



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
September 10, 2014
Cahill Auditorium

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 7:10 p.m.

Zoning Board of Appeal Petitions – September

ZBA (14-28) 7:11 p.m.

32 Judson Street / William and Kathleen Connolly

Frank Marinelli, Esquire

Mr. Marinelli represented the Applicants; he addressed the Board and explained that the Applicants purchased the subject property in an older neighborhood where none of the lots on the street meet the current 15,000 SF requirement. He said they are renovating the 102 year old home and want to expand the enclosed side porch to create a 324 SF first floor bedroom. The rear setback will not change and the project is not more detrimental to the neighborhood.

Ms. McDonald agreed that it would not be more detrimental to the neighborhood and said the Plan appears consistent with the area homes.

Mr. Mikami had no questions.

Mr. Eng wanted to know the hardship.

Mr. Marinelli explained that, as is, the house does not accommodate a king size bed. Secondly, the new addition will not extend beyond the existing foundation structure in the rear; the hardship is owing to the structure itself.

Mr. Eng asked if the three trees on the Plot Plan, to the right of the proposed addition will remain; Mr. Marinelli said they should stay for the privacy of applicant and the neighbors.

Ms. SantucciRozzi summarized the project; she said that the alterations will not be substantially more detrimental to the neighborhood.

ZBA (14-29) 7:18 p.m.

127 Eleanor Drive / Marshall McGregor and Daryl Cameron Every

Attorney Carl Johnson represented the Applicants and addressed the Board. Mr. Johnson explained that the subject lot is 21,697 SF and is a non-conforming Residence A Watershed lot. The proposed plan is to raise the existing house and rebuild the house that will meet all dimensional and density requirements for Residents A and the Watershed Protected District. He said the Applicants are seeking a finding that the proposed plan will not be more detrimental to the neighborhood. Mr. Johnson showed an aerial photo of the lot and neighborhood that indicates a substantial amount of ledge.

Mr. Johnson said the proposed house will not be more detrimental than the existing house. He noted that although they are not planned currently, the applicants would like to include a 10 FT breezeway and a 27 FT garage; neither is out of character for the neighborhood.

Ms. SantucciRozzi explained that this is in the Residence A Watershed area; the proposed house will be 84 x 27 FT and will meet or exceed all required setbacks.

Ms. McDonald: questioned the new footprint, Mr. Johnson explained that the new footprint will be larger.

Mr. Mikami asked if the foundation will be replaced also. Mr. Johnson said the foundation will be rebuilt. He provided aerial photos to the Board indicating where the ledge is.

Mr. Eng acknowledged that the Applicants intend to “phase in” the breezeway and the garage, but he wanted to know when they will be built. The Applicants did not have a specific time but Mr. Johnson said those dimensions have been factored in.

Mr. Reynolds did not have any questions.

Mr. Eng made a Motion for Favorable Recommendation; seconded by Ms. McDonald
Vote: 5:00

7:32 p.m.

79 Shepard Road – Stephen and Paula Connolly
Request for As-Built Approval (File 12-08)

Ms. SantucciRozzi explained that this was a small addition for the property located within the floodplain. The Applicants have been trying to bring the house up to compliance for the past year. She said that Staff recommended granting as-built approval with surviving Conditions #1, 3, 12, 17, 26 & 28.

There were no further questions from Ms. McDonald, Mr. Eng, Mr. Mikami or Mr. Reynolds.

Mr. Reynolds said based on the Staff recommendation and subject to Conditions he made a Motion for Approval of the Request for As-Built Approval subject to Conditions #1, 3, 12, 17, 26 and 28; seconded by Mr. Mikami
Vote: 5:0:0

7:34 p.m.

Review and Approval of “Braintree Open Space and Recreation Plan”

Ms. SantucciRozzi explained to the Board that the Conservation Agent, Kelly Phelan distributed a draft of the Open Space and Recreation Plan to the Board for review and comment and she will be available for questions. The Planning Board's approval is required to apply for additional grants. Staff recommends the Board's endorsement and support of the Plan.

The Planning Board had no questions.

Mr. Reynolds made a Motion for Approval; seconded by Mr. Eng

Vote: 5:0:0

Approval of Minutes – August 2014

Mr. Eng made a Motion to Accept the Minutes of August 12, 2014, seconded by Mr. Reynolds

Vote: 5:0:0

7:39 p.m. there was a 5 Minute Recess.

