

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-35 Petition of NEW HEIGHTS CHARTER SCHOOL C/O RESILIENCY FOUNDATION INC., 250 East Main Street, Norton, MA, to request an increase in the number of students allowed from 412 to 525 with eight (8) additional staff members which requires zoning board approval with sufficient 180 sq.ft. parking spaces in a C-2 Zone, located at 1690 MAIN STREET.

**PETITIONER'S STATEMENT:** Attorney John F. Creedon is again before the board since being denied back on April 10, 2018. Attorney Creedon along with Scott Faria presented a new plan with 198 parking spaces all 180 sq.ft. in size. The parking lot will have enough spaces for the 58 employees and for up to 525 students. A total of six (6) buses and two (2) vans will use the drop off location will be the same as previously granted. The parking lot has a configuration that allows a flow of traffic to get in and out of the parking lot. All old debris has been removed. Ronald Bethany from New England Brass and Refinishing is in favor as is Ollie Spears.

**OPPOSITION:** Jean Holmes is in opposition do to parking at site not in conformance with best safety practices.

**DECISION:** Granted.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that in conformance with Art. IX, Sec. 27-53 93), whereby the Board of Appeals shall determine the amount of off-street parking required for a location not specifically mentioned for any building, structure or premises within zoning regulations, that there exists sufficient off-street parking for school purposes having a student population not to exceed five-hundred twenty five (525) students and not more than seventy-one (71) support staff persons. To support the student population and support staff, the Board found that based upon the design and configuration of the current school facility that not less than a total of one-hundred seventy six (176) off-street 180 sq.ft. regulation parking spaces shall be provided for a school population not to exceed five hundred twenty five (525) students and support staff not to exceed fifty eight (58) employees. The parking plan submitted to the board, dated 3-15-2018, depicted a parking layout showing one-hundred ninety eight (198) parking spaces available at the site. In determining the required number of parking spaces required on the subject site, the Board considered the current parking provided and actively used at six (6) middle school locations in the Brockton Public School systems. Site visits were made to the six (6) locations during normal school operating hours and documentation was provided by the Brockton School Department relative to individual school population and off street parking provided at each location. Additional information was acquired from the Institute of Transportation Engineer, 1627 Eye Street, NW, Washington, DC, an international educational and scientific association of transportation professionals who are responsible for determining meeting and meeting mobility and safety needs, to assist the board in determining parking needed at the school site. Parking supply rations of 0.2 spaces per student and 1.22 spaces per employees, observed parking situations at the public schools and the analysis provided by the Institute were considered in determining the off-street, onsite parking requirements for this site. The parking plan requires the site to be lined and parking spaces and access isles to be developed per the submitted plans that allows for multiple access points with no "dead end" aisles. Board members expressed concern of the need for strict parking regulations as related to on-site vehicle movements and the strict supervision of all students as they arrive, board or disembark from the school buses on the site. The decision of the Board pertaining to the adequacy of the off street, on-site parking requirements is specific to the design and configuration of the current school facility for an anticipated students population of not more than five hundred twenty five (525) and a support staff of not more than fifty eight (58) employees.

RECEIVED AND FILED: July 18, 2018  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE JUN 27 2018 PURSUANT  
TO M.G.L.C. 40A SECTION 17.

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CITY CLERK'S OFFICE

2018 JUN 27 AM 8:46

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RECEIVED AND FILED: July 18, 2018  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO  
APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

18-35  
Con't

VOTE:

Motion to Grant by:  
Seconded by:

Stephen Bernard  
Jeffrey Thompson

IN FAVOR: (4)

Kenneth Galligan, Chairman  
Michael Williams, Fire Chief  
Stephen Bernard  
Jeffrey Thompson

*Kenneth Galligan*  
*Michael Williams*  
*Stephen Bernard*  
*Jeffrey Thompson*

OPPOSED: (1)

Craig Pina

*Craig Pina*  
James M. Casieri, Clerk

*Anthony J. Zeoli*

Anthony Zeoli, City Clerk

RECEIVED  
2018 JUN 27 A 8:48  
CITY CLERK'S OFFICE  
BROCKTON, MA

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

IN RE: 18-36 Petition of MOSTAFA MOUHIEEDDINE, 12 Holmes Avenue, Brockton, MA, for a Variance from Art. III, Sec. 27-9, 27-13a, to subdivide an existing lot of record into two lots and construct a single family home to face Holmes Avenue in an R-1-C Zone, located at 12 HOLMES AVENUE.

