

MEETING OF APRIL 29, 2008

Petition 08-13 James Egan, 99 Storrs Avenue

Sitting on this petition was Chairman Steven Karll, members Joseph Mulligan and Jay Nuss..

Mr. Egan is seeking permission to construct an 11' x 38" farmer's porch on the Cochato Road side of his house, which will come within 16.38 feet from the Cochato Road lot line, at its narrowest point, and therefore, a variance from the 20 foot front yard setback is required. In addition, the applicant wishes to construct an open deck on the rear of the property, also located on the Cochato Road side. At its closest point, the deck will be 16.68 feet from the Cochato Road lot line, and therefore, a variance from the 20 foot front yard setback is required. The lot also fails to meet the minimum lot width of 100 feet and therefore, a variance is required. The applicant noted the irregular shape of the lot making it difficult for the applicant to comply with the front yard setbacks. The petitioner submitted a plan entitled "Plan of Land in Braintree, Massachusetts", dated February 29, 2008, prepared by C.S. Kelley, Land Surveyors of Pembroke, MA.

Nina Egan, wife of the applicant, spoke in favor of the petition. No one else spoke in favor or in opposition. The Planning Board voted 4-0 in favor of the requested relief.

The Zoning Board found that the petitioner had demonstrated a hardship based on the irregular shape of the lot. The Board also found that the encroachment of less than 4 feet further into the easterly lot line was de minimus, given the existing width of the lot and the location of the house. The Board also found that the proposed alteration would not be detrimental to the neighborhood and that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-14 Jayson April , 79 Parkside Drive

Sitting on this petition was Chairman Steven Karll, members Joseph Mulligan and Jay Nuss..

The petitioner, representing himself, wishes to remove an existing nonconforming garage on the northeasterly side of the lot and to construct an addition with a larger footprint and extending to the rear of the dwelling. The addition will consist of two (2) stories. The first floor will contain a new garage, family room and deck and the second story will contain a master bedroom. The structure is pre-existing nonconforming, as the existing structure is located 5.6 feet to 9.3 feet from the either side yard setback, where the Zoning By-law requires 10 feet. The lot is also pre-existing nonconforming containing only 7,820 SF and having a lot width of 60 feet. The existing garage is located 5 feet from the side lot line, and the proposed addition will be located 5.6 feet from the same lot line. The balance of the addition will be located to the rear of the property and will not encroach into any rear yard setback. The petitioner submitted a plan entitled "Plan Showing Proposed Addition in Braintree, MA", dated February 6, 2008, prepared by Hoyt Land Surveying of Weymouth, MA.

No one else spoke in favor or in opposition. The Planning Board voted 4-0 in favor of the requested relief.

The Board found that the petitioner's house and garage constituted a pre-existing nonconforming structure on the site, already encroaching into the side yard setback. The proposed addition will adhere to the same setback as the pre-existing nonconforming structure and will not further encroach into the side yard setback.

MOTION: Made by Mr. Nuss, seconded by Mr. Mulligan to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-15 Lawrence Crosby, Jr. , 79 Acorn Street

Sitting on this petition was Chairman Steven Karll, members Joseph Mulligan and Jay Nuss..

The petitioner, representing himself, explained that his house and lot are pre-existing nonconforming, as his lot contains 8,411 s/f and the lot width is only 70 feet. In addition, the house is a pre-existing nonconforming structure with a side yard setback of 9.3 feet. The applicant is seeking permission to construct a 20 feet x 36 feet one-story addition to the rear of the existing dwelling. The proposed addition will not further encroach upon the side yard setback, nor will it create any new nonconformities, and therefore, no variances are required. The addition will also be flush with the lines of the existing dwelling. The petitioner submitted a plan entitled "Plan Showing Proposed Addition in Braintree, MA," dated March 12, 2008, prepared by Hoyt Land Surveying of Weymouth, MA.

No one else spoke in favor of or opposition to the petition. The Planning Board voted 4-0 in favor of the requested relief.

