



City Council

CITY OF BROCKTON

CITY HALL

45 School Street • Brockton, Massachusetts 0230

TEL: (508) 580 - 7114

MINUTES – ORDINANCE COMMITTEE

December 8, 2017

The Standing Committee on Ordinances and Rules was called to order at 6:36 p.m. by Councilor Cruise with Councilors Monahan, Studenski, Farwell, and Eaniri present.

Councilor Cruise announced notice re change of location due to broken elevator, open meeting held on ground level of City Hall.

The Committee first considered the following:

An Ordinance Amending Chapter 27, Zoning. of the Revised Ordinances of the City of Brockton by adding ARTICLE XVIII. - THATCHER STREET SMART GROWTH OVERLAY DISTRICT (TSSGOD).

Motion by Councilor Farwell, 2nd by Councilor Monahan to take Agenda Item # 6 out of order. Motion carried.

Comments by Judy Sullivan, 3 Bradley Ave

(concerned about student population, classroom size, traffic).

Comments by Jean Holmes, 65 Belcher Ave

(no amendments made, letter part of record, petition part of record, residents weren't asked, hand raised in opposition, tranquil area, 40R concern, already have 40R in the city, expenses like emergency services, 40S concern, doesn't believe the City is eligible, even if the City was eligible little funds available).

Comments by Steve Kelly, 45 Stonehill Street

(lack of transportation in the area, concerned about school population).

Comments by Eileen Donovan, 42 Thatcher Square

(40R concern, costs, revenue concern, concerned with developer's estimates re child expected size, shouldn't be given special treatment, traffic, pollution, odor already, not fair to change zoning, single family area).

Comments by Shayna Barnes, 202 Court Street

(high response from residents against the ordinance, recommends unfavorably).

Comments by Debra Garland, 43 Sprague Ave

(in neighborhood, bad traffic, speeding, homes build right next to the road, concerned about 300 expected vehicles, bought home in single family area, against it, doesn't fit, no benefit to her quiet neighborhood, no sidewalks, might move if approved).

Comments by Paul Marroco, 80 McCallister Way,

(resident since 1990, property abuts the area, traffic already)

Comments by Rosemary Lovell Tonelli and Jean Tonelli, 337 Thatcher Ave

(longtime residents, do not want the units in the area, not fair, family has cared for the area, unsafe, already jamming so much into one area, expenses).

Comments by Jim Perriera, 437 North Warren Ave

(transportation concern, not a good fit, other options to consider).

Comments by William Bogan, 15 Coburn Street

(against the ordinance, cluster housing, public safety, firefighters are already under staffed/under equipped).

Comments by Tom Martin, 15 Beaver Street

(60 years as resident, not fit for 40R, residential neighborhood, finances are speculative)

Comments by Arnet Prsybylski, 30 George Street

(long time resident, attracted to agricultural feel of area, developers already in, loves the Covenant's gardens, speeding in area already, doesn't see any added value to city, plenty of other housing options already in the City).

Comments by Anne Beauregard, 37 Anawan Street

(40R downtown, retirees in area, school concerns, calls from East Bridgewater residents, traffic concerns).

Comments by Richard Jones, 30 East Street

(opposition to zoning change, 32 year resident, large group of residents at the meeting in opposition).

Comments by Steve Hook, 31 Hammond Street

(concerned his street will be a cut through, no sidewalks, public safety, already a stretch for fire/police).

Comments by Vinda Vanadore, 188 Pine Street

(special needs child walks the area, traffic/speeding already bad, concerned her street will become a cut-through)

Susan Nicastro, 90 Samuel Ave

(overlay district for junk yard already approved, already traffic for the junk yards, not a lot of open space already, school district already tight funds, student population, residents not in favor, economic development is not housing).

Comments by Councilor Farwell to Rob May, Rob May: City already received a letter from state that this is an appropriate area for 40R, after zoning change developer must apply to City for permit under 40R, BSC group, 3rd party review, technical review, police/fire will weigh in, public hearing).

Comments by Councilor Monahan to Rob May, Rob May: Traffic study considered, still needs to go to state for final approval.

Comments by Councilor Eaniri to Rob May, Rob May: adopting a map, any project court come in, this ordinance sets maximums.

Having considered the same, Motion of Councilor Studenski to recommend FAVORABLE, 2nd by Councilor Eaniri. Motion carried.

The Committee next considered the following:

Ordinance: An Ordinance to provide noise control and establish, and to enforce, civil infraction for violation. Be it ordained by the City Council of the City of Brockton Chapter 27 zoning is hereby amended by adding the following new article: Noise Control.

Sergeant Khory appeared.

Response to 2nd medical marijuana facility location passed, but since appealed, proximity to day care center.

Having considered the same, Motion of Councilor Monahan to report TABLED, 2nd by Councilor Farwell. Motion carried.

The Committee next considered the following:

Ordinance: An Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Chapter 27. Zoning, Sec. 27-4 Designation of Zones

Having considered the same, Motion of Councilor Monahan to report TABLED, 2nd by Councilor Studenski. Motion carried.

The Committee next considered the following:

Ordinance: An Ordinance Amending Chapter II of the Revised Ordinances Chapter II Section 11 of the Revised Ordinances is hereby amended by amending the following subsection: Sec. 11-214.-Same-Transferability.

Sergeant Khory appeared.

Comments from Councilor Farwell

184 licenses already, 1 per 2,000 residents set, that would be 50 licenses, some well run, some not, amendments may be beneficial, code enforcement needs to be consistent.

Comments from Councilor Cruise

Concerns re practicality, more interest in license commission enforcement and regulation.

Comments by Rob May

Campello Framework Plan.

Comments by Paul Lapierre, 56 Oakland Street

(December 15th purchase date for a garage, their license was expired)

Councilor Farwell moved to amend the proposed ordinance to read “January 31, 2018” in place of “December 31, 2017”, motion 2nd by Councilor Monahan, motion carried.

Councilor Farwell moved to amend the proposed ordinance to include subsection (5) under section (b) to read:

(5) A new license may issue, upon approval of the City Council, to an applicant for a repair and/or auto body license if the applicant is an active holder of a valid garage and/or auto body repair license.

Motion 2nd by councilor Monahan, motion carried.

Comments by Eddie Awon, 35 Clarence Street

(2 years instead of 1 year for expired license, code enforcement)

Comments by Al McCarthy, 234 Center Street

(thinks January 31, 2018 deadline should be extended)

Comments by Phong Tat, 772 North Main Street

(thought his license was valid for 1 year, but it expired in April 2017)

Having considered the same, Motion of Councilor Farwell to recommend FAVORABLE AS AMENDED, 2nd by Councilor Monahan. Motion carried.

The Committee next considered the following:

An Ordinance Amending Chapter 17, Article IV, Division 2, Historical District Commission and Division 3, Certificates of Appropriateness, Nonapplicability, or Hardship.

Comments by Rob May, Director of Planning and Economic Development
Historical Commission, regulatory on South Street, haven't met in 2 ½ years.

Having considered the same, Motion of Councilor Monahan to recommend FAVORABLE, 2nd by Councilor Farwell. Motion carried.

The Committee next considered the following:

Ordinance: An Ordinance Amending Chapter II, Article IV of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Article IV, Section 2-249 is hereby amended by inserting section 2-249A.

Motion by Councilor Farwell, 2nd by Councilor Monahan to report TABLED. Motion carried.

The meeting was adjourned at 8:06 p.m.