PETITIONER'S STATEMENT: Attorney John F. Creedon along with Ed Jacobs from Driscoll Engineering and the petitioner Mostafa Mouhieeddine presented to the board Exhibit A, Site and Floor Plans. Mr. Mouhieeddine is before the board seeking permission to subdivide and construct a single family home for the petitioner and his family to move into. The home will front Holmes Avenue. Al Smith an abutter is in favor.

OPPOSITION: None

DECISION: Granted.

BASIS: After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that granting the requested Variance to allow for the construction of a new single family dwelling on a newly created corner lot created by the subdivision of the current lot with the new home to front on Homes Avenue and to contain a single family unit would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the established neighborhood. The plan submitted to the board dated March 7, 2018, depicting the proposed driveway and extent of greenspace shall be constructed and provided as per plan and are incorporated by reference herein. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:  
Seconded by:

Michael Williams  
Craig Pina

IN FAVOR: (4)

Michael Williams, Fire Chief  
Stephen Bernard  
Jeffrey Thompson  
Craig Pina

OPPOSED: (1)

Kenneth Galligan, Chairman

James M. Casieri, Clerk

Anthony Zeoli, City Clerk

ANY APPEAL MUST BE MADE  
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TO M.G.L.C. 40A SECTION 17.

2018 JUN 27 A 8:49

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

IN RE: 18-37 Petition of JEAN & ROSANA LORMIL, 24 Packard Street, Brockton, MA, for Variance to construct a 2 story addition in rear of home to make a legal 3 family home in an R-3 Zone, located at 24 PACKARD STREET.

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS: The Board voted to allow the petitioner to withdraw from the hearing shortly after the commencement of the hearing when the Board determined that the petitioner was not prepared to proceed with the hearing.

MOTION TO GRANT THE PETITIONER TO WITHDRAW AFTER HEARING STARTED

VOTE:

Motion to Grant:

Stephen Bernard

Seconded by:

Craig Pina

IN FAVOR: (5)

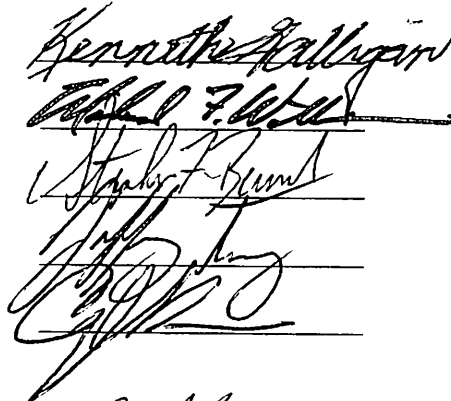
Kenneth Galligan, Chairman

Michael Williams, Fire Chief

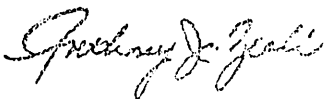
Stephen Bernard

Jeffrey Thompson

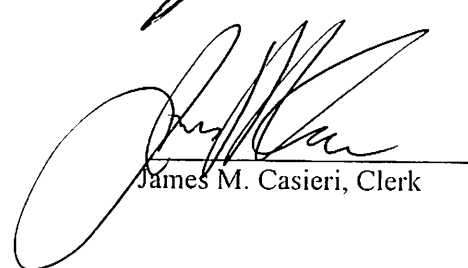
Craig Pina



OPPOSED: (0)



Anthony Zeoli, City Clerk



James M. Casieri, Clerk

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2018 JUN 27 11:48:49  
CITY CLERK'S OFFICE  
BROCKTON, MA

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE: 18-38** Petition of MITCHELL LAFLOWER, 191 Woodard Avenue, Brockton, MA, for relief from Sec. 27-9, to construct an attached 2 car garage with master bedroom above in an R-1B Zone, located at 191 WOODARD AVENUE.