7:44 p.m. the meeting resumed.

PUBLIC HEARINGS

7:45 p.m.

Continued Public Hearing

372-394 Quincy Avenue – K. Spillane LLC & Carbon Copy, LLC

Special Permit and Site Plan Review (File 14-05)

Attorney, Frank Marinelli represented the Applicant

James Burke of DeCelle Engineering

Mr. Reynolds chaired – Mr. Harnais recused himself and left the room.

Mr. Eng made a Motion to accept the additional correspondence dated 8/6/14 through 9/9/14; seconded by Ms. McDonald.

Vote: 5:0:0

Mr. Marinelli recapped the project; he explained the proposed building and the property use for motor vehicle sales and service. Applicant intends to raise a non-conforming building to build a more functional and conforming structure. The property will accommodate a total of 381 parking spaces. The proposed drainage was reviewed by James Burke of DeCelle.

Additionally, Mr. Marinelli reported that the Applicant has completed the tree trimming as requested by the Abutter on Dewey Road and a Landscaping Enhancement Plan was submitted.

Mr. Reynolds asked for a Staff summarization.

Ms. SantucciRozzi reported that since the last Planning Board meeting; a revised set of Plans and a lighting Plan was submitted as well as the Draft Conditions have been written. She said

that 16,200 CY of fill will be imported to build the retaining wall. Findings for the 135/702B Highway Business Residence C buffer zone apply as well as conditions.

Ms. SantucciRozzi said Staff had no concerns; if approved, the full set of Revised Plans received can become the Record Plans.

Chair called for Public Comments, there were none.

Mr. Mikami asked about the updated Lighting Plan and if the lights will remain on all night.

Mr. Marinelli said that Condition #52 limits the night lighting to 15%.

Mr. Mikami noted that a long overdue landscaping element would be appreciated by Planning Board and the Civic Association.

Ms. McDonald said her questions have been addressed.

Mr. Eng noted Condition #45 regarding 6" vertical concrete curbing within the site. Mr. Eng expressed his concern for the damage that seasonal plowing will do to this type of curbing. Ms. SantucciRozzi noted Condition #51 will cover curbing and upkeep.

Mr. Eng: asked where the fill will come from. Mr. Burke said the 16,200 CY of clean fill is currently stockpiled at the Shipyard and the fill be signed off on by an LSP.

Without further questions or comments, Mr. Reynolds called for a Motion.

Mr. Eng made a Motion to close the hearing; seconded by Mr. Mikami.

Vote: 4:0:0

Mr. Eng made a Motion to Approve the Special Permit and the Site Plan Review as stated in the Draft dated September 9, 2014; seconded by Ms. McDonald.

Vote: 4:0:0

7:59 p.m. Mr. Harnais returned to chair the meeting.

8:00 p.m.

Continued Public Hearing

Whites Hill Estates II - OIB Corporation

Definitive Subdivision Plan Amendment (File 04-02)

Paul Marchionda, P.E., Marchionda & Associates, L.P., Stoneham, MA

Kevin Emery and Jim Douglas, O.I.B. Corporation

Patrick Brennan, Amory Engineers, P.C. – Town of Braintree Consulting Engineer

Steven Sawtelle, Deputy Chief, Braintree Fire Department, Fire Prevention Officer

Mr. Marchionda discussed the results of the Traffic Study; he confirmed the calculations that were previously submitted. He also reported about Bonding and Insurance Claim information regarding property damage as a result of blasting. He explained that blasting companies typically carry coverage amounting to 2 million dollars per occurrence and provided printed claim forms to the Board.

Deputy Chief, Steven Sawtelle, Braintree Fire Department was called by the Board to address blasting safety. He explained that blasting companies have to have a Competency Certificate and a License issued by the State Fire Marshall's Office. Local Fire Departments can put restrictions on the blasting permit in the interest of public safety including air blast procedures and placement of seismographs, etc. He said a Fire Detail must be present at all times when explosives are on site at the Applicant's expense.

Ms. McDonald asked if the Fire Department has had experience with blasting on this scale – Mr. Sawtelle noted the old Flibottes site on Quincy Avenue, just last year, was the most recent.

McDonald asked about typical damage – Deputy Chief Sawtelle said there is always a risk; the Fire Department always encourages abutters to have a pre-blast survey done.

