

PLANNING BOARD

Tuesday, April 3, 2018 – 6:00 P.M.
Basement Level - City Hall

Meeting Minutes

Members present: David Wheeler, Craig Pina, Toni Gonsalves, Bob Pelaggi and Reggie Thomas

The chairman welcomed Toni Gonsalves to the board.

The first order of business was the re-organization of the board.

The board voted Bob Pelaggi as interim chair.

Chairperson

A motion was made to nominate David Wheeler as chair. As there were no further nominations, nominations were closed.

Motion: Pelaggi

Second: Thomas

In favor: 5

Opposed: 0

Clerk

A motion was made to nominate as Bob Pelaggi as clerk. As there were no further nominations, nominations were closed.

Motion: Thomas

Second: Wheeler

In favor: 5

Opposed: 0

ZBA

A motion was made to nominate Craig Pina as representative to the ZBA. As there were no further nominations, nominations were closed.

Motion: Wheeler

Second: Thomas

In favor: 5

Opposed: 0

Traffic

Action on this was tabled.

Site Committee

Action on this was tabled.

Acceptance of Minutes 3-14-18 as presented.

Motion: Pina

Second: Pelaggi

In favor: 5

Opposed: 0

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

1. Proposed Street Acceptances:

Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **Cornell Avenue**, extending from Court Street, northerly, to East Ashland Street, a distance of about 1,383.00 feet, and for that purpose it is necessary to take an easement for **Highway Purposes** and lay out as a public street or way.

Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **Leland Street**, extending from Gerald Avenue, easterly, to North Quincy Street, a distance of about 245.09 feet, and for that purpose it is necessary to take an easement for **Highway Purposes** and lay out as a public street or way.

Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **Gerald Avenue**, extending from East Ashland Street, southerly, a distance of about 1,031.32 feet, and for that purpose it is necessary to take an easement for **Highway Purposes** and lay out as a public street or way.

Councillor Jack Lally said that three of the streets are within his ward and he shares Cornell St. with Councillor Beauregard. He said although the streets are private streets they are plowed and pot holes are repaired by the COB. He said this action will move these streets closer to being publically accepted and make them eligible to be paved.

Councillor Beauregard said by making the streets public there is an opportunity to be eligible for paving.

Motion to recommend favorably to the City Council.

Motion: Thomas

Second: Pina

In favor: 5

Opposed: 0

2. Definitive Subdivision (**Continued to May 1, 2018**)

Property: Plot 2 Belgravia Ave.

Lots: 4

Owner/Representative: Curley & Hansen

3. Site Plan Approval

Property: 315 N. Pearl St. & 10 Oak St. Ext.

Proposal: Dunkin Donuts

Owner/Representative: JC Development/SITEC

Bob Pelaggi stated for the record that he is an abutter to the property.

Jack O'Leary, SITEC

Attorney Robert Pellegrini

Applicant's statement: Attorney Pellegrini said that the site consists of two separate buildings; they will be demoing the two buildings, combining the two lots (by ANR), they have been to tech review and have addressed their comments, appeared before the ZBA and received a special permit.

Jack O'Leary said that there are currently three curb cuts; they will be closing the curb cut closer to intersection on Oak and will be installing sidewalk. They are proposing to increase green space; creating a buffer to abutting properties and landscaping along the front. The main entrance will be facing Pearl St. There will be a drive thru lane along the back of the building and during busy times there is a duel window system (payment and pickup); they have addressed cueing, provided for a designated loading space and there is a full 24 foot traffic isle. Existing sewer will be replaced with a new connection; there is a proposed sewer easement to the abutting property (Doyles) and they intend to reuse the existing water line.

Comments: Bob Pelaggi asked if a 10' easement was adequate and was told it was; he said that the sewer service is clay and they may want to consider replacement of the pipe under the driveway; he asked if they comply with greenspace and was told they are required to have 10% and are at 13.8%.

No public comment.