**PETITIONER'S STATEMENT:** The petitioner, Mitchell LaFlower along with Bill Self presented to the board, Exhibit A, Site and Floor Plans. Mr. LaFlower is seeking permission to construct an addition for a two (2) car garage with a master suite above. The original driveway on the easterly side of home will remain. The location of the addition fits well on the property.

**OPPOSITION:** None

**DECISION:** Granted unanimously.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the unique shape of the corner lot and the location of the foundation of the current home created a hardship at the locus and that the proposed construction of an addition for a garage and master bedroom above would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The plan submitted to the Board, dated April 25, 2018 depicting the proposed driveway(s) and extent of greenspace shall be constructed and provided as per plan and are incorporated by reference herein. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:  
Seconded by:

Stephen Bernard  
Craig Pina

**IN FAVOR: (5)**

- Kenneth Galligan, Chairman
- Michael Williams, Fire Chief
- Stephen Bernard
- Jeffrey Thompson
- Craig Pina

**OPPOSED: (0)**

Anthony Zeoli, City Clerk

James M. Casieri, Clerk

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-39 Petition of AHMADULLAH FAROOQ, 770 East Ashland Street, Brockton, MA, for relief from Sec. 27-302, to allow for a Boston Fried Chicken and Burritos restaurant in a C-2 Zone, located at 95 MONTELLO STREET.

**PETITIONER'S STATEMENT:** The petitioner, Ahmadullah Farooq presented to the board Exhibit A, Site and Floor Plans. The petitioner is before the board seeking a Special Permit to operate a restaurant serving fried chicken and burritos. The take out restaurant will have four (4) tables for sixteen (16) patrons who wish to eat in. The parking lot has the allotted spaces for petition. The owner will have two to three employees working at one time. The owner of operation will be from 11:00 a.m. until 1:00 a.m., seven (7) days per week. Ward 5 Councilor Anne Beauregard is in favor.

**OPPOSITION:** None

**DECISION:** Granted unanimously.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the use of the site for a restaurant with take-out will be in harmony with the orderly development of the zoning and will not negatively impact the neighborhood. There is adequate ingress and egress to off street parking and will not interfere with traffic on the abutting streets. Submitted floor plans submitted to the board, dated May 8, 2018 show four (4) dining tables with seating for sixteen (16) patrons. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith. Hours of operation stated by the petitioner would be from 11:00 a.m. to 1:00 a.m., seven (7) days per week. Ward Councilor Anne Beauregard spoke in favor of the granting.

**VOTE:**

Motion to Grant by:

Michael Williams

Seconded by:

Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

**OPPOSED: (0)**

James M. Casieri, Clerk

Anthony Zeoli, City Clerk

ANY APPEAL MUST BE MADE WITHIN 20 DAYS FROM THIS DATE PURSUANT TO M.G.L.C. 40A SECTION 17.

2018 JUN 27 A 8:57

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

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IN RE: 18-40 Petition of KENNETH HARRIS, 44 PERRY AVENUE, Brockton, MA, for a Special Permit and Variance from Sec. 27-32, 3c, to open and operate a tattoo parlor in a C-2 Zone, located at 583 CENTRE STREET.

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS: The petitioner was withdrawn prior to the start of the hearing as a matter of right.

VOTE:

Motion to Grant by:  
Seconded by:

IN FAVOR: 0

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

OPPOSED: 0

*Kenneth Galligan*  
*Michael Williams*  
*Stephen Bernard*  
*Jeffrey Thompson*  
*Craig Pina*

*James M. Casieri*  
James M. Casieri, Clerk

*Anthony J. Zeoli*  
Anthony Zeoli, City Clerk

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE: 18-41** Petition of **CARL DJUSBERG**, 932 Bedford Street, Abington, MA, for a Variance from Sec. 27-9, 27-13, & 27-13a, to create 2 single family lots which will be connected to city sewer through adjacent landowners in an R-1-C Zone, located at **PLOTS 12 & 13 MELROSE AVENUE**.

