



BOARD OF APPEAL UNDER THE ZONING BY - LAW BRAINTREE, MASSACHUSETTS

Revised

AGENDA July 28, 2009

The following petitions will be heard by the Zoning Board of Appeals on Tuesday, July 28, 2009, at 7:00 p.m. at the DPW Administration Building, Lower Level, 90 Pond Street, Braintree, Massachusetts.

APPROVAL OF MINUTES:

Acceptance of minutes of Appeals Board Hearing June 23, 2009.

OLD BUSINESS

- #08-42** Thomas J. O'Keefe, 105 Brookside Road, Braintree, MA 02184 to be reheard at the July 28th meeting.
- #09-02** Metro PCS, 35 Rocsam Park, Braintree, MA 02184 to be reheard at the July 28th Meeting.
- #09-20** Harry Powers of 10 James Road, Harwich, MA 02643 regarding 302/304 Quincy Avenue, Braintree, MA 02184 to be reheard at the July 28th Meeting.
- #09-22** Patrick A. Plante and Maria A. Plante of 18 Grace Drive, Cohasset, MA 02025 regarding 555 Washington Street, Braintree, MA 02184 to be reheard at the July 28th Meeting.

NEW PETITIONS

- #09-24** Carol Walsh, 98 Storrs Avenue, Braintree, MA 02184 for relief from Bylaw requirements from Cease & Desist, State Building Code 780 CMR to appeal Building Inspector's decision that the accessory structure is being used as an apartment. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 98 Storrs Avenue, Braintree, MA 02184 and is within a Residential B District as shown on Assessors Map 2033, Plot 33, and contains a land area of +/- 16,392 Sq. Ft.
- #09-25** AMB Property LP and AMB Property Corporation, c/o Greydon T. Sargent, Suite 100, 60 State Street, Boston, MA 02109 for relief from Bylaw requirements under Article 4, Chapter 135, Sections 135-403A, 407; 701; Article 7, Chapter 135, Sections 135-

702, and Article 8 Chapter 135, Sections 135-804, 809, 812,814 to divide the site including parking area (as shown on the plan filed herewith). The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 175 Campanelli Drive & Campanelli Drive respectively, Braintree, MA 02184 and is within a Commercial Watershed District, as shown on Assessors Map 1034, Plots 1 and 2, and contains a land area of +/- 1,058,656 Sq. Ft.

#09-26 Sprint Spectrum, L.P. and Clear Wireless, LLC, c/o Ricardo M. Sousa, Prince, Lobel, Glovsky & Tye, LLP, 100 Cambridge Street, Suite 2200, Boston, MA 02114 for relief from Bylaw requirements under Chapter 135, Section 1603B & 135-407 and M.G.L.c 40A, Section 6 to add two (2) wireless dishes to the existing wireless antenna installations on the rooftop. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 639 Granite Street, Braintree, MA 02184 and is within a Commercial Watershed District, as shown on Assessors Map 2048, Plot 15A, and contains a land area of +/- 3.57 Acres.

#09-27 Daniel Carroll, Jr., 89 Cotton Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Article 4, Section 135-403; Article 7, Section 135-701 to add a second and third story addition. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 89 Cotton Avenue, Braintree, MA 02184 and is within a Residential B District, as shown on Assessors Map 3052, Plot 28, and contains a land area of +/- 4800 Sq. Ft.

#09-28 Anthony Spadea, Trustee, Braintree Lodge 760 Realty Trust, 60 Cherry Lane, Braintree, MA 02184 for relief from Bylaw requirements under Table of Dimensional and Density Regulations (Amended 5-15-2002 By Article 43) requiring 43,560 square feet in a Watershed Residential A Area to gain approval for subdivision of existing non-conforming lots at 157 and 161 King Hill Road to make changes to correct existing encroachment. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 157 King Hill Road, Braintree, MA 02184 within a Residential A District, as shown on Assessors Map 1033, Plot 10, and contains a land area of +/- 24,999 Sq. Ft.

#09-29 Anthony Spadea, Trustee, Braintree Lodge 760 Realty Trust, 60 Cherry Lane, Braintree, MA 02184 for relief from Bylaw requirements under Table of Dimensional and Density Regulations (Amended 5-15-2002 By Article 43) requiring 43,560 square feet in a Watershed Residential A Area to gain approval for subdivision of existing non-conforming lots at 157 and 161 King Hill Road to make changes to correct existing encroachment. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 161 King Hill Road, Braintree, MA 02184 within a Residential A District and Commercial, as shown on Assessors Map 1033, Plot 10A, and contains a land area of +/- 111,089 Sq. Ft.

#09-30 William Bottiggi, Braintree Electric Light Department, 150 Potter Road, Braintree, MA 02184 for relief from Bylaw requirements under Article 7, Chapter 135, Sections 135-701 side and rear yard setback, Article 4, Chapter 135, Sections 135-402, 403, 407, 701 to remove existing warehouse structure and replace with new 62' x 130' warehouse building. The applicant seeks a permit, variance and/or finding that the

proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 150 Potter Road, Braintree, MA 02184 within a Highway Business District, as shown on Assessors Map 3045, Plot 1D, and contains a land area of +/-1,165,230 Sq. Ft.

#09-31

Attorney Ricardo M. Sousa, Sprint Spectrum, L.P. and its affiliate Clear Wireless, LLC, 9 Crosby Drive, Bedford, MA for relief from Bylaw requirements under Chapter 135, Sections 135-1603B, 407 to modify its existing wireless communications facility at the property by adding two (2) new wireless backhaul dish antennas to be located above the applicant's existing antennas, on the rooftop of the building at the property. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 257 Ivory Street, Braintree, MA 02184 within a Commercial District, as shown on Assessors Map 1029, Plot 15, and contains a land area of +/- 6,349 Sq. Ft.

#09-32

Jennifer L. Lugee, T-Mobile d/b/a Omnipoint Communications, Inc., 30 Lymm Street, Suite 12, Westboro, MA 01581 for relief from Bylaw requirements under Article 4, Chapter 135, Sections 135-402, 403(A), 407 and Article XVI to add nine (9) antennas to the existing 130' monopole at the 74' level as well as roof mounted equipment on a steel platform in a 286 S.F. lease area within a proposed screen wall enclosure. The property is located at 300 River Street, Braintree, MA 02184 within an Open Space Conservation District, as shown on Assessors Map 2009, Plot 14, and contains a land area of +/- 46.19 Acres.