

Tuesday, June 7, 2016 – 6:00 P.M.

GAR Room- City Hall

Minutes

Members present: David Wheeler, Gary Keith, Ollie Spears, Robert Pelaggi, Craig Pina & Reggie Thomas; also present were City Planner Rob May, Staff Planner Shane O'Brien and Secretary Pamela Gurley.

1. Definitive Subdivision

Property: 276 Prospect Street

Applicant: Katherine & Bruce Feodoroff

Representative: JK Holmgren Engineering

Applicant's Statement: Ms. Feodoroff said she has received a zoning variance for lot size and frontage in order to subdivide her property into four lots; two on Prospect St. (existing home # 276 and a new lot) and two fronting on Fairfield St. (an existing home and one new lot). She said the proposed lot sizes are consistent with the neighborhood. She said the lots were divided taking into consideration some of the existing natural features on the property. She pointed out that there will be dry wells at the rear of the two proposed homes.

Public Comment: No public comment.

Decision: Grant approval of the definitive subdivision with standard conditions and the additional condition that the developer agrees to install dry wells at the location of the rear downspouts on the two new proposed homes. The plan for signature shall be revised to show the addition of the dry wells.

Motion: Pina

Second: Keith

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

Opposed: None

Grant a waiver to the following sections of the Planning Board Rules & Regulations:

Sec IV: Design Standards

F. Utilities (Requirement for Underground Utilities was waived)

Sec V:

Required Improvements for an Approved Subdivision:

C. Curbs & Sidewalks were waved for Fairfield Street only; Prospect Street has existing sidewalk and curbing.

Motion: Pina

Second: Keith

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

Opposed: None

Method of surety will be covenant.

2. Site Plan Review

Property: 806 Main Street

Applicant: Ehab Beshai

Representative: Same

Applicant's Statement: Mr. Beshai said he was unaware that the project time had run out. He said he is in the process of re-financing in order to complete the project as originally approved and was told by the bank he needed a valid approval letter. Mr. Beshai said that the building is up what is left is the site work and the interior work. Ms. Gurley said that because the permit had expired a new hearing and vote was necessary.

Public Comment: No public comment.

Decision: Grant site plan approval of the project as originally submitted in order to allow for completion of the project; the original approval letter is to be incorporated by reference into the new approval letter.

Motion: Keith

Second: Pina

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

Opposed: None

3. Site Plan Review

Property: Map 155, Plots 4, 5 6 & 7 (41 Libby Street)

Applicant: MM Brockton CC, LLC

Representative: JK Holmgren Engineering

Applicant's Statement: John Holmgren said that this is a proposal for a new cancer center at Brockton Hospital on four currently vacant parcels. He said the proposal is for a two story 36,124 sf building including the re configuration of an existing parking lot; there will be a total of 189 parking spaces and extensive landscaping. He said there will also be two garden areas for patient and visitor use.

Mr. Faria said they received a negative determination from the Conservation Commission and the storm water management design has been reviewed by Henry Nover of Nover Armstrong.

Mr. Pelaggi said that there were minor comments from the technical review committee meeting and those have been addressed.

Mr. Spears asked if the fire truck would be able to clear the vestibule. Mr. O'Brien said that architecturally it cannot make it under there, but the Fire Department felt that the truck would be close enough to the building by parking just to the front of the vestibule.

Public Comment: No public comment.

Decision: Grant site plan approval with the standard conditions.

Motion: Pina

Second: Keith

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

Opposed: None

4. Site Plan Review

Property: 804 Pleasant Street

Applicant: West Acres Rehabilitation & Nursing Center

Representative: Beals & Thomas

Applicant's Statement: David LaPointe said that West Acres is looking to add an addition to the rear of their property to allow for some reconfiguration of the building as well as add some additional parking. He said they have received a variance from the ZBA as the existing building is within a residential zone. He said they addressed the concerns discussed at technical review.

Mr. Pelaggi said that their initial storm water management did not meet the spirit of the regulation, but they worked with Henry Nover and the revised plan meets the regulations to the maximum extent practicable.

Public Comment: No public comment.

Decision: Grant site plan approval of the project as submitted with the standard conditions.

Motion: Pina

Second: Keith

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

Opposed: None

Mr. Wheeler thanked the representatives from Beals and Thomas for the quality and professionalism of their plans. He said it made the Board's work easier.

5. Site Plan Review

Property: Map 94 Plot 147 Main Street & Plot 15 Falmouth Ave.

Applicant: Affordable Properties LLC

Representative: Land Surveys Inc.

Applicant's Statement: Attorney Wayne Matthews said that during technical meeting review the matter of frontage for the Main St. property was discussed. He said Mr. Torrey owns the Falmouth Ave. property and in order to create the necessary frontage for the Main St. property they are proposing to combine the two properties into one. He said an 81X plan had been draw up along with a new deed and both will be recorded at the same time. Mr. Wheeler asked why the plan and deed were not filed ahead of this meeting. Mr. Torrey said that because the properties are financed differently he needed to pay off one mortgage in order to merge the lots and needs to the approval to re-finance.

Bruce Malcolm said that the property is R-3 zoned and meets the zoning requirements. He said they are proposing 18 units (combining the existing two family) and 37 parking spaces; traffic is one way and green space exceeds the requirement. He said at the request of the Fire Department, they have extended the sidewalk layout in order to accommodate the fire truck as the width of the road is narrower than necessary for the

tower truck to expend. He said in the event of a fire the “feet” will be on the sidewalk on one side and the road on the other.

Public Comment: No public comment.

Decision: Site plan approval with standard conditions is granted with the stipulation that the properties are combined and the Planning Office receives a copy of the plan and deed recording. No permit to issue without proof of recording.

Motion: Spears

Second: Thomas

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

Opposed: None

6. Proposed Storm Water Policy

Ms. Gurley said that the Policy was drafted by Henry Nover at the request of the Planning Office in order to address the lack of a city storm water policy for redevelopment projects which fall outside the purview of the conservation commission.

Mr. Pelaggi recommended some minor changes which he felt would tighten the policy even further.

Motion: Pelaggi

Second: Keith

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

Opposed: None

7. Executive Session

- Potential legal recourse in response to possible harassment of Planning Board Members
- Investigation and proposed response to OML Complaint filed May 18, 2016 by Jeanne Holmes

A motion was made (Spears), properly seconded (Keith) and unanimously passed by a roll call vote of all those present to enter into executive session and to immediately adjourn the meeting at the conclusion of the session.

Other Business

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

Correspondence

Minutes

Updates from Board Members

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.