**PETITIONER'S STATEMENT:** Attorney Christopher Veale, along with Bill Self and the petitioner Carl Djusberg presented to the board Exhibit A, Site Plan and Floor Plan. Mr. Djusberg is seeking permission to construct two (2) 28 x 38 single family homes at Plots 12 & 13 Melrose Avenue. The homes will only have three (3) bedrooms. The petitioner will go before the Conservation commission to be allowed to hook up to city sewer from East Ashland Street to Melrose Avenue through the property Mr. Djusberg owns. Gary Lawcewicz and Tom Williams are in favor of this petition.

**OPPOSITION:** None

**DECISION:** Unanimously granted with the stipulation that the 1.homes have a maximum of three (3) bedrooms.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the unique shape and topography of the current lot and considering the size of the proposed two (2) lots relative to other lots in the surrounding neighborhood that granting of the requested Variance would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The petitioner presented prospective plans to extend a new municipal sewer line to service the subject properties that is anticipated to service also additional adjacent residential properties that do not have gravity municipal sewer service. Two (2) neighbor/abutters spoke in favor of the petition. Plans submitted depict each of the new single family dwellings with three (3) bedrooms in each dwelling. The development of the locus shall be in accordance with the plans submitted to the board dated, May 3, 2018. All representations in petitioners statement regarding the house plans, driveways and greenspace shall be incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:

Seconded by:

Stephen Bernard

Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

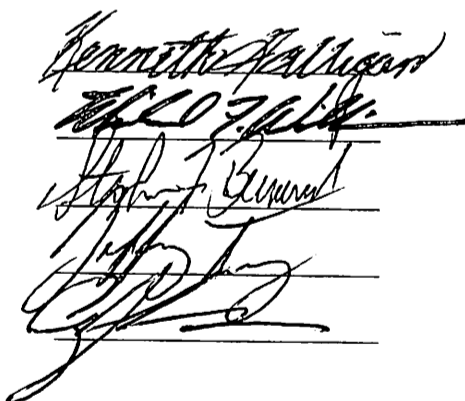
Michael Williams, Fire Chief

Stephen Bernard

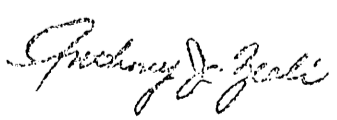
Jeffrey Thompson

Craig Pina

**OPPOSED: (0)**



James M. Casieri, Clerk



Anthony Zeoli, City Clerk

CLERK'S OFFICE  
BROCKTON, MA

2018 JUN 27 A 8:57

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ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE 11/11/18 27 PURSUANT  
TO M.G.L.C. 40A SECTION 17.

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Little Theatre at the Arnone School, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-42 Petition of MEGNA TRUST C/O MOHAMMAD ISLAM, 23 Hearthstone Road, S. Easton, MA, for a Variance from Art. IV, 27-27, Art. IV, 27-29 & Art. IX, 27-53, for nine (9) residential apartments between the two (2) buildings on the parcel of land and also seeking parking relief as the existing property provides eight (8) spaces in a C-2 Zone, located at 244 WARREN AVENUE.

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:**

**BASIS:** The petition was withdrawn prior to the start of the hearing as a matter of right.

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR: 0**

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

**OPPOSED: 0**

Anthony Zeoli, City Clerk

*Kenneth Galligan*  
*Michael Williams*  
*Stephen Bernard*  
*Jeffrey Thompson*  
*Craig Pina*

*James M. Casieri*  
James M. Casieri, Clerk

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BROCKTON, MA

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-43 Petition of IKE ASOGUH, 81 Warren Avenue, MA, for a Special Permit from Art. IV, Sec. 27-28, 3b, to be allowed to sell beer and wine at an already established convenience store and gas station in a C-2 Zone, located at 81 WARREN AVENUE.

