



Department of Planning and Community Development

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Joseph C. Sullivan
Mayor

PLANNING BOARD

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

Braintree Planning Board
February 12, 2013
Town Hall – Cahill Auditorium

APPROVED

Present:

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

Melissa Santucci Rozzi, Principal Planner

Chair, Harnais called the meeting to order at 7:12 pm, all Board Members were present.

New Business/Old Business

Zoning Board of Appeal Petitions – February

ZBA (13-07)

49-59 Hayward Street / Edward Lau, President of Tian Ann Jih Der Sheng Daw Yuann Temple
Signage Variance

Mr. Lau addressed the Planning Board explaining he represents the Temple who is seeking relief regarding 3 signs at the Temple all of which face Hayward Street. It has been determined that the signage package is fairly compliant with the Braintree By-law requirement of 20 SF of area per sign.

One sign, located on the front façade measures a total area of 22.6 SF.

A second sign is a ceremonial arch; located 20.6 FT. from the front property line and the signage totals 45 SF.
The third sign is located 5 FT. from the street and measures a total of 20 SF.

Applicant is seeking a variance for the overage.

Ms. McDonald asked the Applicant if he tried to get the first sign within regulation. The Applicant explained that the sign was made before Applicant was aware of the regulation.

Mr. Mikami asked if other temples have signs over their doorway. The Applicant explained that the doorway sign identifies the Temple address (Boston) branch of the religious order.

Mr. Mikami comments that the temple is nice looking and asked if neighbors had any comments about the signs. The Applicant stated they only complained about the construction. They welcome the neighbors into the temple, the public is always welcome.

Mr. Eng asked what the lettering signifies; the Applicant explained the meaning. Mr. Eng stated that overall it is a nice facility and the community is happy with it and wished him good luck with it.

Mr. Reynolds stated he doesn't have an issue with the coverage of the square feet and agrees with the comments of other members. Where the Temple archway is located 20 feet from road, it's not an issue. The third sign fits the regulations from his perspective and he has not heard anything negative about it.

Mr. Harnais is a neighbor in this area as well as Planning Board member; he complimented the building and has no problem with the signage.

Mr. Eng made a Motion to accept the signage, seconded by Mr. Mikami

Vote: 5:0:0

(TCO 13-001)

Priscilla Avenue / Recommendation on Street Acceptance

Ms. Santucci-Rozzi explained that the Planning Board received the Petition that was submitted to the Town Council. The Planning Board was provided a packet for the street acceptance of Priscilla Avenue. The As-Built Approval is completed, the Surety is released and plans are in place at this time. Staff recommended that the Planning Board recommend favorable action on the Petition for Acceptance.

Following no further questions by the Planning Board members, a Motion to accept the recommendation from staff and recommend approval of Priscilla Avenue was made by Mr. Reynolds, second Ms. McDonald

Vote: 5:0:0

(12-05)

**25-29 Elm Street / Dorsey & Kathryn Connolly
Special Permit / Site Plan Review**

Mr. Connolly is seeking final As-Built approval for the parking lot at M&M Café located at 25 Elm Street. There was a revision to the original project when the abutting landlord put up a guardrail, essentially cutting the parking lot in half. The Applicant made some changes and he is now seeking final approval.

Ms. Santucci-Rozzi commented that at the time of occupancy, Mr. Connolly prepared the parking lot in the way the Planning Board approved. The changes were no fault of the Applicant. The Staff prepared a Report recommending some surviving conditions and requested the Applicant keep a dialogue open with the Board. If the guardrail ever does come down, they will have an opportunity to revisit the issue and perhaps re-reviewing in the Spring. Staff suggests release of the \$1,000 surety as the As-Built plan

Mr. Harnais noted that originally the two landlords came before this Board and stated they are going to work together on this project. One of the landlords then put up barriers and reduced the parking necessitating Mr. Connolly's changes. Further, it was unfortunate they didn't abide by their commitment, forcing the Applicant to pay a big price.

Ms. McDonald had no questions.

Mr. Mikami had no questions.

Mr. Eng – asked how business was. Mr. Connolly said that January was slow but February is picking up.

Mr. Reynolds questioned how the parking worked out in the snow (blizzard, Feb 8-9, 2013). Mr. Connolly explained it worked out okay – it was plowed on Saturday, Tuesday presented a snag but otherwise okay. Mr. Reynolds said he has visited the site and doesn't have an issue with it.