Mr. Mikami asked Mr. Sawtelle about the blasting safety plan for the road. Mr. Sawtelle said since they are within the 250 FT range of the existing houses and the town Water Tower, minimal small blasts may be used just to clear the road. Further, the abutters and the Town will require assurance that their interest is protected in the process; these are not just small safety measures.

Mr. Mikami asked if initial blast testing will be done; Mr. Sawtelle said yes, and test bores, and perhaps some rock chipping requiring mats for flying rock.

Mr. Sawtelle stressed to Board that it is more beneficial to the Town if the Applicant does all the blasting at once. Otherwise, he explained, future blasting will impact foundations within the subdivision that are even closer. In this instance, the individual homeowners will have to implement the same procedures such as pre-blast surveys and safety measures.

Mr. Mikami asked Mr. Sawtelle what he estimated the duration of the blasting. Mr. Sawtelle could not provide a definitive estimate except to say that blasting will be extensive due to the substantial ledge.

Mr. Eng confirmed Mr. Sawtelle that the blasting company is vetted and a blasting plan is submitted to which the Fire Department imposes restrictions; the blaster provides the Fire Department with the seismograph readings for the location.

Mr. Eng asked Mr. Sawtelle what kind of warning is issued before blasting. Mr. Sawtelle said the blaster sends 3 long warning signals, 5 minutes prior to the blast; 2 signals, 1 minute prior to the blast; and 1 signal indicating an "all-clear" following the blast.

Mr. Reynolds asked about the water tower. Mr. Sawtelle said there should be some seismography to measure the impact of the blast. The Water Department should see if there are any surveys to be done to document the pre-existing condition before blasting, perhaps ground sonar.

Mr. Harnais asked if a test is done to determine the pre-existing condition of the Water Tower, who pays for the inspection; Mr. Sawtelle said the Town pays for that inspection.

Ms. McDonald focused on the length of the road, a proposed 1250 FT; she asked if this poses any safety issues for the Fire Department. Mr. Sawtelle said the ability to maneuver safety vehicles and the placement of hydrants is crucial.

Mr. Marchionda brought up the School Department's estimated impact on the school population. He said that the estimate of 4-9 students that was submitted from the School Superintendent, would be spread over several grades therefore, there is a negligible impact.

The Public was invited for questions or comments

Mr. Frank Bocchino of 87 Mayflower Road emphasized that these are residential homes.

George Keegan of 66 Mayflower Road wanted to know how much ledge will be removed, how long the blasting will take and if they will be warned.

Ms. Marina Ristuccia McHugh of 31 Lincoln Street wanted to know about the insurance procedure - Mr. Marchionda explained that the insurance is 2 million dollars of coverage for each incidence (each abutter) and stressed that it is in the best interest of the owners to have a pre-blast survey. Ms. Ristuccia McHugh expressed her concern about the Water Tower and the length of the proposed 1250 FT road and Lot 17. She referenced the Town Engineer's report dated January 17, 2014 that indicated that Lot 17 would have no frontage as shown and therefore, is not buildable. She questioned if this is so, why this lot wouldn't be donated to the Town as open space.

Russ Neary of 22 Lincoln Street asked if the Water Department was involved regarding the Water Tower. Mr. Harnais informed him that the Water Department was urged to inspect it prior to the blasting. Mr. Neary questioned if his property would have to have a pre-blast survey each time in the future if the proposed homes do further blasting. Mr. Harnais suggested they contact their insurance companies and review their policies to see what their personal coverage is.

Danielle Clifford of 15 Claremont Street – asked if a copy of the insurance Declaration Page be made available to the affected residents. Mr. Harnais said that the Fire Department would have that on file together with the blaster's Certificate of Competency. Ms. Clifford asked what recourse the properties located beyond the 250 FT (from the blast hole) will have. Mr. Harnais reiterated that homeowners should check their individual insurance policies.

David Newton of 34 Lincoln Street said his house was damaged from the first development's drilling, his house is located beyond the 250 FT range. He asked how you inspect a finished basement for damage.

Mr. Eng explained that the blaster has to hire a certified pre-blast company to make the reports. They will record all pre-existing damage. The report is a comparison for homeowners.

It was learned that the required insurance policies to cover homeowner damage for blasting is not required for drilling/hammering. Mr. Newton said his property experienced damage from the first ledge drilling which cost him to repair.