**PETITIONER'S STATEMENT:** Attorney Rick Lawton along with the petitioner, Ike Asoguh presented to the board, Exhibit A, Mortgage Plan and Floor Plan. Mr. Asoguh is before the board seeking a Special Permit to sell beer and wine at the above location. The convenience and gas station are open twenty four (24) hours now, but if granted Mr. Asoguh new store hours will be 5:00 a.m. until midnight seven (7) days per week. The hours to sell the beer and wine are as follows: Monday through Saturday 10:00 a.m. until 11:00 p.m. and on Sunday 12:00 p.m. until 6:00 p.m. Only six and twelve packs will be allowed for purchase. No single cans will be allowed for sale. The display case will be on the West wall on building only. Mr. Asoguh and two (2) employees will be running the establishment at all times. The property has fourteen (14) cameras on premises.

**OPPOSITION:** None

**DECISION:** Granted with the stipulations 1. Display case to hold beer and wine will be on the West wall only 2. Facility hours of operation will be 5:00 a.m. until midnight seven (7) days per week. The hours to sell the beer and wine are as follows: Monday through Saturday 10:00 a.m. until 11:00 p.m. and on Sunday 12:00 p.m. until 6:00 p.m.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that granting a Special Permit for allowing the sale of beer and wine at the established convenience store and gasoline station in the C-2 Zone at 81 Warren Avenue will be in harmony with the orderly development of the zone and not negatively impact the neighborhood. In consideration of granting the Special Permit, the board incorporated the petitioners statement that the location would no longer continue to operate as a twenty four (24) hour facility, but will establish as part of the granting, new facility of hours of operation from 5:00 a.m. to midnight, seven (7) days per week. The sale of beer and wine will be restricted to 10:00 a.m. to 11:00 p.m. Monday through Saturday and 12 noon to 6:00 p.m. on Sunday. The petitioner reported that the secure area for the sale of the beer and wine shall be located on the West wall of the store in close proximity to the cash register. All representations in petitioners statements shall be incorporated by reference as consideration made the board in granting the Special Permit.

**VOTE:**

Motion to Grant by:  
Seconded by:

Michael Williams  
Craig Pina

**IN FAVOR: (4)**

Michael Williams, Fire Chief  
Stephen Bernard  
Jeffrey Thompson  
Craig Pina

**OPPOSED: (1)**

Kenneth Galligan, Chairman

Anthony Zeoli, City Clerk

James M. Casieri, Clerk

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BROCKTON, MA

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COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-44 Petition of ADAO COSTA, 39 Ames Street, Brockton, MA, for a Variance from 27-25, to resume prior use of the existing office building with storage for future tenants in an R-1-C Zone, located at 227 NORTH CARY STREET.

**PETITIONER'S STATEMENT:** Attorney Scott Rubin along with the petitioner, Adao Costa, presented to the board Exhibit A, Site and Floor Plans. Attorney Rubin is before the board seeking permission to renew a Variance that that granted back in 2016 to have an office and storage use at the above location which is in an residential zone.

**OPPOSITION:** None

**DECISION:** Granted unanimously with the stipulations 1. Office and storage use only and 2. Fencing along residential homes will be erected to soften the landscape.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that due to the unique location of the subject building that has been used for commercial purposed and located in a Residential zoned lot directly abutting a Commercial C-2 zoned lot for many years that a hardship exists whereby the building and lot has no viable use as a residential lot. The requested use is for using the locus only for an office or inside storage use only as the property was used in the past. As a condition of allowing an office or inside storage was with off street, on-site parking as shown on a plan submitted to the board dated May 8, 2018, the property owner shall provide fencing and trees along the south property line abutting the residential lots to provide separation and screening from the adjacent residential lots and the proposed office and storage use. Adjacent property owner spoke in favor of the Variance. Councilor Beauregard spoke in favor. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact he orderly development of the mixed use neighborhood. The above listed stipulations are incorporated by reference herein. All representations in incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:

Seconded by:

Craig Pina

Jeffrey Thompson

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

**OPPOSED: (0)**

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Anthony Zeoli, City Clerk

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BROCKTON, MA

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James M. Casteri, Clerk

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ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-45 Petition of ADAO COSTA, 39 Ames Street, Brockton, MA, for a Variance from Sec. 27-29, to allow use of an existing building for metal work, painting and temporary outside storage in a C-2 Zone, located at 239 NORTH CARY STREET.

