

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-48** Petition of **RICHARD BEAUBIEN-CSHS, INC.**, 837 Court Street, Brockton, MA, for a Variance from relief of setback and to request a Digital Sign at the existing sign location in an R-1-C Zone, located at **737 COURT STREET**.

**PETITIONER'S STATEMENT:** Cardinal Spellman High School President, Daniel Hodes, presented to the board Exhibit A, Site Plan and Picture of Proposed Sign. Mr. Hodes is seeking permission to erect a digital sign on the existing pedestal in front of the school. No video or pictures will be on display, just school updates. The lights in the sign will go "off" when the school lights are shut off not later than 11:00 p.m. Ward 5 Councilor, Anne Beauregard is in favor of this petition.

**OPPOSITION:** None

**DECISION:** Granted unanimously with the stipulation The message or color of display shall change no more than once every ten (10) seconds. The change shall be brief, instantaneous and without scrolling or animation of any kind.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the request for a digital sign to replace a current manual changeable copy sign located at the site would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The current sign location has existed at the site for many years with no negative impact on the surrounding neighborhood. Relief was granted for residential setback for the sign location, Section 27-65 (11). The message or color of display shall change no more than once every ten (10) seconds. The change shall be brief, instantaneous and without scrolling or animation of any kind. The LED sign shall be equipped with an ambient light sensor, which detects the ambient light level and adjusts the sign's brightness to a recommended brightness level of 0.3 foot candles above ambient light conditions. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:

Michael Williams

Seconded by:

Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (0)**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-49** Petition of **PABLO ALVES**, 63 Beacon Park, Brockton, MA, for a Variance from Art. III, Sec. 27-9, Art. IV, Sec. 27-25, Art. IV, Sec. 27-26, to convert a single family home into a 2-family and for relief from lot area, lot frontage and side yard relief, in a R-1-C Zone, located at **136 HIGHLAND ST.**

**PETITIONER'S STATEMENT:** Attorney John F. Creedon, Bruce Malcolm, Land Surveyor and the petitioner, Pablo Alves are returning to the board since previously being denied. Mr. Alves is before the board seeking permission to convert a single family home into a two (2) family home for himself. The previous issue before the board was the location of the parking spaces. They have changed the location to the rear of the property and not along the side of the home. Each floor will have three (3) bedrooms and the third (3) floor attic will have no living space. The driveway will be twelve (12) ft wide and the water runoff will not go into the rear abutters yard.

**OPPOSITION:** None

**DECISION:** Granted unanimously with the stipulations **1.** Driveway will be 12ft wide. **2.** Parking in the rear of home. **3.** No extra increase water runoff in the rear of Ellsworth Street. **4.** No living space in the attic. **5.** No occupancy permit to be given to owner until the parking is complete and **6.** No more than a two (2) family home.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the hardship unique size, shape and topography slope of the lot. Unique size of the single family home surrounded by multi-family dwellings Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The following stipulations are incorporated by reference in consideration of the granting of the requested Variance: off-street parking shall be established in conformance with Sec. 27-53(1), shall be paved and graded so as to dispose of all surface water without detriment to surrounding uses, dwelling shall be occupied only as a two (2) family dwelling, no living space shall occupy the third (3) floor level and an occupancy permit shall not be issued without the construction of the off-street parking as fully described on submitted plans dated May 11, 2018 by Land Survey's Inc. providing parking for four (4) vehicles with 180 sq. ft. for each vehicle. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith.

**VOTE:**

Motion to Grant by:

Craig Pina

Seconded by:

Michael Williams

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Robert Pelaggi

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (0)**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-50** 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:** Jerome Dixon, Architect for this project and the petitioners Jean and Rosana Lormil presented to the board Exhibit A, Site Plan and Floor Plans. The owners would like to convert the two (2) family home into a three (3) family home. The addition for the three (3) family will be in the rear of the existing home. Six (6) parking spaces were provided, two (2) in the front and four (4) in the rear under a stone paved area. The expansion is for family members.

**OPPOSITION:** Ward 4 Councilor Susan Nicastro is not sure if it's a good fit on the property.

**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 no hardship dealing with the locus was found by the board. Granting would derogate from the intent of the zoning by-laws and will negatively impact the orderly development of the densely build-up neighborhood. Reference Section 27-19, 27-37(B) and 27-57 of the Brockton Zoning Ordinance.