Mr. Eng made a Motion for the Applicant to keep an open dialog with the town for future improvements, release the \$1,000 Cash Surety that has been held for the As-built plans; and to grant the As-built approval and issue a Certificate to reflect the surviving Conditions as noted; the motion was seconded by Mr. Reynolds.

Vote: 5:0:0

MINUTES (November and December, 2012)

A Motion to approve the November and December, 2012 Planning Board Minutes was made by Mr. Reynolds, seconded by Ms. McDonald

Vote: 5:0:0

(12-04) Public Hearing

20 Pond Street / MSMM, LLC (12-040)

Special Permit and Site Plan Review

Carl Johnson, Attorney for the Applicant, MSMM, LLC
Dimitri Kapalis, Project Architect, Habeeb & Associates
Robert St. John, Director of Planning, Messina Companies
Ron Marshall, Council for Messina Companies

Mr. Reynolds made a Motion to accept the Correspondence dated July 16, 2012 through February 1, 2013, seconded by Mr. Eng.

Vote: 5:0:0

Mr. Johnson updated the Planning Board as to where the project is. He explained that all the maintenance & operation information and civil drawings have been submitted to the Board. An architectural rendering of the building and the handicap access which was briefly presented to the Board after the last meeting, is submitted tonight and the draft. Conditions were reviewed for the Special Permit.

Mr. St. John explained that some minor issues have been discussed with the Planning Department involving signage for "no salt" areas and such. The handicap access from the east elevation of the building has been planned. The walkway will run from Pond Street up the east side midpoint of the building.

Dimitri Kapalis then discussed the floor plan changes. He clarified that he referred to the walkway as "walkway", not a "ramp" because it is not ADA compliant. He reviewed the interior changes due to the entry reconfiguration, stating that access is available from the street to an elevator, to all levels. Plaza lighting is planned for safety and will illuminate the new walkway.

Mr. Johnson submitted an architectural view per Staff request. He explained they intend to treat the base coat on the existing lower portion of the building foundation and the existing brick to update and blend the appearance of new and old.

Mr. Harnais asks if there are any public questions, no persons had questions.

Ms. McDonald had no questions.

Mr. Mikami stated that he appreciated the ADA consideration and asked how many handicap spaces were required with the parking plan, if there are handicap accessible units and how many parking spaces have been designated beyond what is required. Mr. St. John said 3 handicap parking spaces are provided and are located at the proper grade that will have access to the main entrance.

Mr. Mikami restated that only three parking spaces meet ADA regardless of the number of handicap units. Mr. Mikami asked if the "walkway" entrance will have a permanent light on. Mr. St. John stated that it was not planned

but the vestibule will be lit. Mr. Johnson interjected that if a light at the entrance is required, it can certainly be added.

Ms. Santucci Rozzi clarified that the architectural plans indicate a light fixture over that door and questioned if this was correct. Ms. Santucci Rozzi, referring to the plans, asked what the symbol over the side door was – Mr. Dimitri answered that because it is an exit stairwell, there will be lights on, it is a path of egress so yes, the handicap entrance will be lit.

Mr. Eng – questioned the swing direction of the exterior door on the ramp. Mr. Dimitri explained the swing is a life safety requirement. Mr. Eng further asked if you leave the ramp, will there be a flat landing in the middle. Mr. Dimitri clarified that it is considered a walkway because it is not ADA compliant; further, that there would be a landing.

Mr. Reynolds complimented them for addressing the concerns of the Board and he appreciated the effort.

Mr. Harnais had no questions.

Mr. Johnson requests some clarifications on the draft Conditions; Item 45 on Page 15 of 21 ... Staff will mark the second item 45 as 45A. Condition 71 on Page 19 ... clarifying line 4, add the word "in the rear of the site".

Melissa asked if the handicap walkway will be framed and poured. Mr. Johnson stated that it will require a structural engineer and be structurally certified. It will be reinforced concrete for the structural pour.

Mr. Johnson stated that his last item of concern is On Page 20 of 21, Item 78; Staff required that a roof top plan be submitted, depicting the location of all mechanical and roof top units. Mr. Johnson stated that in the way this has been designed, they believe it won't be observed from the residential area. Mr. Johnson would like to change the wording in the second sentence to read: all units shall be screened and/or positioned on the roof so that it is not visible from any abutting ... he would like to add "direct abutting properties" or anywhere "at street grade", instead of "along the ground".