The Board found that the proposed addition would not be substantially more detrimental to the neighborhood than the pre-existing nonconforming structure on the lot. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Karll, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition Number 08-16 Nu Ngoc Nguyen, 20 Partridge Hill Road

Sitting on this petition was Chairman Steven Karll, members Joseph Mulligan and Jay Nuss.

Nu Ngoc Nguyen of 76 Atlantic Street in Quincy, MA is seeking to raze the existing dwelling and construct a new two-story dwelling within the existing footprint and to add a two car garage, all in accordance with the plans of record. The petitioner, representing herself, explained that the existing dwelling has suffered from termite infestation causing structural damage. The proposed addition will meet all required setbacks. However, the lot is pre-existing nonconforming as to lot size, containing only 17,005 SF where 25,000 SF is required. Therefore, the applicant is seeking permission to alter a pre-existing nonconforming lot. The petitioner submitted a plan entitled "Plan of Land in the Town of Braintree at # 20 Partridge Hill Road", dated January 10, 2008, prepared by Peter McManus, Professional Land Surveyor of Terra Nova Survey Consultants, of Bridgewater, MA.

No one else spoke in favor or in opposition. The Planning Board voted 4-0 that no relief was required under the By-law.

The Board found that the proposed new construction, garage and deck would not be substantially more detrimental to the neighborhood than the existing structure on the lot and that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-20 Batten Brothers, 250 Granite Street

Sitting on this petition was Chairman Steven Karll, members Joseph Mulligan and Jay Nuss.

Batten Brothers of 893 Main Street in Wakefield, MA is seeking to install one exterior wall sign. The petitioner, represented by Jeffrey Sarra, explained that Chipotle's is taking over space at the South Shore Plaza previously occupied by McDonald's, and the new owners wish to install a sign over the entrance. Relief is requested under the Sign By-law, as Section 135-904.2(A)(5)(e) limits wall sign area to one square foot of signage per linear foot of frontage, with frontage measured as the linear feet of the building which faces the access roadway. With respect to a building as large as the South Shore Plaza it appears that the signage at this site exceeds that allowed under the By-law. Section 135-904.2 (A)(5)(g) also limits each store to one wall sign for each store or business occupying a building, with the aggregate wall signage limited to 150 SF in area. The applicant's proposed wall sign measures 21SF; however, the total wall signage at the South Shore Plaza exceeds 150 SF.

The applicant explained that the exterior wall sign is needed for informational purposes and to safely direct the public and that the requested signage is modest in comparison to other wall signs at the Plaza. The signage is necessary for the public to identify the restaurant entrance at the Plaza. The petitioner submitted three sheets of plans entitled "Chipotle Store No. 1111, 250 Granite Street, Braintree, MA," dated September 24, 2007 and revised November 5, 2007 prepared by Glavin Feher Architects of Columbus, Ohio.

No one else spoke in favor of or opposition to the petition. The Planning Board voted 3-0 in favor of the requested relief.

The Board found that the petitioner's requested signage was a reasonable request on the exterior of the South Shore Plaza and that the additional wall signage was necessary for informational and safety purposes and to direct the traveling public to the site. The Board concluded that granting the requested relief would not be substantially more detrimental to the neighborhood than the existing structure and without nullifying or substantially derogating from the intent or purpose of the by-law.

MOTION: Made by Mr. Karll, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-17 Liberty Realty Development, Inc. RE: 55 Glenrose Avenue

Sitting on this petition was Chairman Steven Karll, members Jay Nuss and Joseph Mulligan.

Liberty Realty Development, Inc. is seeking to construct a dwelling on an undersized lot. The petitioner, represented by Attorney Carl Johnson with William Moore, Jr., on behalf of his father and owner of the property, William Moore, Sr., explained that many of the lots on Glenrose Avenue originally contained 2,000 SF. Moore acquired several parcels to form Plot 74 and two parcels known as Plot 73. Attorney Johnson asserts that Plot 74 is protected as a separate lot under G.L. c. 40A, Section 6. However, when the title history of these two lots was reviewed, it appeared that these two lots had in fact merged into common ownership and lost its protected status. Attorney Johnson conceded that the lots had merged into common ownership by virtue of a death in the family. The applicant seeks the Board's permission to recognize Plot 74 as an undersized buildable lot, on which the applicant proposes to construct a single family dwelling that will comply with all zoning setback requirements. Although the lot will not meet the current lot size requirement of 15,000 SF, Attorney Johnson reminded the Board of similar relief granted pursuant to Petition No. 03-18 and maintained that recognizing this 12,000 SF lot as buildable would be consistent with the neighborhood. William Moore, Jr. explained that his father needs to develop and sell the lot to meet his mounting medical expenses.