**VOTE:**

Motion to Grant by:  
Seconded by:

Craig Pina  
Jeffrey Thompson

**IN FAVOR: (0)**

**OPPOSED: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Robert Pelaggi

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Jeffrey Thompson

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Craig Pina

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-51** Petition of **KENNETH HARRIS & SEAN MURPHY**, 44 Perry Avenue, Brockton, MA, for a Variance and Special Permit from Sec. 27-32, to open and operate a tattoo parlor of an existing building in a C-1 Zone, located at **369 COURT ST.**

**PETITIONER'S STATEMENT:** Attorney John F. Creedon, along with the petitioners Kenneth Harris and Sean Murphy presented to the board Exhibit A, Site Plan and Floor Plans. The petitioners would like to move into the above named address to operate a Tattoo Parlor. They have been in business for nine (9) years on Quincy Street but need to relocate. The property has fourteen (14) parking spaces but only eight (8) is needed. Hours of operation will be Monday through Friday from 10:00 a.m. until 10:00 p.m., Saturday and Sunday from 12 noon until 6:00 p.m. They have signed a five (5) year lease with options after five (5) years. The only entrance is from Court Street not from Rufus Street. A sign will only be on the building. Ward 5 Councilor Anne Beauregard is in favor.

**OPPOSITION:** None

**DECISION:** Granted with stipulation that the sign is only on the building.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the proposed location for the tattoo parlor is located adjacent to a current commercial use and at the site of a former C-1 Commercial use. Granting would not derogate from the intent of the zoning by-laws, will not negatively impact the orderly development of the neighborhood and will be in harmony with the development of the zone. There is adequate ingress and egress to parking and will not interfere with traffic on the abutting streets. Access to the locus shall be restricted to Court Street only with no access to the residentially zoned Rufus Street. Petitioner stated and the board granting of operation hours restricted to 10 a.m. to 10 p.m. Monday through Friday, 12 noon to 6 p.m. on Saturday and Sunday.

**VOTE:**

Motion to Grant by:

Michael Williams

Seconded by:

Robert Pelaggi

**IN FAVOR: (4)**

Michael Williams, Fire Chief

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Robert Pelaggi

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (1)**

Kenneth Galligan, Chairman

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-52** Petition of **MANOR AT COURT STREET, LLC**, 103 Commercial Street, Brockton, MA, for a Variance from Sec. 27-9, to allow for three (3) single family homes in an R-1-C Zone, located at **PLOTS 67-22 & 67-23 DORRANCE AVENUE/CRANSTON STREET.**

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:** Withdrawn.

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

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR:** ( )

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED:** ( )

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-53** Petition of **CUMBERLAND FARMS**, 165 Flanders Rd, Westboro, MA, for a Special Permit and Variance from Art. IV, Sec. 27-29(3)(b), Art. V, Sec.'s 27-37, 27-38 (e), Art. VII, Sec. 27-49 (Special Permit-Gasoline Sales); Article IV, Sec.'s 27-29(3)(a), 27-28(3)(c), Art. VII, Sec. 27-49 (Special Permit-Coffee Shop); Art VII, Sec. 27-48, Art. XIV, Sec's 27-65, 27-67(2), 27-67(4), Variances to allow standing sign in excess of 50s.f., to allow standing sign within 100 feet of a residential use, and for LED lighting of signs all as depicted on site plans. Petitioner proposes the redevelopment of the site into a 5,275 s.f. colonial-style convenience store with gasoline sales, along with signs, parking and landscaping improvements shown on the site plans in a C-2 Zone, located at **700 OAK STREET**.