Melissa questioned the definition of "at street grade". Mr. Johnson states that the use of the term "½ mile away in the circumference" is inconsistent with the term base grade. Mr. Dimitri Kapalis assures the Board that the roof units will not be seen. Mr. Harnais clarified with Mr. Johnson and Mr. Dimitri that the visibility of any roof units are not an issue.

Ms. Santucci-Rozzi clarified with Mr. Johnson that the block wall on Pond Street will be patched; the side walkway and rear walls will be poured concrete and the abutting wall will be block.

Mr. Mikami asked how the recycling for the building will be handled. Mr. Johnson explained that they will consult with staff regarding outdoor containers. Mr. Mikami asked about construction interference with church and the cemetery activities? Mr. Johnson assured the Board that they are mindful of the neighborhood living space and the times of construction.

No further questions by Ms. McDonald, Mr. Johnson or Mr. Eng.

Mr. Reynolds made a Motion to close the public hearing, seconded by Mr. Eng.

Vote: 5:0:0

Mr. Eng Motioned the Board to approve the Application and the Special Permit, including the proposed language changes to draft Conditions Item #71 and #78 to reflect the phrases "on the ground" and "direct abutting properties". The Motion was seconded by Ms. McDonald.

Vote: 5:0:0

(12-11)

90/96 Church Street and 178 Washington Street / G.B. New England 2, LLC
Site Plan Review

Frank Marinelli, Attorney for Applicant, G.B. New England 2, LLC, Developer for CVS
Paul Beck, VP of G.B. New England 2, LLC
Brian Dundon, Project Engineer, RJ O'Connell & Associates
Heather Monticup, Traffic Engineer, Greenman-Pedersen, Inc., Traffic Engineers
Greg and Michael Shea, Property Owners
Joseph Driscoll, Attorney for the Greg and Michael Shea

Mr. Marinelli addressed the Board stating that the Draft. Conditions are acceptable to complete the demolition of current building and redevelopment of the site with a CVS store. Mr. Marinelli reviewed the project and the completed steps to date. He mentioned a few changes that were reviewed with Staff and the Applicant agrees to the suggested changes involving the signs and lighting.

He explained the project improvements as increase of open space; planned landscaping and reduced curbing. Additionally, they will improve the property drainage with the installation of a subsurface infiltration system to capture and treat storm water. Also planned are offsite crosswalks and road markings to help calm the traffic.

A pre-empt system (Opticom) will be added at the intersection on the northerly approach of Washington and Common Streets; Washington and Route 3 Off Ramp; and Washington, Church and Independence Avenue, benefitting the Fire Department. Additionally, working with the Engineering Department, the traffic loop detectors located at the intersection of Church and Elm were already adjusted.

Mr. Marinelli summarized that the Applicant has reported to and worked together with all departments associated with the Planning Department and respectfully requests a favorable action on the site plan review application.

Mr. Harnais asks for public questions or comments – no persons had questions.

Ms. McDonald did not have questions had but offered complimentary remarks, stating they have done a great job.

Mr. Mikami asked how many employees will be displaced when the Quincy CVS closes and re-employed in Braintree. Mr. Beck answered that it will be approximately 30 – 35 employees. Braintree will employ more people than the Quincy location. Mr. Mikami also questioned the need for two drive through windows. Mr. Marinelli explained that in their experience, two work best and helps to eliminate stacking.

Mr. Beck assured the Board that there is a snow removal plan in place.

Mr. Mikami questioned possible traffic exiting issues. Mr. Marinelli explained his discussions with Staff concerning the use of only two curb cuts. Ms. Monticup explained that their study proved that most patrons will use the center curb cut, Mr. Mikami asked what percentage will be exiting from each curb cut. Ms. Monticup estimated the number of vehicles from each curb from the supplemental traffic evaluation. Mr. Mikami was satisfied with the numbers and said they are helpful.

Mr. Mikami asked Mr. Marinelli if there were any special considerations during the construction. Mr. Beck stated that during all construction times, a police detail, when and if required, will be present and they will coordinate with the Police Department. Ms. Santucci-Rozzi informed the Board that they submitted a plan outlining the extensive measures the Applicants have planned to safely process the construction.

Mr. Eng commented on the nice design and appreciates the care taken with all issues.

Mr. Reynolds questioned Mr. Marinelli about the pedestrian crosswalk location. Mr. Marinelli answered that they met with the Town Engineer regarding the crosswalk. The idea was that the crosswalk would also slow the traffic,

requiring caution street markings in advance of the crosswalk. Ms. Monticup explained the details of all the safety markings and colors.