**PETITIONER'S STATEMENT:** Attorney Scott Rubin along with the petitioner, Adao Costa, presented to the board Exhibit A, Site and Floor Plans. Mr. Costa owns Adam Iron Works on Ames Street and is petitioning the Board to be allowed to have his business housed at the above location. Custom metal work will be done at this location with eight (8) to ten (10) employees. The inside second floor on the rear of building will be removed in order for large orders to be constructed inside. Outside storage will be for completed orders. Hours of operation will be Monday through Friday, 7 a.m. until five 5:00 p.m., Saturday 7:00 a.m. until 12:p.m. and closed on Sunday. No access from Bennett Street will be allowed for this business. Stanley DeRose owner of the Laundromat and Spiegel Scrap Metal are in favor as is Ward Councilor Anne Beauregard as long as noise and order does not bother the neighbors.

**OPPOSITION:** None.

**DECISION:** Granted unanimously with the stipulations 1. No access to and from Bennett Street and 2. Hours of operation will be Monday through Friday, 7 a.m. until five 5:00 p.m., Saturday 7:00 a.m. until 12:p.m. and closed on Sunday.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that granting the requested Variance to allow for the fabrication and painting of metal work, railings and associated metal products to include the outside yard storage racks for the associated metal work in the C-2 zone locus would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the mixed use neighborhood. Fabrication operations shall be performed inside of the structure and painting operations shall be carried out only in an approved painting facility that will not negatively affect the surrounding neighbors that is approved by those having jurisdiction over painting operations. Access to the locus shall be from North Cary Street with no truck traffic associated with the facility from Bennett Street. Considering the use of the facility, appropriate screening shall be established at the adjacent residential abutters. The hours of operation for this facility shall be, Monday through Friday 7:00 a.m. to 5: p.m., Saturday 7:00 a.m. until 12 noon, Sunday no operation. The above listed stipulations are incorporated by reference herein. All representations in petitioners statements shall be incorporated by reference as stipulations recorded herewith. Councilor Beauregard spoke in support and there was no opposition.

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR:** (5)

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

**OPPOSED:** (0)

*Anthony Zeoli*  
Anthony Zeoli, City Clerk

Craig Pina  
Michael Williams

*Bennett Galligan*  
*Michael Williams*  
*Stephen Bernard*  
*Jeffrey Thompson*

*James M. Casieri*  
James M. Casieri, Clerk

ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE JUN 27 2018 PURSUANT  
TO M.G.L.C. 40A SECTION 17.

RECEIVED

2018 JUN 27 4:08 PM  
CITY CLERK'S OFFICE  
BROCKTON, MA

RECEIVED AND FILED: July 18, 2018  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 17

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-46 Petition of MARIA AMANDO, 152 Belmont Street, Brockton, MA, for a Variance from Art. III, Sec. 27-9, & 27-13A, to sub-divide an existing lot of record into 2 lots and then construct identical single family colonial houses on each lot. Also seeking relief from lot size & width in an R-1-C Zone, located at 236 WEST CHESTNUT STREET.

**PETITIONER'S STATEMENT:** Attorney John F. Creedon along with the petitioner, Maria Amando, presented to the board Exhibit A, Site Plan. Ms. Amando is before the board seeking permission to demolish the existing home and construct two (2) single family homes. The homes will be two (2) story in style and 33'x 36' in size. The two (2) driveways will be twelve (12) ft wide. The abutter, Francis Smith, who lives directly behind the above names property is in favor but wants all trees along the connecting property lines to stay and not be taken down, which the petitioner agreed to.

