



Joseph C. Sullivan
Mayor

Department of Planning and Community Development

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PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Clerk
Darryl Mikami, Member
Melissa B. McDonald, Member

Braintree Planning Board
April 8, 2014
Town Hall – Cahill Auditorium

APPROVED

Present:

Mr. Robert Harnais, Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami
Ms. Melissa McDonald

Christine Stickney, Director
Melissa SantucciRozzi, Principal Planner

Chairman Harnais called roll at 7:05 p.m., Member Joseph Reynolds was absent.

Zoning Board of Appeal Petitions – April

ZBA (13-54)

100 River Street / Gary Gabriel

The applicant has not submitted a revised Plan; the Application will go forward in May, 2014.

ZBA (14-09)

30 Rockdale Street / Dennis Prifti, Sign Design

Dennis Prifti of Sign Design
Braintree Hill Office Park, LLC c/o The Flatley Company, owner

Mr. Prifti addressed the Board and said they are seeking relieve from the height and size requirements to gain some visibility from the highway. He stated there are no other signs on the building and this is a necessary advantage to help people identify their building.

Ms. McDonald questioned the linear frontage measurement of the building. Ms. SantucciRozzi explained that technically the proposed sign is not on the front wall and that the Applicant will need to prepare the figure for linear frontage when he goes before the Zoning Board.

Mr. Mikami asked about other occupants that will also want excessive signs. Mr. Prifti did not know of any others.

Mr. Eng asked about the night lighting – Mr. Prifti said it will be white.

Mr. Harnais had no questions and called for a Motion.

Mr. Eng made a Motion for a favorable recommendation; seconded by Ms. McDonald

Vote: 4:0:0

ZBA (14-10)

23 Bower Road / Edward Healy

Edward Healy, Applicant

Mr. Healy addressed the Board and stated he is seeking a setback variance to build a deck off the rear left side corner of his property. The left side of the house is 9.2 ft. from the property line; the setback requirement is 10 FT. He said the proposed deck is not more detrimental to the neighborhood.

Mr. Eng questioned the size of the deck. The Applicant explained he plans a deck half the width of the house to avoid covering a door.

There were no further questions, Chair called for a motion.

Ms. McDonald made a Motion for favorable action; seconded by Mr. Mikami.

Vote: 4:0:0

ZBA (14-12)

53 Victoria Avenue / Robert and Lori Maynard

Attorney Carl Johnson, representing the Applicants

Robert and Lori Maynard of 536 Columbian Street, Weymouth, MA, Applicant

Mr. Johnson explained the subject property consists of 3 lots of 5,000 SF each; a total of 15,000 SF. He explained the property includes a single family dwelling on Victoria Avenue, recently refurbished. The Applicants are seeking relief from the Bylaw to allow a re-division of the original lot lines to create two (2) 7500 SF lots; that are 75 FT wide.

The Applicants would like to construct a cape style dwelling on the second lot that, Staff agreed, is compatible with the neighborhood and meets all the setback requirements. They want to remove a grove of pine trees that are aged and subject to weather damage. Mr. Johnson explained the degraded trees create a hardship.

Ms. McDonald asked if the Applicants intend to remove all the 80 year old trees. Mr. Johnson said not all of them – they will remove the trees that are damaged and leave a buffer if they are able.

Ms. SantucciRozzi corrected her Staff Report assumption that 53 Victoria Avenue had previously received a variance. Mr. Johnson checked and found the variance was actually for property across the street.

Mr. Mikami pointed out that it appears there was prior authorization to subdivide the property. Mr. Johnson said the authorization was for property across the street, owned by the same person that sold this property to the Maynards. Mr. Mikami asked if approved will the Maynards live there – Mr. Johnson said no they will not.

Mr. Mikami noted that the area homes are compatible with the proposed design.

Mr. Eng did not disagree that the second house will not be a problem. He did question the Applicants application claim that \$25,000 cost for tree removal is a hardship when Mr. Maynard is a developer for a profit. Mr. Eng warned Mr. Johnson about this claim of a hardship.