As a basis for a hardship, Attorney Johnson presented topographical maps and photos demonstrating that the lot has severe drops in grades limiting the area on which a house can be constructed. Attorney Johnson argued that, even if the lot had the additional 3,000 SF to conform to the lot size, the house would still have to be situated on the level portion of the lot. The petitioner submitted a plan entitled "Plan of Land Showing New Residence on Glenrose Avenue in Braintree, MA," dated April 28, 2008, prepared by Neponset Valley Survey Assoc., Inc. of Quincy, MA.

Karen Golden of 226 Columbian Street in Weymouth spoke in favor. No one else spoke in favor or in opposition. The Planning Board voted 4-0 in favor of the requested relief, on the condition that the applicant installs a roof drain drywell system and swale to divert and slow storm water runoff. Attorney Johnson indicated that the applicant would comply with the Planning Board's condition.

The Board found that recognizing the undersized lot as buildable would not be substantially more detrimental to the neighborhood, that the proposed lot is significantly larger than many of the existing lots, that the applicant had presented a hardship and that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Karll, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-18 Eloise Papile, 22 Myrtle Street

Sitting on this petition was Chairman, Steven Karll, and members, Jay Nuss and Joseph Mulligan.

Eloise Papile is seeking to construct a dwelling on an undersized lot. The petitioner, represented by Attorney Jonathan Young, appeared along with the petitioner. Attorney Young explained that Mrs. Papile has lived on this large lot for several years and wishes to subdivide her lot into two undersized lots and construct a dwelling on the new lot. Mrs. Papile proposes creating two lots and since both lots do not meet the minimum lot size for the zoning district, a variance is required. In addition, Lot 1 offers only 85 feet of width and only 96 feet of lot depth; therefore, Lot 1 requires additional relief. With the exception of lot size, Lot 2 meets all other dimensional requirements but contains structures which currently encroach into the side and rear yard setbacks, but this proposal will not create any further encroachments.

As a basis for a hardship, Attorney Young noted the irregular shape of the lot and also explained that the proposed nonconforming lots are comparable to the size of other lots in the neighborhood. Moreover, the unimproved portion of the lot is principally overgrown with trees yet the signals for the Greenbush Line are visible. Building a home would be a welcome improvement to the neighborhood and would afford a visible barrier and noise buffer. Further, if the requested relief were denied, the lot would be rendered useless to the owner. Attorney Young presented a petition signed by 13 neighbors, all of whom are in favor of the petition. The petitioner submitted a plan entitled "Proposed Development, 22 Myrtle Street, Braintree, MA," dated July 5, 2007, prepared by Cavanaro Consulting of Norwell, MA.

James and Cynthia Hoover and Carol and Fred Andrews submitted letters in support. Alice Chelluk of 5 Vine Street, Ellen Marie Anderson of 30 Myrtle Street, 28 Susan Bossa of 5 Spruce Street, Jim and Cynthia Hoover of 6 Myrtle Street, Sam Riner of 35 Vine Street, Joel Antolini of 16 Spruce Street, Jerry Nicklas of 11 Vine Street, Sean Hastings of 28 Vine Street, Marty Joyce of 11 Spruce Street, and Carol and Fred Andrews of 20 Vine Street spoke in favor. No one else spoke in favor or in opposition. The Planning Board voted 3-1 in favor of the requested relief.

The Board found that granting the relief would be consistent with the nature of and not be substantially more detrimental to the neighborhood, noting that the proposed lots are significantly larger than many of the existing lots. The Board also found that the applicant had presented a hardship and that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Karll, seconded by Mr. Mulligan to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-19 – CITGO Petroleum RE: 385 Quincy Avenue

Sitting on this petition was Chairman, Steven Karll, and members, Jay Nuss and Joseph Mulligan.