**PETITIONER'S STATEMENT:** Attorney John Smolak is before the board for Cumberland Farms seeking permission to construct a Convenience store with gas station at the above location. The store will be a Colonial style just like the other locations in the city. Walmart is leasing the land. The gas station will have five (5) dispensaries with canopy. Thirty four (34) parking spaces are available with twenty four (24) required. The store will sell the same products as the other Cumberland Farms. The sign similar to the Belmont Street will be LED with no scrolling and ten (10) ft from the property line. Oak Street will have two (2) ways of getting into the property. The first will be an entrance/exit and the second egress one will be a right turn in and right turn only exit closer to the light at the Walmart entrance. The last egress will be from the Walmart light entrance. Lights will be downward facing. Deliveries of gas will be at off peak hours. The landscape layout will go more into detail at the Planning meetings. Hours of operation will be 5:00 a.m. until midnight, seven day per week. Abutter Mick Smith is in favor knowing something will be going into this land. Ward 7 Councilor Shirley Asack knows what a good job Cumberland Farms has done at other locations and will do at this location.

**OPPOSITION:** Madrid Square residents came out with the reasons not to grant. Traffic is congested on Oak Street and it would only add to more traffic. They would like the store to face the entrance to Walmart not Oak Street. They are concerned with crime especially if it is open twenty four (24) hours and no alcohol to be sold.

**DECISION:** Granted with the stipulations **1.** Sound barrier to be installed in rear of building for mechanical machinery located on the 2<sup>nd</sup> floor. **2.** Midnight to 6 am shall have no deliveries **3.** Downward lighting along the property and **4.** The property shall only have one (1) sign with the LED sign message or color of display shall change no more than once every 10 seconds. The change shall be brief, instantaneous and shall not contain flashing, intermittent, or moving lights: or display animated, moving video or scrolling advertising. The LED sign shall be equipped with an ambient light sensor which detects the ambient light level and adjust the sign's brightness to a recommended brightness level of 0.3 foot candles above ambient lights conditions.

**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 Variance and Special Permits as requested from the various section of the Brockton Zoning Regulations Sec. 27, as enumerated in the zoning relief application associated with this site to allow for the redevelopment of the locus convenience store, gasoline sales, new signage, parking and landscaping improvements as described on the submitted plans to the board in the C-2 Zone would not derogate from the intent of the zoning by-laws, will not negatively impact the orderly development of the neighborhood and generally improve the current conditions at the site. Zoning relief may be granted without nullifying or substantially derogating from the intent and purpose of the applicable zoning ordinance whereby the use of the site as a service station is a permitted use at the site. The LED signs message or color of display shall change no more than once every ten (10) seconds. The change shall be brief, instantaneous and without scrolling or animation of any kind. All site lighting shall be downward facing and light shall not "spill over" onto adjacent properties. Sound deflection devices shall be installed at any mechanical sound generating equipment to ameliate objectional noise from permeating neighboring residential occupancies. No truck deliveries shall be allowed to the site, such as gasoline/diesel tanker delivery trucks between the hours of midnight and 6:00 a.m.. All representations in petitioners statement shall be incorporated by reference as stipulations recorded herewith.

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**18-53**

**VOTE:**

Motion to Grant by:

Michael Williams

Seconded by:

Craig Pina

**IN FAVOR: (4)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (1)**

Stephen Bernard

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-54** Petition of **MANOR AT COURT STREET, LLC**, 103 Commercial Street, Brockton, MA, for a Variance from Sec. 27-9, 27-13A, to permit four (4) single family homes in an R-1-C Zone, located at **171 HOWARD STREET**.

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:** Withdrawn.

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

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR: ( )**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: ( )**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk



**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-55** Petition of **648 SUMMER STREET, LLC**, 103 Commercial Street, Brockton, MA, for a Variance from Sec. 27-9, 27-13A, to permit thirteen (13) single family homes in an R-1-C Zone, located at **646 & 648 SUMMER STREET.**

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:** Withdrawn.

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

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR: ( )**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: ( )**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-56** Petition of **THI VAN THUY CHU**, 230 Market Street, Rockland, MA, for a Variance from Art. III, Sec. 27-10, to allow the construction of a three-family home and for the relief from the use requirements to make a minimal expansion to the lot's pre-existing non-conforming use as a residential lot, in a C-5 Zone, located at **205 PLEASANT STREET**.

**PETITIONER'S STATEMENT:** Attorney James Marsh along with Danielson Gomes and Thi Van Thuy Chu presented to the board Exhibit A, Site and Floor Plans. They were previously granted to convert a single family home into a three family which was granted. When they started the work, they realized the stone foundation will not hold up with the addition. They demolished the property in order to construct a new three family home which violated zoning. They are here now seeking permission to construct the home.

