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# TOWN OF BRAINTREE

## NOTICE OF MEETING

In conformity with the provisions of Chapter 39, § 20, Massachusetts General Laws, I hereby file notice that a meeting of the:

Zoning Board of Appeals will be held on Tuesday, August 27, 2013  
COMMITTEE/BOARD DAY, MONTH, DATE, YEAR  
 at 7:00 P.M. in the Fletcher Hall, Town Hall, One JFK Memorial Drive in Braintree.  
TIME AM/PM ROOM LOCATION BUILDING ADDRESS

Said meeting will be open to the public and the press as required by the provisions of the Open Meeting Law.

Furthermore, below is a list of topics that the Chair reasonably anticipates will be discussed at the meeting:

*Approval of Minutes:*

*Acceptance of minutes of Appeals Board Hearing July 23, 2013*

*Old Business:*

- #13-19 90 Newton Avenue
- #13-25 30 Forbes Road (part of 20-60 Forbes Road redevelopment - Legal Sea Foods)

*New Petitions:*

- #13-28 66 Francine Road
- #13-29 5 Mann Street
- #13-30 11 Wynot Road
- #13-31 400 Franklin Street
- #13-32 177-179 Commercial Street

*Other Business:*

Signature *Arlene Indelicato*  
POSTING AUTHORITY

**NOTE:** Notices and lists of topics are to be posted 48 hours in advance of the meetings excluding Saturdays, Sundays, and legal holidays. Please keep in mind the hours of operation of the Office of the Town Clerk and make the necessary arrangements to be sure your posting is made in an adequate amount of time.



# BOARD OF APPEAL UNDER THE ZONING BY - LAW

## BRAINTREE, MASSACHUSETTS

### AGENDA AUGUST 27, 2013

The following petition will be heard by the Zoning Board of Appeal on Tuesday, August 27, 2013 at 7:00 P.M. at Town Hall, Fletcher Hall, One JFK Memorial Drive, Braintree, Massachusetts 02184.

#### APPROVAL OF MINUTES:

Acceptance of minutes of Appeals Board Hearing July 23, 2013

#### OLD BUSINESS:

#13-19 90 Newton Avenue (Attorney Carl R. Johnson III, representing owner Audrey M. Kustka).

#13-25 30 Forbes Road (part of 20-60 Forbes Road redevelopment - Legal Sea Foods).

#### NEW PETITIONS:

#13-28 **66 Francine Road**  
Albert Spahiu, 66 Francine Road, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 701 to build second floor addition over existing footprint of house. 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 66 Francine Road, Braintree, MA 02184 and is within a Residential B District, as shown on Assessors Map 2088, Plot 36, and contains a land area of +/-8,314 sq. ft.

#13-29 **5 Mann Street**  
Paul C. Pando, 5 Mann Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 701 to construct a 12 ft. X 31.4 ft. wood deck at rear of house. 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 5 Mann Street, Braintree, MA 02184 and is within a Residential B Watershed District, as shown on Assessors Map 1073C, Plot 187, and contains a land area of +/-18,432 sq. ft.

#13-30 **11 Wynot Road**  
Marguerite Trudel, 11 Wynot Road, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, Chapter 7, Section 135-701 to replace existing deck with new 11.5' X 10.7' foot deck with landing and stairs. 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 11 Wynot Road, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 2022, Plot 11, and contains a land area of +/-7,075 sq. ft.

**#13-31**

**400 Franklin Street**

Attorney Carl R. Johnson, representing Francis X. Messina, Jr., Executive Vice President, Wildwood Estates of Braintree, Inc., P.O. Box 859059/400 Franklin Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 4, Sections 135-403; Chapter 7, Sections 135-711 for extension to a nonconforming structure or site by the erection of an attached roofed canopy (110'- 2" X 8'- 8") over the existing sidewalk area in the front of the building that extends the existing canopy from the Panera Bread restaurant to the Bertucci's restaurant. 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 400 Franklin Street, Braintree, MA 02184 and is within a General Business District Zone, as shown on Assessors Map 1022, Plot 14, and contains a land area of +/-3.25 acres.

**#13-32**

**177-179 Commercial Street**

Attorney Carl R. Johnson, representing James H. O'Leary Trustee of 177-179 Commercial Street Realty Trust, 302 Holbrook Road, Quincy, MA 02171 for relief from Bylaw requirements under Article 4 Section 135-407; Article 7 Section 135-701, 705; Article 6 Section 135-806 to demolish existing dwelling and construct new five (5) dwelling unit structure. 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 177-179 Commercial Street, Braintree, MA 02184 and is within a Residential C /Commercial District Zone, as shown on Assessors Map 3008, Plot 8, and contains a land area of +/-17,775 sq. ft.

**OTHER BUSINESS:**