Mr. Marchionda advised that blasting is usually less invasive. Mr. Newton asked if drilling will also be involved with blasting. Mr. Marchionda was not certain.

Richard Welch of 14 Lincoln Street said he is very concerned because he also lives beyond the 250 FT range.

Because there was some confusion about how the 250 FT area is determined, Mr. Sawtelle clarified. He said that the 250 FT range is measured from the center of the borehole. Some of the residents who believe they are not in the range, might be. He also urged a pre-blast survey even for those not in the range. In this instance, it would be at the homeowner's expense, he was not able to provide an estimated cost.

Frank Bocchino of 87 Mayflower Road asked if the Planning Board would provide a map so residents can determine where they stand. Mr. Harnais said they will look into it.

Scott Dingee of 35 Claremont Street had concerns about the impact on the population of the Morrison School and wondered where the numbers came from. Mr. Marchionda informed him that the numbers were from Dr. Murray, the Braintree School Department Superintendent. Mr. Dingee asked if the 250 FT delineation could be extended.

Christina Ranieri-DiPace of 96 Mayflower Road expressed her concerns about blasting damage to gas lines and the impact on existing swimming pools. She expressed that the neighborhoods will not have peace with this for the next ten years.

Mr. Harnais said that the Fire Department, Water Department and other utility departments will be involved with protection of gas lines, etc.

Planning Board Questions and Comments:

Mr. Reynolds focused on Mr. Keegan's question regarding the amount of ledge that will be removed – he said 3,000 CY for the cut and 8,000 CY of fill are planned, not including Roadway A.

Mr. Harnais read a statement from District 4 Councilor, Stephen O'Brien in his absence, in which Mr. O'Brien expressed his opposition to this project for several reasons - the impact on the school system, public safety and the negative impact on the flood control system in the Landing area. Further, he urged that this Plan be reviewed by the Army Corps of Engineers, Waltham, Massachusetts, per the agreement established during the Flood Control Project for Smelt Brook in 1973, between Federal authorities and the Town of Weymouth.

Ms. McDonald asked Mr. Marchionda if the blasting could be done all at once and how long it will take. He said it is possible to blast at one time but the house lots may not require the same amount of blasting depending on the type of dwelling planned. The blasting is estimated to take about 2-3 months at the most.

Mr. Mikami asked Mr. Marchionda to submit a written estimate of blast and construction timeline. Mr. Marchionda said the blasting company does that. Mr. Mikami reiterated his request to provide the Board with a written estimated timeline.

Mr. Eng addressed Patrick Brennan about the stormwater system. He commented on how the report was written; he felt the language did not express confidence that the drainage system will

adequately function. Mr. Brennan said that based on the calculations given, his review can only say that the given calculations he believed the design would mitigate the stormwater.

Mr. Reynolds confirmed with Mr. Brennan that this system, as designed, will improve the drainage. He then asked Kevin Emery, OIB Corporation, about Lot 17. Mr. Emery expressed that they are unsure if Lot 17 is buildable lot. Land Court will decide that and it has not been submitted into Land Court yet. He said they are waiting for Planning Board approval of the project before they will submit Lot 17 to Land Court.

Mr. Reynolds asked if there is an alternative plan if the Board does not approve the road length of 1250 FT. Mr. Emery said they considered two other ways of building this road; making it a boulevard road that would utilize all 15 acres or buying the house that abuts the road – remove it to create the second means of egress. He said they submitted this plan because they thought this would be the most acceptable.

Mr. Harnais clarified with Mr. Emery the Applicant's intent for Lot 17. Mr. Emery said if Land Court determines it is not a buildable lot, the Applicant's will donate it to the Town. If it is buildable, they will build on it.

Mr. Harnais addressed the audience and assured them that the Planning Board relies on other departments for their professional advice to come to a conclusion that is in the best interest of the Town and for public safety.

Mr. Harnais asked the Applicant why they haven't filed for a determination of Lot 17 in Land Court. He pointed out to Mr. Emery that this has been before the Planning Board for months without the Applicants filing Lot 17 in Land Court. He expressed that this does not give the Board any indication on where it is going to go. Mr. Harnais said it would have answered many questions and made the process go smoother. He then asked Mr. Emery if they are ready to commit submitting it to Land Court. Mr. Emery was joined by Jim Douglas who said that Land Court takes a long time (2-3 years). Mr. Harnais acknowledged the time it takes to get through Land Court but explained to him that the act of filing in Land Court would demonstrate intent for the Town and the residents, not filing leaves people with doubt. Mr. Douglas indicated that they would then file it in Land Court.

