2,500 SF building to construct a 16,000SF building on the 4.7 acre site, all in compliance with existing Zoning Bylaws.

There is a 6-8% slope that will be graded for parking. The building will house 10 mechanical bays and one wash bay with a showroom and office space. They will work with Staff for an acceptable landscaping plan. He also discussed storm water, drainage and traffic plans.

Ms. SantucciRozzi said she visited the site and reviewed the site plan. She also spoke with Mr. McMahon (50 Dewey Rd.), a concerned abutter (in attendance). She explained that a portion of the Quirk acreage extends between two existing dwellings on Dewey Road. She said there are a substantial amount of trees on the property, some trees are damaged. The applicant has agreed to remove the trees causing problems on Mr. McMahon's property and repair the fence that was damaged. Ms. SantucciRozzi acknowledged the items that Mr. Burke addressed. She said that some plans will be adjusted for further improvement, Staff had no concerns.

Mr. Reynolds opened questions to the public.

Mr. John McMahon – 50 Dewey Road, explained the Applicant addressed the tree issue and his broken fence. He said if these things are done he has no objection.

Mike Lane – Braintree Civic Association, commented on the presented drawing noting the landscaping improvement. He said he believed that retention basins are dangerous and should be fenced in to protect children. He believed monitoring of basins is a good idea.

David Curran – 32 Dewey Road, said that with all the recent construction on Rte. 53, they noticed an increase of rats and asked if pest control could be implemented in advance of this project.

Mr. Marinelli addressed the Board, he summarized previous comments and emphasized that the project does include pest control. He asked if the Board would vote on the tree work that was discussed in order to proceed on that work. Mr. Marinelli also expressed his appreciation to go forward with Draft Conditions.

Ms. McDonald said it is in need of improvement but noted a couple of issues. On Page 5 of the Staff Report she noting the block retaining wall and asked what will the wall consist of. Mr. Burke said it is a precast concrete block with a cut face.

Ms. McDonald asked where the fill will come from. Mr. Burke said the 22,000 CY of fill that will be used is currently stockpiled at the shipyard – most of it came from other properties of the Applicant. He further said that it will take about 2 weeks to grade and fill the site and a month to build the wall. She was informed that an internal floor drain system will be installed and it will be connected to the public sewer in the front of the property. Ms. McDonald emphasized the landscaping improvements to be visually appealing.

Mr. Mikami addressed Mr. Burke and also noted the improvement. He mentioned a traffic study and the inconsistency of some project reports.

He also asked about curb cuts. Mr. Burke reviewed the curb plan. Mr. Mikami asked about the lighting plans; Mr. Burke noted the plan proposal that was submitted with the Application.

Mr. Eng clarified that the facility will be pre-owned vehicles. He asked Mr. Burke to address the questions about the parking - Mr. Burke promised to answer Staff questions.

Mr. Reynolds said he would like to know more about the traffic study. It is unclear about the Hill Avenue project - Mr. Burke said it is an entirely different project.

Ms. SantucciRozzi noted they are independent projects.

Mr. Marinelli stated the other project is just vehicle storage. He said the Applicant has had a License to Store vehicles since 2003. The Applicant may in the future, modify to pave that will allow for better storage. If a building is planned in the future, it will be submitted through the Planning Board.

Ms. SantucciRozzi requested the Board accept the correspondence and suggested for a continuance.

Mr. Reynolds called for a Motion to accepted the correspondence dated 6/19/14 - 8/5/14. Mr. Eng made the Motion; seconded by Mr. Mikami

Vote: 4:0:0

Mr. Eng Motioned to take care of the tree and fence issue on Mr. McMahon's property prior to approval; seconded by Mikami.

Vote: 4:0:0

Mr. Mikami Motioned to Continue the hearing to Wednesday, September 10, 2014 at 7:45 pm; seconded by Ms. McDonald

Vote: 4:0:0

ZBA (14-26) 9:56 p.m.

236-240 Wood Road / Wood on Wood Road, Inc.

