



## 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:**