Mr. Mikami asked Mr. Douglas if it would be a tax advantage to donate it to the town. Mr. Douglas explained that the value is determined by whether it is a buildable lot or not. It's the difference between a \$50,000 tax write-off and a \$400,000 tax write-off as a donation. Mr. Mikami urged Mr. Douglas to look at the big picture.

Final public comments:

Scott Dingee of 35 Claremont Street addressed the Board again and pointed out that Mr. Douglas stated Land Court can determine if it will be a \$50,000 donation or a \$400,000 donation, yet, Mr. Emery stated that if Lot 17 was found to be buildable after due diligence, that they would build on it. Mr. Dingee noted the inconsistency and said that it doesn't sound like a \$400,000 determination would ever be a donation.

Mr. Harnais acknowledged hearing the same thing.

Mr. Douglas said that perhaps Mr. Emery misunderstood and clarified that it was decided after the last hearing that Lot 17 was going to be donated – only the value is in question.

Nita Ricca of 49 Sterling Street addressed the Board and asked how many years will the affected residents and the Town be able to file a claim and receive restitution for residual damage.

Mr. Reynolds said there are several waivers to address that pertain to the Subdivision Amendment; therefore it would be worthwhile to address those at this time with the exception of Waiver #10.

Ms. McDonald noted Councilor O'Brien's comments and suggested the Army Corp of Engineers review the proposed drainage to ensure that it will be adequate for the project. Additionally, she suggested the discussed 15 FT buffer for Lots 2-6 be increased by 5-10 FT.

Mr. Eng asked about Waiver #4 that reduced the width of the sidewalk from 5 FT to 4 FT; it was determined that this applies to an existing section of sidewalk in the 40 FT layout and it is ADA compliant.

Ms. SantucciRozzi explained that Waivers #3-9 are already granted and constructed as part of the original subdivision. The Planning Board is reaffirming their Approval as part of the Amendment.

Waiver No. 1

Vegetation Removal Section X.E.9.K States the Following: "A 50' buffer zone of existing vegetation shall be retained between all basin components and adjacent uses, structures and parcel property lines. A 30' buffer zone of existing vegetation shall be retained between all point source discharges of storm water and surface waters and/or wetlands."

Mr. Reynolds made a Motion to Grant **Waiver #1**; seconded by Mr. Eng
Vote: 5:0:0

Waiver No. 2

Section VII.E.1 Location of Easements alongside of lots lines rather than centered.

Mr. Reynolds made a Motion to Grant **Waiver #2**; seconded by Mr. Eng
Vote: 5:0:0

Waiver No. 3

Section VIII.A.1 or Section VIII.D Reduction of the Right-of-Way Width from 50 FT to 40 FT

Mr. Reynolds made a Motion to Recommended Approval of **Waivers #3 and 4**; seconded by Ms. McDonald.
Vote: 5:0:0

Waiver No. 4

Section VIII.B Reduction of Width of the Sidewalk from 5 feet to 4 Feet along within the 40 Ft. Right-of-Way Layout.

Mr. Reynolds made a Motion to Recommended Approval of **Waivers #3 and 4**; seconded by Ms. McDonald.

Vote: 5:0:0

Waiver No. 5

Section VIII.B

Elimination of the Grass Strip within the 40 Ft. Right-of-Way Layout

Mr. Reynolds made a Motion to Grant **Waiver #5**; seconded by Mr. Mikami.

Vote: 5:0:0

Waiver No. 6

Section VIII.D Increase the maximum grade of the leveling area at the intersection of White's Hill Drive and Liberty Street for the first 100 Ft.

Mr. Reynolds made a Motion to Grant **Waiver #6-8**; seconded by Ms. McDonald.

Vote: 5:0:0

Waiver No. 7

Section VIII.D Reduction of the minimum length factor for crest vertical curb

Mr. Reynolds made a Motion to Grant **Waiver #6-8**; seconded by Ms. McDonald.

Vote: 5:0:0

Waiver No. 8

Section VIII.D Reduction of Minimum Radius at Street Sideline

Mr. Reynolds made a Motion to Grant **Waivers #6-8**; seconded by Ms. McDonald.