Mr. Johnson said that most communities adopted considerations for subdividing lots and that this is a unique situation. Mr. Eng commented overall, this is good for the neighborhood.

Mr. Harnais had no questions and called for a Motion.

Mr. Eng made a Motion for a favorable recommendation; second by Ms. McDonald.
Vote: 4:0:0

(Public Hearing) Washington Street – Plan 2027 Lots 6G & 6F (14-01)
Grading Permit / HUB Construction and Maintenance Company

Attorney Carl Johnson represented the Applicant
Paul Gratta, HUB Construction and Maintenance Company
Sean Hardy, P.E., Hardy Engineering, Inc.

The Chair read the Legal Notice into the record.

Mr. Johnson provided an aerial of the proposed site. He gave a historical accounting of the lot and the superseding Order of Conditions issued in 2013.

Mr. Hardy addressed the Board and explained the plan indicating a loom & excess fill stockpile locations. Another request to square the driveway off to satisfy the Fire Department is planned; he said he will submit a revised plan. Further he explained that 2,100 CY of material will be removed for grading. He explained the site would comply with all Conservation requirements. He plans on roof runoff systems so drainage will not be an issue.

Mr. Harnais opened questions to the public.

Ms. Mary Colleary, 301 Washington Street

Ms. Colleary explained her concerns about the tree removal. She was concerned about the slope and wanted the property line staked. She said she is concerned about the runoff that will flow toward the homes on Bestick Rd and on both sides of the 350 FT driveway. Additionally, she preferred the use of granite curbs and a retention basin for adequate water drainage.

She stated her concerns about the soil quality noting some unsuitable material, specifically a PVC pipe protruding from the ground by 6 IN. She said there is about 7 ft. of water inside the pipe and wonders what is below the soil. She said the storage is actually not as described on the Application. She also is concerned about sufficient space for fire and safety vehicles to enter and exit.

Mr. Harnais asked for further comments.

Ms. McDonald agreed that there are many unanswered questions.

Mr. Mikami noted oddities in the elevation differences.

Ms. SantucciRozzi said her questions include grading, clearing of trees, drainage and plan deficiencies that need to be remedied.

Mr. Eng asked Mr. Johnson when regraded plans will be submitted. Mr. Johnson said by the next meeting in May.

Mr. Eng asked if a perk test has been done. Mr. Hardy said no, they did not anticipate one being required and the Engineering Department did not see that there was a problem. Mr. Eng asked if he knew what the material was in the pit. Mr. Gratta said he observed it was very perkable. Mr. Eng strongly encouraged a perk test.

Mr. Eng. clarified that the property was bought two years ago and any fill was dumped there prior to Mr. Harts purchase. Mr. Johnson explained that they dug down and found the original grade. Mr. Eng wanted to assure the abutting neighbors that there are no dirty soil issues.

Mr. Johnson asked for a list of questions to address for the May meeting.

The Chair called for a motion to continue the public hearing.

Ms. McDonald made a Motion to continue to May 13, 2014 at 8:45 p.m.; seconded by Mr. Mikami.
Vote: 4:0:0

ZBA (14-11)
2001 Washington Street / 2001 Washington Street, LLC

And

(Public Hearing) 2001 Washington Street – CATS Academy (formerly Norfolk County Respiratory Hospital) (14-02)
Grading Permit / 2001 Washington Street LLC (14-02)

Attorney Douglas Troyer, 45 Braintree Hill Office Park, Braintree representing Applicant
Steve Goodman; 2001 Washington Street, LLC
Eugene Sullivan; Civil Engineer for CATS Academy
Jim Tracey – Headmaster of CATS Academy

Mr. Harnais read the public notice for the record.

Mr. Troyer addressed the Board and handed out photos and reduced plans of the project. He explained the Applicant wants to renovate and maintain the historical property and lease it to CATS Academy to utilize as a boarding school.