Decision: Motion to issue a site plan approval to the project as submitted with the standard conditions.

Motion: Pelaggi

Second: Thomas

In favor: 5

Opposed: 0

ANR

Attorney Robert Pellegrini said the ANR Plan is combining the two lots into one lot under the same name. The plan was signed by the board.

4. Site Plan Approval

Property: 544 Westgate Dr.

Proposal: Chik-Fil-A Restaurant

Owner/Representative: RJ O'Connell/Key Point Partners

Alicia Busconi, Key West Partners

Steve Glowacki, RJ O'Connell

Applicant's statement: Alicia Busconi said the restaurant is proposed in the parking area of the Aldi's/Marshall's/Texas RoadHouse. She said the proposal is for a 5,000 sf Chik Fil A restaurant. She said they have completed technical review and have responded to the comments; she said they have already received their water permit.

Steve Glowacki said that the restaurant will have 112 seats and based on zoning they have 20 additional spaces. He said they are proposing landscape improvements, the water line will come from Westgate Drive, and sanitary sewer will connect to the existing line; they are making site lighting improvements and adding direction signage to direct customers through the drive through.

He said they have submitted a stormwater and grading plan; he said that organics in the soils prohibit infiltration; stormwater will flow into CB's and there is a decrease in peak flow runoff.

Toni Gonsalves said she knows the area well and asked how they will direct the flow of traffic. Steve Glowacki said that when patrons get familiar they will learn and remain out of the congested area. Toni Gonsalves said there are no directional signs in the parking lot.

Alicia Busconi said that once built they will look at the whole site and determine whether they will need to install parking bumps.

No public comment

Decision: Motion to issue a site plan approval to the project as submitted with the standard conditions.

Motion: Pelaggi

Second: Pina

In favor: 5

Opposed: 0

5. Permission for Return to the ZBA

Property: 839 & 855 Main St.

ZBA Denial: 6-27-17

Applicant/Representative: Attorney John F. Creedon

Ed Jacobs, Jacobs Driscoll Engineering
Attorney John Creedon

Applicant's statement: Attorney Jake Creedon said they proposal is for a 132 seat restaurant. He said that the ZBA denied their request for a special permit as they had undersized parking spaces, he said all spaces conform now; there was no loading zone, which has been added, and loading will be off hours; there was no permission from the auto body station next door for shared parking, they now have an agreement. He presented copies of the real estate easement agreement and lighting agreement between parties.

Comments: Bob Pelaggi asked about the two foot strip of property belonging to the COB and was told it was taken for taxes by the COB and they are not using it.

Opposition: Councillor Sue Nicastro said she has not been contacted by this applicant at all. She said she does not believe that this constitutes a substantial change. She said she is personally opposed; she agreed that Brockton does not have enough restaurants, but feels that this space is too congested for a restaurant that size. Councillor Nicastro also said that the repair shop license is in violation.

David Wheeler asked Attorney Creedon to walk the board through the parking; and said parking is a concern.

Rob May said he is concerned that language of the ZBA's denial said they found no hardship and said he doesn't know how to get past there being no hardship.

David Wheeler outlined the reasons for the board granting permission for return to the ZBA.

Bob Pelaggi said that site is in deplorable condition; there is an investor willing to clean up the site which is a positive thing; sending it back is just the first step.

Decision: Motion to grant permission to return to the ZBA.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

6. Definitive Subdivision

Property: 738 North Cary St.

Lots: 3

Owner/Representative: Jacobs Driscoll/Attorney Wayne Mathews

Reggie Thomas recused himself.

Ed Jacobs asked for a continuance to the next planning board meeting to address the comments from the reviewing agent.

Other Business

Communication from Brophy & Philips requesting a one year extension to the Woodland Park Subdivision. The secretary said that they received a project update in their envelopes.

Motion: Pelaggi

Second: Pina

In favor: 5

Opposed: 0

Traffic commission representative tabled to May meeting.

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.