**OPPOSITION:** None.

**DECISION:** Granted unanimously with the stipulations that **1.** The home to be sprinklered **2.** Greenspace as shown and **3.** Parking as shown in the prior zoning minutes.

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that the site is located in a C-5 Zone that includes and is surrounded by numerous residential uses. The lot configuration and unique size located in the C-5 Zone creates a substantial hardship to the petitioner, who formerly maintained a residential use, and desires to construct a new residential structure. The use of this locus site as a C-5 location is very doubtful considering the totality of the immediate surrounding multi-family use. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the current neighborhood. All representations in petitioners statement and submitted plans dated August 22, 2018 shall be incorporated by reference as stipulations recorded herewith including on-site collection of storm water without discharge on to Pleasant Street, designated each on-site parking spaces to be not less than 180 sq.ft. and five (5) feet of greenspace-example shrub plantings between on-site parking spaces and west property line separating the adjacent property line.

**VOTE:**

Motion to Grant by:  
Seconded by:

Craig Pina  
Michael Williams

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (0)**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: 18-57** Petition of **ANGELA MCKEOWN**, 484 Liberty Street, Rockland, MA, for a Variance from Sec. 27-9 & 27-13A, to subdivide property into two lots and construct a single family house with existing dwelling to remain in a R-1-C Zone, located at **138 CARL AVENUE**.

**PETITIONER'S STATEMENT:** Attorney John McCluskey, Bruce Malcolm, Surveyor and the petitioner Angela McKeown presented to the board Exhibit A, Site and Floor Plans. They are before the board seeking permission to subdivide and construct a single family home. The two (2) properties were purchased separately but were combined for billing purposes. The home will be a four (4) bedroom.

**OPPOSITION:** The direct abutters are in opposition. The size of the home in not fit with the homes already in neighborhood. They also presented a list of other neighbors in opposition.

**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 due to the size of the lot being one of the largest parcels of land in the area, the division of the lot to allow for the construction of a single family home would be in conformance with other neighborhood and area lots and that the requested relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance nor negatively impact the orderly development of the neighborhood. All representations in petitioners statements and plans submitted to the board shall be incorporated by reference as stipulations recorded herewith. Driveway and green space shall remain as described on plan dated July 10, 2018 submitted to the board.

**VOTE:**

Motion to Grant by:

Craig Pina

Seconded by:

Doryce Smith

**IN FAVOR: (4)**

Michael Williams, Fire Chief

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Stephen Bernard

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Doryce Smith

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Craig Pina

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**OPPOSED: (1)**

Kenneth Galligan, Chairman

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 18, 2018 at 7:00 p.m.**

**IN RE: 18-58** Petition of **JAMES MEEKS**, 36 Draper Street, Brockton, MA, for a Variance from Art. III, Sec. 27-9, Art. III, Sec. 27-13A & Art. III, Sec. 27-14, to subdivide an existing lot of record into two lots and to construct a single family dwelling on the newly created lot lacking frontage and lot area in an R-1-C Zone, located at **78 KINGMAN STREET**.

**PETITIONER'S STATEMENT:** Attorney John F. Creedon along with petitioner James Meeks presented to the board Exhibit A, Site and Floor Plans. Mr. Meeks came before the board in January of this year but was denied due to the wrong plans. The new plans now show the garage in the correct location. The home will have four (4) bedrooms and a front deck. The driveway will have a turnaround.

**OPPOSITION:** None

**DECISION:** Unanimously granted with the stipulations **1.** The existing shed to be removed. **2.** Greenspace as shown as plan. **3.** Storm water dispursement as shown on plan. **4.**

**BASIS:** After reviewing the application, plans, information submitted and giving due consideration to testimony given at the public hearing, the board found that a hardship existed at he locus due to the unique shape, size and topographical slope of the land and therefore the division of the lot to allow for the construction of a single family home would be in conformance with other neighborhood and area lots and that he requested relief from Sec. 27-9, 27-13A and 27-14 may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance nor negatively impact the orderly development of the neighborhood. All representations in petitioners statement and plans submitted to the board dated November 29, 2017 shall be incorporated by reference as stipulations recorded herewith. Driveway and green space shall remain as described on above plan. The shed currently on the site shall be removed and storm water roof infiltration system shall be installed to confine storm water on site.