Mr. Tracey explained the school is owned by Cambridge Education Group, based in the United Kingdom. CATS Academy of Boston is currently located in Newton; they hope to be in Braintree in September of 2015. It is an academic secondary and college prep boarding school focused on foreign students. He said they provide a live-in faculty; 24 hour security and students are not permitted to have a car or drive on campus.

Mr. Troyer explained they plan a staff of about 90 plus 20 employees for maintenance, dining and security members; 14 Staff will reside on the premises.

Mr. Sullivan addressed the Board referring to a plan of the project, highlighting the improvements to traffic, utilities and services; he noted that the footprint of the buildings will not change. The interiors will be completely renovated, a natural tree buffer will be retained and they met with Fire and other town departments. He said water and sewer issues will be dealt with and erosion control measures taken. Only the Washington Street access will be used for all construction and heavy equipment.

Mr. Troyer said they had a favorable town hall meeting.

Counselor Clifford of District 6 addressed the Board and explained that there were 70 people at the neighborhood meeting including abutters. All questions were satisfactorily answered. He reported the neighbors embraced the project and emphasized the tax benefit to the Town.

Mark Burns addressed the Board identifying himself as the Business Manager for Local 103 in Quincy. He said he did not attend the neighborhood meeting but wanted to urge the use of local union workers.

Mr. Harnais called for questions or comments from the Board.

Ms. McDonald said she thought this would be an appropriate use of the land. She asked about the summer construction and in particular, if it will disturb or present safety issues for the several hundred children who attend the Norfolk County Sheriff's Summer Camp located across the street.

Mr. Sullivan said they could build them a temporary access road to use during construction.

Mr. Mikami asked if the school was "for profit". Mr. Troyer said CATS is "for profit". He clarified that CATS academy is a tenant, that 2001 Washington Street, LLC is the Corporation and property owner that is responsible for the taxes.

Mr. Mikami noted an impact on water and sewer, Mr. Sullivan said there are no water issues and will work to improve the water pressure by looping two water feeds. Mr. Mikami asked for an analysis to be provided.

Mr. Mikami questioned the intended growth of the student population relative to the impact on public services and safety services, etc. Mr. Troyer said the goal is 600 students; he impressed their full academic schedule and noted that they are required to partake in community service during their attendance at the school.

Mr. Eng complimented the use of the land; he was concerned where the fill will be coming from. Mr. Sullivan assured him it will be certified DEP asphalt.

Mr. Eng asked them to provide some affidavits to support and validate their credentials.

Mr. Harnais asked about the removal of trees. Mr. Troyer said they intend to take as few as possible.

Mr. Harnais stressed the safety of children during construction and commented that overall, it is a great opportunity.

With no further questions, the Chair called for a motion.

Ms. McDonald made a Motion to continue to May 13, 2014 at 9 pm; seconded by Mr. Mikami

Vote: 4:0:0

Relative to Zoning Board Application (14-11), Mr. Eng made a Motion for favorable recommendation; seconded by Ms. McDonald.

Vote: 4:0:0

Request for Minor Modification 250 Granite Street (10-01)
Dave and Busters of Massachusetts

Kate Connolly of Murtha Cullina, Attorney for Dave and Busters

Ms. Connolly explained the project is to add additional storage space to the rear of the "winners circle", reducing the overall area of the "gaming midway" by 220 SF.

Mr. Mikami asked further about the location of the winners circle. Ms. Connolly explained the Winners Circle will be enlarged, taking space from the "gaming midway" to add the storage behind it.

Mr. Eng asked why the additional storage is needed. Ms. Connolly did not know.

There were no further questions, Chair called for a motion.

Mr. Eng made a Motion to approve the minor modification; seconded by Ms. McDonald.

Vote: 4:0:0

With no further business, Mr. Harnais called for a Motion to adjourn the meeting.

Mr. Mikami made a Motion to adjourn; seconded by Ms. McDonald.

Vote: 4:0:0

The meeting adjourned at 9:11 p.m.

Respectfully Submitted by,
Elizabeth Schaffer