CITGO Petroleum Corp. of 385 Quincy Avenue, MA is seeking relief to install a secondary ground sign, all in accordance with the plans of record. The petitioner, represented by Carol Voight, Assistant Terminal Manager for CITGO, explained that CITGO wishes to install a secondary ground sign, measuring 48 SF with an LED changeable display, visible in red lights. According to the By-law, a secondary ground sign is allowed if the nature of the use of the premises, the architecture of the building, or the location of the sign with reference to the street, is such that the additional ground sign visible to the access road does not exceed 150 SF. It is not known exactly how many square feet of signage exists on the site, but it is presumed that the total area for ground signs exceeds 150 SF. In addition, the By-law prohibits any illumination other than white lights. Ms. Voight explained that the additional sign was necessary to alert truck drivers to any security issues or updates, in accordance with Homeland Security. Ms. Voight maintains that this sign will not be visible to surrounding properties and will be shielded by a row of landscaping. Ms. Voight noted that the red light is more visible at all times of the day and is more effective in attracting attention and conveying a security alert. Although the Zoning By-law prohibits any color other than white lights, Ms. Voight offered several examples of red lit signs existing within the Town. The petitioner submitted a plan entitled "CITGO Petroleum Corporation, Braintree, Massachusetts Terminal," dated February, 2007, noting the location as well as a rendering of the sign.

No one else spoke in favor or in opposition. The Planning Board voted 4-0 in favor of the requested relief.

T

The Board found that granting the relief would be consistent with the use of this site as a terminal, and the location of this secondary sign would not be visible to or detrimental to the neighborhood. The Board also found the signage necessary for informational and safety purposes. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Nuss, seconded by Mr. Mulligan to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-22 – Daniel J. Quirk, Inc. d/b/a/Quirk KIA RE: 444 Quincy Avenue

Sitting on this petition was Chairman, Steven Karll, and members, Jay Nuss and Joseph Mulligan.

The petitioner, represented by Attorney Frank Marinelli, is seeking to add a "KIA" ground sign to advertise the addition of this dealership. This location already has a ground sign advertising Subaru and Chevrolet. The proposed sign is 20 feet in height, 49 SF in area, and is 13 feet from the ground, all in compliance with the By-law. However the By-law limits a business to one ground sign visible from a major artery and that sign shall contain the name and address of the user and no other advertising material unless authorized. The KIA sign will be the third ground sign. The by-law provides only one ground sign visible to the road and one secondary ground sign if the Board finds that the nature of the use, architecture or the location of the building in reference to the street is such that the additional ground sign visible to the access road shall not exceed 150 SF. The total ground signage of all three signs, including the proposed KIA sign, is 150 SF. In this instance, the KIA sign complies with the dimensional requirements of the By-law, but the KIA sign would be the third ground sign at this location.

Attorney Marinelli described the irregular shape of the lot and limited visibility on Quincy Avenue. In addition, Attorney Marinelli noted the topography of the site, sloping down towards the rear, thereby obscuring the building from the street. Attorney Marinelli stated that the requested signage of 49 SF was modest compared to the vast site of the dealership and explained that the building is set back some distance from Quincy Avenue. The signage is necessary to direct the public to the site. The petitioner submitted a plan entitled "Sign Permit Plan, Quirk Auto Dealership, 444 Quincy Avenue, Braintree, MA," dated March 13, 2008, prepared by The Decelle Group, as well as photos of the proposed sign.

No one else spoke in favor of or opposition to the petition. The Planning Board voted 4-0 in favor of the requested relief.

The Board found that the relief would be consistent with use and the location would not be detrimental to the neighborhood. The Board also found that the proposed signage was necessary for informational and safety purposes. Given the narrow opening, the sloping topography, and the dealership set back from the road, the Board found that the additional ground sign was necessary for visibility and directional purposes. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-23 – Lenox Farms Ltd. Partnership RE: 550 Liberty Street

Sitting on this petition was Chairman, Steven Karll, and members, Jay Nuss and Joseph Mulligan.