**VOTE:**

Motion to Grant by:  
Seconded by:

Stephen Bernard  
Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (0)**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS  
CITY OF BROCKTON  
ZONING BOARD OF APPEALS**

**ZONING BOARD OF APPEALS held a meeting at City Hall, Brockton, Massachusetts, on Tuesday, August 14, 2018 at 7:00 p.m.**

**IN RE: REQUEST OF EXTENSION IN RE: 17-76** Petition of **CUMBERLAND FARMS, INC.**, 165 Flanders Road, Westborough, MA, Art. IV, Sec. 27-29(3)(b), Art V, 27-37, Art.V, 2738(e), Art. VII, 27-49 (Special Permit-GasolineSales); Art. IV, Sec. 27-29(3)(a), Art. IV, Sec. 27-29(3)(c), Art. V, Sec.27-49 (Special Permit-Coffee Shop); Art. Xiv, Sec.27-65, Art. XIV,Sec. 27-67(4)(b), Art. VII, Sec. 27-48, (Variances to allow Standing Sign to be greater than 50 s.f. and for LED lighting). Petitioner proposes the redevelopment of the site into a 5,275 s.f. colonial style retail convenience store with gasoline sales, along with new signage, parking and landscaping improvements shown on the site plans in a C-2 Zone, located at **1205 BELMONT STREET AND 820 PEARL STREET.**

**PETITIONER'S STATEMENT:** The attorney for Cumberland Farms, John Smolak, came before the board seeking a six (6) month extension for the November 14, 2017. The upcoming winter weather is the reason and would like to wait until spring 2019.

**OPPOSITION:**

**DECISION:** Unanimously granted.

**BASIS:** The petitioner appeared before the Board in reference to a previously granted Variance and Special Permit (17-76) requesting additional time to begin the construction of a new Cumberland Farms convenience store and gasoline sales facility at the above location in order to allow for construction to begin following anticipated winter weather condition. The petitioner was granted a six (6) month extension (Chapter 40-A, Section 10).

**VOTE:**

Motion to Grant by:

Michael Williams

Seconded by:

Craig Pina

**IN FAVOR: (5)**

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Thompson

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Craig Pina

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**OPPOSED: (0)**

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk





**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,                   , 2016 at 7:00 p.m.**

**IN RE:**

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:**

**BASIS:**

**VOTE:**

Motion to Grant by:  
Seconded by:



**IN FAVOR:** ( )

Kenneth Galligan, Chairman

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Michael Williams, Fire Chief

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Stephen Bernard

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Jeffrey Charnel

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Gary Keith

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**OPPOSED:** ( )

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James M. Casieri, Clerk

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Anthony Zeoli, City Clerk

**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, \_\_\_\_\_, 2016 at 7:00 p.m.**

**IN RE:**

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:**

**BASIS:**

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR: ( )**

Kenneth Galligan, Chairman

\_\_\_\_\_

Michael Williams, Fire Chief

\_\_\_\_\_

Stephen Bernard

\_\_\_\_\_

Jeffrey Charnel

\_\_\_\_\_

Gary Keith

\_\_\_\_\_

**OPPOSED: ( )**

\_\_\_\_\_  
James M. Casieri, Clerk

\_\_\_\_\_  
Anthony Zeoli, City Clerk

**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, \_\_\_\_\_, 2016 at 7:00 p.m.**

**IN RE:**

**PETITIONER'S STATEMENT:**

**OPPOSITION:**

**DECISION:**

**BASIS:**

**VOTE:**

Motion to Grant by:

Seconded by:

**IN FAVOR: ( )**

Kenneth Galligan, Chairman

\_\_\_\_\_

Michael Williams, Fire Chief

\_\_\_\_\_

Stephen Bernard

\_\_\_\_\_

Jeffrey Charnel

\_\_\_\_\_

Gary Keith

\_\_\_\_\_

**OPPOSED: ( )**

\_\_\_\_\_  
James M. Casieri, Clerk

\_\_\_\_\_  
Anthony Zeoli, City Clerk