Frank Marinelli, attorney for the Applicant addressed the Planning Board and said that the Applicant will withdraw his petition for a variance after learning it will not be necessary.

Ms. Stickney explained there was no Staff Report because of telephone discussions between her, Attorney Marinelli and the Engineer on the density and dimensional calculations that indicate that Zoning relief may not be necessary.

Mr. Marinelli said even if they find it is needed; relief is din minus in scope. He represented the Applicant would be withdrawing his Application before the Zoning Board of Appeals, therefore, the Planning Board made no recommendation.

Site Improvements and Landscaping Plan (#89-13 and #90-2) 10:00 p.m.
Granite Plaza – Messina Enterprises

Ronald Marshall, Attorney for Messina Enterprises
Michael Curadossi, Landscape Designer, MLC Landscape Design, Boston, MA
Robert St. John, Director of Planning, Messina Enterprises

Ronald Marshall addressed the board and introduced the Landscape Designer, Michael Curadossi who explained the landscaping plan and the proposed plantings and entry design.

Ms. McDonald, Mr. Mikami and Mr. Eng commented that it looks nice. Mr. Curadossi explained it will stay healthy with a planned irrigation system.

Mr. St. John explained the mechanics of the well and irrigation system.

There were no further questions or comments, the Chair called for a Motion.

Ms. McDonald made a Motion to Approve the Landscaping Plan; seconded by Mr. Reynolds

Vote: 5:0:0

20 Pond Street – Messina Enterprises (12-04)
Request for Minor Modifications

Ronald Marshall, Attorney for Messina Enterprises

Mr. Marshall submitted two requests for minor modifications, one on 4/25/14 and the other on 7/28/14. He discussed the series of modifications submitted along with photo exhibits; in total, 7 requests were presented.

Mr. Eng asked about the catch basin at the entrance courtyard, concerned about flooding the doorway. Mr. St. John explained that there is a slope and an overhang will additionally protect the doorway.

Mr. Mikami asked if the Staff is satisfied – Ms. SantucciRozzi said the change in materials on the rear facade is acceptable.

Mr. Reynolds did not have any questions.

Mr. Marshall discussed the height of the light poles and the concrete base for safety. He said they made all the poles the same height and fixture shields will be installed to control light spillage.

Mr. Marshall further explained about the rear wall elevation – that when the wall was opened, it was learned it was not structurally sound so they laid a new foundation, rebuilt the wall and finished it with the white treatment that is on the other parts of the building.

Mr. Mikami said they should have told the Planning Board about the changes.

Mr. Eng asked if the brickwork could have been done to comply with the submitted plans. Mr. St. John said yes, but the existing brick consisted of mismatched repairs that were not attractive. They did not anticipate the foundation issue in advance of submitting the plans.

Also discussed was the dumpster pad - it was changed to accommodate a recycling bin that was not considered when the plans were submitted. They deleted a parking space to allow for the bin.

Regarding the grading between the permit plans and the actual build, Mr. Marshall explained it was done during grading to allow for the best drainage. As-built grades will be certified and submitted to the Board.

Mr. Harnais called for a motion.

Mr. Reynolds made a Motion to Approve Items 1-5; seconded by Mr. Eng.

Vote: 5:0:0

550 Liberty Street – UDR (05-15) 10:53 p.m.

Request for Release of Surety

Ms. SantucciRozzi explained there are no further concerns to hold the surety she asked the Board to vote to release the bond.

Mr. Eng made a Motion to Release the Bond; seconded by Mr. Reynolds.

Vote: 5:0:0

Approval of Minutes June and July, 2014 10:58 p.m.

Chair Harnais called for a Motion to accept the June and July Minutes.

Mr. Eng made a Motion to accept the Minutes of June 10th and July 7th, 2014; seconded by Ms. McDonald.

Vote: 5:0:0

Mr. Harnais called for a Motion to adjourn the meeting.

Mr. Eng made a Motion to adjourn; seconded by Mr. Mikami.

Vote: 5:0:0

The meeting adjourned at 11:03 p.m.

Respectfully Submitted by,
Elizabeth Schaffer