

The Brockton Planning Board held a meeting on March 1, 2016 at 6:00 PM in GAR Room, 3<sup>rd</sup> Floor, City Hall.

Members present: Chair David Wheeler, Gary Keith, Craig Pina, Robert Pelaggi, Reggie Thomas and Ollie Spears. Also present were Pamela Gurley Planning Board secretary, Rob May, Director of Planning & Economic Development and Staff Planner Shane O'Brien.

### **1. Site Plan Review**

Property: 40 Industrial Blvd.

Applicant: Cindy's Kitchen

Representative: JK Holmgren Engineering

Mr. Holmgren said that the project started in 2009; the original plan was approved by the planning board in 2012; he said they are here tonight because there is a minor change to the plan and their approval had run out; this new design has less paving and a 90 sf reduction in the building footprint.

Mr. Wheeler asked them to point out the proposed parking and lighting on the plan. Mr. Holmgren said they are proposing a total parking count of 46 spaces. He said that at the suggestion of the city planner they submitted a red line plan showing proposed lighting and landscape. Mr. May said his office gave the plan a quick review and is satisfied with the additional plan.

The attorney for Cindy's Kitchen said Mr. Byers is pleased to be bringing 125 new jobs to the City.

A motion was properly made (Pelaggi), seconded (Keith) and unanimously passed to grant site plan approval of the proposed project with the standard conditions.

### **2. Site Plan Review**

Property: 932 Main Street

Applicant: Nancy McCluskey, Trustee

Representative: Bruce Malcolm, Land Surveys Inc. and Attorney John McCluskey

Mr. Malcolm said they made the changes to the plan as requested by the technical review committee; he said he did a test pit and changed the leaching catch basin to a deep sump catch basin to discharge into a leaching trench. All the unsuitable material in the trench area will be excavated and removed.

Mr. Malcolm said he feels they are exempt from green space but after calculating what shows on the plan they are over the 10% requirement; Mr. Wheeler said all he sees is the notation "mulch". Mr. Malcolm said that mulch is considered

greenspace under the existing ordinance. Attorney McCluskey pointed out all the existing trees and bushes that will remain on the site.

Mr. Keith said he went out to the site and the property is nice and neat.

Mr. Wheeler said that he disagrees that mulch is green space and asked Mr. May if there was a clear definition. Mr. May said that the new definition (currently before the City Council) will require densely planted vegetated materials.

Deputy Chief Joe Marchetti said that they have made the changes the Fire Department was looking for.

A motion was properly made (Keith), seconded (Pina) and unanimously passed to grant site plan approval of the proposed project with the standard conditions.

### **3. Definitive Subdivision**

Property: Plot 33 Merton Street & Plots 1&2 St Casimir Ave.

Applicant: Michael Haikal Real Estate

Representative: Bruce Malcolm, Land Surveys Inc.

Mr. Wheeler said he wanted the record to show he is an acquaintance of the property owners.

Mr. Malcolm said as a result of the last meeting he made some changes to the plan; the plan shows proposed downspouts on the rear of the houses and shows the building box and explained to the board that during the building permit plan process the homes will be located. He said he spoke with DPW Commissioner Larry Rowley and Mr. Rowley said in this case he could cold plain and top coat the road from 12" off of each cut and he would be filling in the void between the homes with sidewalk and curbing.

A motion was properly made (Keith) and seconded (Pelaggi) to approve the proposed definitive subdivision with the standard conditions.

In favor: Pelaggi, Keith, Thomas & Spears

Opposed: Wheeler

Abstained: Pina

A motion was properly made (Pelaggi) and seconded (Thomas) to grant waivers to the following sections of the Planning Board Rules & Regulations:

Sec IV Design Standards B. Streets 3. Width (Merton St. & St. Casimir Ave. are existing public ways)

F. Utilities (Underground Utilities)

Sec V Required Improvements for an Approved Subdivision

C. Curbs & Sidewalks waived for Merton Street only; developer shall install bituminous sidewalk and granite curbing to match and fill in the existing sidewalk and curbing on St Casimir Avenue.

Other: Roadway Construction Details (both streets are existing public ways)

In favor: Wheeler, Spears, Thomas, Keith & Pelaggi

Abstained: Pina

Ms. Gurley asked the developer about the method of surety and was told it would be by covenant.

#### **4. Definitive Subdivision**

Property: 37 Beaver St. and Plot 9 Beaver St.

Applicant: Earl Lovell

Representative: Bruce Malcolm, Land Surveys Inc. & Attorney James Burke

Mr. Malcolm said the plan shows two proposed lots on Beaver St.; he said there are two existing sewer connections; he said he met with DPW Commissioner Larry Rowley who said in this case there would be no need to overlay the road; he said he has included a copy of the ZBA plan showing the location of the homes.

Mr. Spears asked if the driveways two car deep and was told they are the standard length.

Mr. May said there is no curbing or sidewalk along Beaver St., but his office has not been made aware of any change in the DPW policy requiring cold planning the roads. Mr. Pelaggi said he is normally in favor of the overlay but in this case there is 80' between cuts.

Mr. O'Brien said there is a difference in the square footage from the ZBA plan to this plan. Mr. Malcolm said the ZBA plan was not the result of an on ground survey.

A motion was properly made (Pina), seconded (Keith) and unanimously passed to approve the definitive plan with the standard conditions subject to DPW confirmation on relative to not requiring the paving on Beaver Street. Mr. Malcolm said that the developer will do the work is required by the DPW.

A motion was properly made (Pelaggi), seconded (Keith) and unanimously passed to grant waivers to the following sections of the Planning Board Rules & Regulations:

Sec IV Design Standards B. Streets 3. Width (Beaver Street is an existing public way)

F. Utilities (Underground Utilities)

Sec V Required Improvements for an Approved Subdivision

C. Curbs & Sidewalks (No curbs and sidewalks exist)  
Other Roadway Construction Details (Existing Public Way)

Surety will be by covenant.

## **5. Re-Organization of the Planning Board**

Chairperson

Mr. Pina made a motion to nominate Dave Wheeler as chairperson; seconded by Mr. Pelaggi; there were no further nominations; unanimously passed.

Clerk

Mr. Wheeler made a motion to nominate Gary Keith as clerk; seconded by Mr. Pina; there were no further nominations; unanimously passed.

Representative to ZBA

Mr. Spears made a motion to nominate Gary Keith as the Board's representative to the ZBA; seconded by Mr. Pina; there were no further nominations; unanimously passed.

Representative to Traffic Commission

Mr. Keith made a motion to nominate Craig Pina as the Board's representative to the Traffic Commission; seconded by Mr. Spears; there were no further nominations; unanimously passed.

Site Inspection Sub Committee

Mr. Keith made a motion to nominate Robert Pelaggi as chair, Craig Pina, Reggie Thomas and himself to the Site Inspection Sub Committee; seconded by Mr. Pina; there were no further nominations; unanimously passed.

## **Unfinished Business**

Endorsement of ANR Plans, Subdivision Plans and/or Lot Releases

Mr. Pelaggi made a motion to approve the lot releases for Pearl Street, Howland Street and Trenton Street as requested. Seconded by Mr. Pina. In favor: Wheeler, Keith, Pina, Pelaggi, and Thomas. Opposed: Spears

The secretary requested that the Board re-signed the Claremount Street lot release as the developer misplaced the original.

Correspondence

Updates from Board Members

Minutes

Meeting adjourned