Lenox Farms Ltd. Partnership is seeking relief to install a temporary roof sign, a permanent ground sign, and a monument sign, all in accordance with the plans of record. The petitioner was represented by Attorney Frank Marinelli, along with David Hall and Ben Yanna of the Hanover Group. Attorney Marinelli explained that the owners wish to install one sign on the roof of building #29 and one wall sign on the property adjacent to Route 3, advertising leasing contact information. The applicant wishes to install a monument sign in the stone wall entrance. The applicant proposes one ground sign at Location #1 that measures 142.5 SF and a monument sign that measures 8 SF, for a total ground signage that just exceeds 150 SF. Both the ground sign and the monument sign are less than 35 feet in height.

Attorney Marinelli noted that signage was necessary to direct the public and to inform them of leasing information. Attorney Marinelli explained that the development is not visible from Liberty Street; therefore, the monument sign is needed to direct the public. Attorney Marinelli observed that the By-law is silent as to so-called “monument signs” but offered examples of existing monument signs in Town with much larger area. Lacking any reference in the By-law to monument signs, this sign is considered a ground sign, which when combined with the ground sign at #1, just barely exceeds the area of signage allowed. Attorney Marinelli acknowledged that the By-law prohibits roof signs and the applicant proposed converting to a temporary wall sign draped along an unoccupied building. This banner will be the same size as the ground sign proposed at Location #1 with the same information. The petitioner submitted a plan entitled “Site Development Plans at Lenox Farms in Braintree, MA, Sign Site Plans,” sheets 1 and 2, dated March 26, 2008, prepared by Daylor Consulting Group, as well as three renderings of the proposed signs, prepared by Natural Graphics. Inc. of Houston, TX. .

No one else spoke in favor of or opposition to the petition. The Planning Board voted 4-0 in favor of the requested relief, subject to the temporary roof sign being converted to a temporary wall sign.

The Board found that granting the relief would be consistent with use and that the location of the ground sign along Route 3 and the monument sign at Liberty Street were necessary to direct the public. The Board also found that the monument sign, would not be detrimental to the neighborhood. The Board also found that the proposed signage was necessary for informational and safety purposes. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Nuss to grant the requested relief, subject to the plan presented, with the condition that the temporary wall sign be allowed to be attached to any unoccupied building and moved depending upon occupancy.

VOTE: 3-0 unanimous in favor

MEETING OF APRIL 29, 2008

Petition No. 08-11 – SAAB Energy Service Center RE: 1050 Washington Street

Sitting on this petition was Chairman Steven Karll, Jack Gauthier and Joseph Mulligan. In light of Mr. Gauthier's absence the Chairman asked if the applicant wished to continue or to proceed, recognizing that the applicant will need a unanimous vote of 2 members. The applicant preferred to go forward.

SAAB Energy Service Center is seeking to install two ground signs, a wall sign and a canopy sign, all in accordance with the plans of record. The petitioner, represented by Bernard Abraham, advised that the current use is motor vehicle repair only. This use is no longer allowed in a Residence B Zoning District; therefore, this use is pre-existing nonconforming. The applicant wishes to install one wall sign measuring 52 SF, 2 double-sided ground signs, containing 74 SF total signage, and one canopy sign. The signage proposed is not allowed in a residential district. However the applicant is permitted to have 10 SF of signage in connection with a lawfully maintained nonconforming use. The signage requested far exceeds what would be allowed for this nonconforming use. The applicant proposes one wall sign measuring 2.6' x 20', measuring 52 SF, stating "SAAB Energy Service Center", "State Inspection", "Complete Auto Repair" and the telephone on the building over the two service bays. The applicant also proposes two double sided ground signs, one stating "SAAB Energy Service Center" "special oil change" with the business telephone number, and the other side to state "Mass. State Inspections". The two ground signs measure 37.5"x 72" each, or 18.6 SF per face of the sign, for a total area of 74.4 SF. The applicant also requested a canopy sign but no dimensions were provided. The applicant asserted that the signage was needed to inform the public that the service station is open and to direct traffic to the site.