Mr. Reynolds asked what the planned hours of operation are. Mr. Marinelli answered: 7 am – 10 or 11 pm (depending on demand). Mr. Reynolds thanked and complimented the use of the land into the neighborhood. He expressed his appreciation for the care taken and also the improvements (Opticom system), water infiltration system, the lighting and changes in elevation that the town will benefit from.

Mr. Harnais expressed his appreciation for accepting and implementing the changes the Planning Board asked for, specifically the goose-neck lighting. What has been presented will be an asset to the Town. He asked Mr. Marinelli if they had any problem with Conditions. Mr. Marinelli stated they reviewed and agreed to the Conditions. Mr. Harnais questioned the plans to install beautification planters on the intersection island.

Ms. Santucci-Rozzi explained that Staff and Applicant discussed the complexities of working with the MBTA, State Highway and the Town together. Mr. Beck added that they are working on it and will keep the Planning Board informed. The Staff will incorporate a condition reflecting the island/intersection planters.

Mr. Eng made a Motion to Accept the Correspondence dated November 13, 2012 through February 11, 2013; seconded by Ms. McDonald.

Vote: 5:0:0

Mr. Reynolds made a Motion to close the public hearing, seconded by Mr. Mikami.

Vote: 5:0:0

Mr. Reynolds made a Motion to approve the project with the Conditions as amended Staff, dated February 13, 2013; second by Mr. Mikami

Vote: 5:0:0

(12-09)

370 Shaw Street / William and Linda Jablonski
Multiple Dwelling (135-710)
Alexander Trakimus PE, Sitec Environmental Inc.

Mr. Trakimus addressed the Board and introduced the Applicant, William Jablonski and his daughters, Erin and Lindsay Jablonski.

Mr. Trakimus reviewed the changes made to the plans since they last met. He reminded the Board that one of the issues discussed at the last meeting concerned the existing steep driveway at about 14%. A Staff recommendation was to limit the slope to 8%. That has been done, from Shaw Street – to the top of the driveway where the cul de sac is located and it is reflected on the revised plans. The cul de sac was also revised to a diameter of 88 FT.. at the request of the Fire Department. The Applicant has been working with BELD on revisions for underground utilities; they are waiting on these comments. Those are the major changes relative to grading and fire safety. Architectural renderings and foot prints have been submitted.

Mr. Harnais asked if there were any public questions, no persons responded.

Ms. McDonald asked about any proposed lighting. Mr. Trakimas explained that no additional outside lighting is planned beyond the lighting on each house. Ms. McDonald questioned the parking available. Mr. Trakimas explained the existing house consists of a 3 Bedroom, no garage; the other two proposed houses will be 3 Bedroom, each with a 2 Car Garage, no sheds – (each will have 2 parking spaces in the driveway and 2 parking in the garages).

Mr. Mikami asked if there has been any reaction from the neighbors since the last meeting, Mr. Trakimus said that Mr. Jablonski has had discussions with the neighbors and has not had any negative comments. Mr. Mikami asked about the curbing. Mr. Trakimus revised the detail sheets to incorporate sloped granite for the curbing.

Mr. Eng asked if Mr. Trakimus reviewed the Staff report. Mr. Trakimus said he did and deferred to Ms. Santucci-Rozzi to further comment. Ms. Santucci-Rozzi confirmed that all issues have been addressed and reflected on the revised set of plans.

Mr. Reynolds referred to Page 5, Paragraph R, stating the six questions. Mr. Trakimas assured him that those issues have been addressed. Further, since the previous meeting, the Applicants decided that this project will be a documented condominium, named Stony Hill Condominiums. Therefore, the issues in Page 5, such as snow removal and common areas have been addressed and reflected on the revised plans. Additionally, the Applicants have no desire to exercise any right to use Esther Street, a question previously asked by Staff.

Ms. Santucci-Rozzi confirmed that Mr. Trakimus has addressed all issues and that they are reflected on the revised plans. She said that Staff will issue the Approval and move on to Conditions.

Mr. Mikami asked if both homes will be built at the same time. Mr. Jablonski answered yes.

Mr. Eng made a Motion to Continue to March 12th at 7:45, seconded by Ms. McDonald

Vote: 5:0:0

Mr. Eng made a Motion to adjourn the Planning Board meeting; seconded by Mr. Reynolds.

Vote: 5:0:0

The meeting adjourned at 9:05

Respectfully Submitted,
Elizabeth Schaffer