



# BOARD OF APPEAL UNDER THE ZONING BY - LAW

BRAINTREE, MASSACHUSETTS

## AGENDA

May 20, 2019

The Zoning Board of Appeal will meet on Monday, May 20, 2019 at 7:00 P.M. at Town Hall, Johnson Chambers, One JFK Memorial Drive, Braintree, Massachusetts 02184 to conduct the following items of business and hear the following petitions:

### **NEW PETITIONS:**

#### **Petition #19-13**

##### **144 Allen Street**

Mark Bogan c/o Brian Palmucci, Palmucci Law, 23 Mechanic Street, Quincy, MA 02169 (Owner, Robert K. Kelly Tr. and 144 MPB Nominee Trust) for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 701 and Article VIII to construct a 82' x 48' two-story, commercial building, consisting of six (6) contractor bays/units. The applicant seeks a variance and/or findings that the proposed project will not be more detrimental to the neighborhood. The property is located at 144 Allen Street, Braintree, MA 02184 and is within a Residential B Zoning District and Commercial Zoning District, as shown on Assessors Map 3008, Plot 3 and contains a total land area of +/- 22,364 sq. ft.

#### **Petition #19-14**

##### **126 Jefferson Street**

Yiu Hung Chan, 7 Mosesso Drive, Holbrook, MA 02343 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to modify ZBA Decision No. 17-13 to reduce the size of proposed new two-story, single family dwelling from +/- 2,120 sq. ft. to +/- 1,268 sq. ft. building footprint; proposed project would intensify pre-existing nonconforming lot area and width. The applicant seeks a permit, variance and/or finding that the proposed project is not more detrimental to the neighborhood. The property is located at 126 Jefferson Street, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 1045, Plot 21 and contains a land area of +/- 9,027 sq. ft.

#### **Petition #19-15**

##### **20 Marisa Drive**

William H. Rogers, 20 Marisa Drive, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407, 609 and 701 to construct second story addition (additional +/- 353 sq. ft. building footprint); proposed project would intensify pre-existing nonconforming side yard setback and is pre-existing nonconforming with regard to lot area and width. The applicant seeks a permit, variance and/or finding that the proposed project will not be more detrimental to the neighborhood. The property is located at 20 Marisa Drive, Braintree, MA 02184 and is within a Watershed Residence B Zoning District and Open Space Conservancy District, as shown on Assessors Map 1074, Plot 22 and contains a total land area of +/- 16,144 sq. ft.

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*Reasonable accommodations will be provided for persons with disabilities. To request accommodations, please call Braintree's ADA Coordinator at 781-794-8327 at least seven business days in advance. Arrangements will be provided at no cost.*

**Petition #19-16****35 Harrison Avenue**

Margaret and Edward Mason, 35 Harrison Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 403 and 701 to construct one-story, front and rear additions (additional 485 sq. ft. building footprint); proposed project would intensify pre-existing nonconforming right side yard setback and is pre-existing nonconforming with regard to lot area, width and right yard setback. The applicant seeks a permit, variance and/or finding that the proposed project will not be more detrimental to the neighborhood. The property is located at 35 Harrison Avenue, Braintree, MA 02184 and is within a Residence B Zoning District, as shown on Assessors Map 2015, Plot 32 and contains a total land area of +/- 6,446 sq. ft.

**Petition #19-17****48 Newton Avenue & Vacant Land**

Paul A. Segota and Claire McCormack, 48 Newton Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 403, 407 and 701 for 48 Newton Avenue (Plot 103) and adjacent vacant land (Plot 35), which are combined for zoning purposes due to common ownership and can be separate lots with zoning relief. Plot 103 (#48 Newton Avenue) would be 6,590 sq. ft. and maintain an existing single family dwelling. Plot 35 (Vacant Land) would be 6,443 sq. ft. and provide a new two-story, single family dwelling (+/- 925 sq. ft. building footprint). The existing and proposed lots are deficient with regard to lot size, width and front yard setback. The applicant seeks a permit, variance and/or finding that the proposed project is not substantially more detrimental to the neighborhood. The properties are located at 48 Newton Avenue and Plot 9, Braintree, MA 02184 and are within a Residence B Zoning District, as shown on Assessors Map 3050, Plot 103 and Assessors Map 3052, Plot 35, and contains a combined land area of +/- 13,039 sq. ft.

**Petition #19-18****74 Davis Road**

Steve Nguyen, 64 Edward Street, Unit 2, Medford, MA 02155 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to demolish existing one-story, single family dwelling (+/- 960 sq. ft. building footprint) at 74 Davis Road and construct a new, 1.5-story single family dwelling (+/- 3,620 sq. ft. building footprint); proposed project would intensify pre-existing nonconforming lot area. The applicant seeks a permit, variance and/or finding that the proposed project is not substantially more detrimental to the neighborhood. The property is located at 74 Davis Road, Braintree, MA 02184 and is within a Residence A Zoning District, as shown on Assessors Map 2042, Plot 65, and contains a land area of +/- 20,000 sq. ft.

**APPROVAL OF MINUTES:**

Acceptance of April 22, 2019 Zoning Board of Appeals hearing minutes.

Any other matters which the Chairman did not reasonably anticipate at the time of posting the meeting.