**OPPOSITION:** None.

**DECISION:** Granted unanimously with the stipulations 1. Greenspace to remain as per plan 2. Trees on property line not to be torn down and 3.driveway as shown on plan with no reduction

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the unique shape and topography of the current lot and considering the size of the proposed two (2) lots relative to other lots in the surrounding neighborhood that granting of the requested Variance would not derogate from the intent of the zoning by laws and will not negatively impact the orderly development of the neighborhood. The current dwelling at the locus is in serious disrepair and will be demolished eliminating an eyesore to the neighborhood. The development of the locus shall be in accordance with the plans submitted to the board dated December 12, 2017. All representations in petitioners statement regarding house plans, driveways and greenspace shall be incorporated by reference as stipulations recorded herewith. In cooperation with a direct abutter at 229 Market Street, who expressed concern regarding mature trees at the property lines, the petitioner consented and agreed to leave the tree line at the rear of the new lots as currently exists to provide a buffer between the two properties. All representations in petitioner's statements shall be incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:

Jeffrey Thompson

Seconded by:

Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

Michael Williams, Fire Chief

Stephen Bernard

Jeffrey Thompson

Craig Pina

**OPPOSED: (0)**

James M. Casieri, Clerk

CITY CLERK'S OFFICE  
BROCKTON, MA

2018 JUN 27 8:58 AM  
*Anthony Zeoli*

Anthony Zeoli, City Clerk

RECEIVED

ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE JUNE 27 2018 PURSUANT  
TO M.G.L.C. 40A SECTION 17.

RECEIVED AND FILED: July 18, 2018  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 12, 2018 at 7:00 p.m.

**IN RE:** 18-47 Petition of ANTONIO F. DEPINA, for Variance from Art. IV, Sec. 27-27, Art. III, Sec. 27-9 & Art. IX, Sec. 27-53, to convert a single family home into a 2 family also requesting relief from table requirements, lot area, frontage and parking in a R-3 Zone, located at 34 FULLER STREET.

**PETITIONER'S STATEMENT:** Attorney John F. Creedon along with the petitioner, Antonio DePina presented to the board Exhibit A, Site Plan and Floor Plans. Mr. DePina would like to have his single family home into a two (2) family home. The proposed alternate second floor egress would be by way of a new exterior staircase. The home will have no expansion.

**OPPOSITION:** None.

**DECISION:** Unanimously denied.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the petitioners failed to demonstrate a hardship at the locus, found safety evacuation concerns from the proposed second floor occupancy and determined that granting the requested relief would derogate from the intent of the zoning by laws and would negatively impact the orderly development of the neighborhood.

**VOTE:**

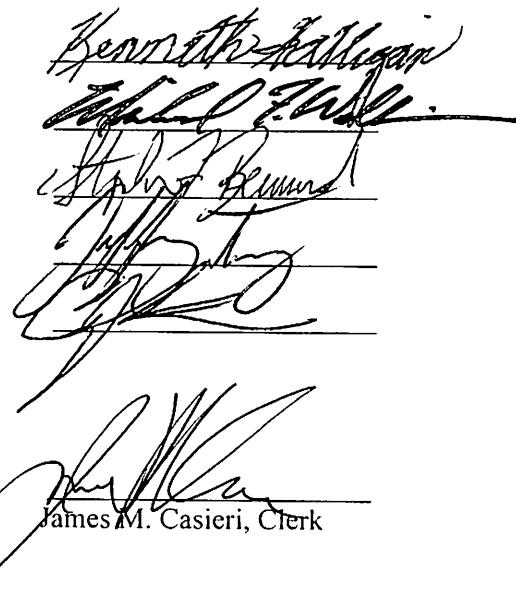
Motion to Grant by:  
Seconded by:

Steve Bernard  
Michael Williams

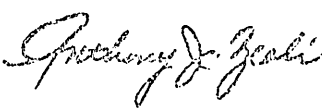
**IN FAVOR:** (0)

**OPPOSED:** (5)

Kenneth Galligan, Chairman  
Michael Williams, Fire Chief  
Stephen Bernard  
Jeffrey Thompson  
Craig Pina



James M. Casieri, Clerk

  
Anthony Zeoli, City Clerk

ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE JUN 27 2018 PURSUANT  
TO M.G.L.C. 40A SECTION 17.

RECEIVED  
2018 JUN 27 A 8:58  
CITY CLERK'S OFFICE  
BROCKTON, MA

RECEIVED AND FILED: July 18, 2018  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11