Vote: 5:0:0

Waiver No. 9

Section VIII.D Reduction of Minimum Radius at Curb Return

Mr. Reynolds made a Motion to approve **Waivers #9**; seconded by Ms. McDonald.

Vote: 5:0:0

Mr. Reynolds requested that the vote on **Waiver #10** be delayed; he said he would like to think about it further.

Mr. Harnais said there was no motion on **Waiver #10** bringing it forward, there was no vote on it.

Waiver No. 11

Section X.E.9.G Side Slopes in the Drainage Basin of 2:1

Mr. Eng made a Motion to Grant **Waiver #11** noting that within the 2 years of monitoring, any failure will be corrected to the proper side slopes to achieve proper function; seconded by Ms. McDonald.

Vote: 5:0:0

Waiver No. 12

Section X.A and X.C No Increase in the Post Development volume allowed to a study point

Mr. Reynolds made a Motion to Grant **Waiver #12**; seconded by Mr. Eng
Vote: 5:0:0

Waiver No. 13

Section X.E.1 Minimum Velocity in Drain Lines shall be 3 Feet per second

Mr. Reynolds made a Motion to Grant **Waiver #13**; seconded by Mr. Eng
Vote: 5:0:0

Waiver No. 14

Section X.E.9.H. Drainage Basin must be on a Separate Lot

Mr. Reynolds made a Motion to Grant **Waiver #14**; seconded by Mr. Eng
Vote: 5:0:0

Waiver No. 15

Section VIII.D

Minimum Outside Diameter of Pavement within the cul-de-sac 100 Ft.

Mr. Reynolds made a Motion to Grant **Waiver #15**; seconded by Mr. Eng
Vote: 5:0:0

Mr. Reynolds made a Motion to continue the Public Hearing to October 14, 2014, 8:30 p.m.;
Seconded by Ms. McDonald.
Vote: 5:0:0

9:00 p.m.

Continued Public Hearing

7, 7 Rear and 11 Independence Avenue – Thomas Fitzgerald

Use Special Permits and Site Plan Review (File 14-06)

Chair Harnais announced that the continued public hearing has been continued by agreement to November 10, 2014, 7:30 p.m.

10:17 p.m.

39 Quincy Avenue – Boston Gas Company d/b/a National Grid

Administrative Site Plan Review and Special Permit (File 14-07)

Alexander Trakimas, Principal, SITEC Environmental

Patrick Schmidt, Sr. Project Manager, National Grid

Mark Meche, Architect, Winter Street Architects

Chair read the Public Notice

Christine Stickney informed the Board that this is an administrative review and not a Request for Special Permit to waive parking under Section 615.

Al Trakimas addressed the Board and summarized the project. He introduced Mr. Schmidt and Mr. Meche. He said this Site Plan Review consists of maintenance and safety improvements to the access egress in the office building; a toolshed will be replaced; the meter building will be removed and a prefabricated steel building will be erected to store the meters.

Mr. Trakimas said a final Order of Conditions is expected to be issued by the Conservation Department. The project will also install stormwater treatment units on the 3 drainage discharges. Also planned is reconfigured parking.

Mr. Trakimas informed the Board he submitted the Existing Conditions Plan and he recorded the (AUL) Activity and Use Limitation as revised in 2013 to the Staff.

Ms. Stickney explained that National Grid has been at this location for a number of years, when Braintree changed the zoning in 2011, the use became a non-conforming. This project is an opportunity to improve the street appearance in keeping with the By-law.

The change in Zoning makes it a non-conforming use, you will want a finding with the Board of Appeal which Mr. Trakimas was not aware of. Ms. Stickney explained she just learned of this issue and said that it only effects any changes to the site. She explained it will require a finding by the Board of Appeals because even though the building being removed will be replaced for the same purpose, this is considered changing the use.

The Planning Board had no questions.

Ms. Stickney suggested having Draft Conditions prepared for the Site Plan Review on October 14, 2014 at 8:15 p.m.

Mr. Reynolds made a Motion to continue to October 14, 2014; seconded by Mr. Mikami.
Vote: 5:0:0

With no further business, Mr. Reynolds made a Motion to Close the Planning Board Meeting; seconded by Ms. McDonald.
Vote: 5:0:0

Meeting adjourned at 10:36 p.m.

Respectfully Submitted,
Elizabeth Schaffer