The applicant's proposed signs would have yellow with magenta and black. The Board noted the color scheme seems too bright, particularly in a residential zoning district. The Board questioned the need for all the signage. The applicant withdrew the request for the canopy sign, but stated that the colors are consistent with SAAB Energy service stations in other communities. Elizabeth and Dennis Schaffer, who live directly opposite, asked the new owners to be respectful of the neighborhood. The Board tabled the matter at its March meeting to view the site. At the continued hearing on April 29, 2008, the applicant presented a new color scheme, a white background with the magenta letters. The Board reiterated its concern about the brightness especially in a residential area, yet the applicant advised that a flower shop in Town had a similar color scheme. The petitioner submitted photos depicting the proposed signs.

The Board found that granting the relief would be consistent with the use and the location of the signs would be consistent with the signage of the prior owner. The Board found that the signage was necessary for informational and safety purposes. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Karll to grant the requested relief, subject to the plan presented

VOTE: 2-0 unanimous in favor

. MEETING OF APRIL 29, 2008

Petition No. 08-11 – SAAB Energy Service Center RE: 1050 Washington Street

Sitting on this petition was Chairman Steven Karll, Jack Gauthier and Joseph Mulligan. In light of Mr. Gauthier's absence the Chairman asked if the applicant wished to continue or to proceed, recognizing that the applicant will need a unanimous vote of 2 members. The applicant preferred to go forward.

SAAB Energy Service Center is seeking to install two ground signs, a wall sign and a canopy sign, all in accordance with the plans of record. The petitioner, represented by Bernard Abraham, advised that the current use is motor vehicle repair only. This use is no longer allowed in a Residence B Zoning District; therefore, this use is pre-existing nonconforming. The applicant wishes to install one wall sign measuring 52 SF, 2 double-sided ground signs, containing 74 SF total signage, and one canopy sign. The signage proposed is not allowed in a residential district. However the applicant is permitted to have 10 SF of signage in connection with a lawfully maintained nonconforming use. The signage requested far exceeds what would be allowed for this nonconforming use. The applicant proposes one wall sign measuring 2.6' x 20', measuring 52 SF, stating "SAAB Energy Service Center", "State Inspection", "Complete Auto Repair" and the telephone on the building over the two service bays. The applicant also proposes two double sided ground signs, one stating "SAAB Energy Service Center" "special oil change" with the business telephone number, and the other side to state "Mass. State Inspections". The two ground signs measure 37.5"x 72" each, or 18.6 SF per face of the sign, for a total area of 74.4 SF. The applicant also requested a canopy sign but no dimensions were provided. The applicant asserted that the signage was needed to inform the public that the service station is open and to direct traffic to the site.

The applicant's proposed signs would have yellow with magenta and black. The Board noted the color scheme seems too bright, particularly in a residential zoning district. The Board questioned the need for all the signage. The applicant withdrew the request for the canopy sign, but stated that the colors are consistent with SAAB Energy service stations in other communities. Elizabeth and Dennis Schaffer, who live directly opposite, asked the new owners to be respectful of the neighborhood. The Board tabled the matter at its March meeting to view the site. At the continued hearing on April 29, 2008, the applicant presented a new color scheme, a white background with the magenta letters. The Board reiterated its concern about the brightness especially in a residential area, yet the applicant advised that a flower shop in Town had a similar color scheme. The petitioner submitted photos depicting the proposed signs.

The Board found that granting the relief would be consistent with the use and the location of the signs would be consistent with the signage of the prior owner. The Board found that the signage was necessary for informational and safety purposes. Finally, the Board found that the requested relief could be granted without detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law.

MOTION: Made by Mr. Mulligan, seconded by Mr. Karll to grant the requested relief, subject to the plan presented

VOTE: 2-0 unanimous in favor

. MEETING OF APRIL 29, 2008

**Petition No. 08-21 – WBF Braintree Equity Partners, LLC
RE: 214-222 Forbes Road**

This petition was tabled until the next Zoning Board of Appeals meeting (May 27, 2008) due to a conflict expressed by Mr. Nuss.

Board voted to continue this matter until the next meeting.