

The Brockton Planning Board held a meeting on Wednesday, February 18, 2015 at 7:00 PM in the GAR Room, City Hall. Members present: Acting Chair Jim McCarthy, Gary Keith, Ollie Spears, Ross Messina. Also present were Pamela Gurley Planning Board, secretary, Rob May, Director of Economic Development and Planning and Staff Planner Shane O'Brien.

(ANR Plans, Subdivision Plans and/or Lot Releases)

ANR – Map 141 Lots 41 Alger Street & 44 Bangor Street

Subdivision Plan Endorsement – Franklin School

1. Permission to Return to ZBA

Applicant: MaryAnn David – 2 Deb's Convenience and Deli

Property: 516 Pleasant Street

Representative: Attorney Mark Lawton

Attorney Mark Lawton said he did not represent the applicant at the Zoning Board hearing. He said the ZBA was of the opinion that the advertising of the variance should have outlined the relief being sought. He said they are before the Planning Board on a procedural matter, not a substantive matter; the issue of the relief sought will be addressed by the ZBA.

Mr. Keith said he was present at that hearing (as the Board's representative) and said that the Zoning Board had an issue with the wording for the relief sought. Mr. McCarthy said this would seem to be a technicality; that the advertisement should have stated "beer and wine" so that the abutters' were aware of the relief being sought.

Rob comments should address whether or not it should go back to the ZBA; project not within this Board's jurisdiction – can address the procedure

Denise Higgins, 15 Wheeler Ave., asked for an explanation of the process. Mr. May explained what a "repetitive petition" was and under what conditions the Planning Board may grant an applicant permission to return to the ZBA for a hearing. He explained that the applicant was properly noticed...applying to ZBA for amendment to use variance to allow them to have a beer and wine license.

Angie Thevenin, 16 Wheeler Ave., said it is a residential area. She said the original application was for a deli and she is not opposed to the deli. She said she does have a problem with all the trees having been removed as they were to remain as part of the approval. She said she has teenagers and has a problem with selling beer and wine.

A motion was properly made (Keith), seconded (Messina) and unanimously passed to grant permission to return to ZBA as new and significant information was presented to the Board, i.e. the explanation of the relief being sought was clarified.

2. Site Plan Approval

Applicant: Hammond Street LLC

Property: Proposed Cemetery/Crematory – Hammond Street

Representative: Jacobs-Driscoll Engineering

Hearing re-scheduled to March 3, 2015

3. Draft of Proposed updates to Rules & Regulations

Other Business

Updates from Board members relative to attendance at Conservation Commission, Traffic Commission, ZBA, Technical Review Committee

Traffic Committee: Mr. Spears said that the City \$500,000 for traffic safety