

PLANNING BOARD  
Tuesday, February 4, 2020 – 6:00 P.M.  
GAR Room - City Hall

**Meeting Minutes**

Members present: Chairperson Robert Pelaggi, Toni Goncalves, Reggie Thomas, Larry Hassan and Craig Pina. Also present were Planning Director Rob May, Administrative Assistant Pamela Gurley and Deputy Chief Edward Williams.

A motion was property made (Goncalves), seconded (Pina) and unanimously passed to accept the minutes of 1/7/20 as presented.

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1. Permission to Return to the ZBA  
Property: 598 N. Main St.  
ZBA Denial: 3-12-19  
Planning Board Denial: 10-1-19  
Applicant: Maria Flores/Attorney Chris Veale

Applicant's statement: Attorney Chris Veale said the ZBA original denial was due to the fact that the two proposed residential apartments had no proper ingress/egress. He said that the new plan shows each unit with two means of ingress/egress and they would like a chance to present this modified plan to the ZBA.

Comments: B. Pelaggi said that the landing is over the property line; Attorney Veale said that there is an overhanging ladder and when down will be on their property; the egress is no longer coming out from a window it is now coming out a door. He said his client never knew the apartments were not legal.

B. Pelaggi read the 3/12/19 ZBA minutes read into record. He said that there was also a prior denial by the planning board and this is their second application. Attorney Veale said that the board denied it due to lack of information. B. Pelaggi said he still believes that landing is an encroachment. Attorney Veale said he was led to believe that it would be OK as long as it was over the property and did not touch it. B. Malcolm said that the applicant is exempt from greenspace and R. May asked how they felt they were exempt from greenspace.

C. Pina said it will be difficult to improve the parking situation and encroachment is still an issue. Attorney Veale said he can speak to the abutters and see if they would allow an easement. Deputy Chief Williams said that the landing has to be a particular dimension per building code; Attorney Veale said that the existing fire escapes do not meet current code. R. Thomas said he does not think that there is enough change to send them back to the ZBA; he said he would like to see them continue and work on these issues. Deputy Chief Williams said that they

might look into sprinklering the building as an alternative as if it was sprinklered they would only need one egress.

Attorney Veale said he would like a continuance to the March meeting to go over the issues with his client.

Action/Decision: Continue to March 3rd.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

## 2. Site Plan Approval – Retail Marijuana

Property: 1915 Main St.

Applicant/Representative: Holistic Concept

Applicant's statement: Attorney David Asack said that the proposal was for retail marijuana at the old Jiffy Lube site on Main St.; he said they are more than 1,000 to the nearest school. He said they intend to give the exterior a facelift; re-stripe the parking lot and will have 16 parking spaces.

S. Faria said that the revised plan shows the entrance lanes striped and the new parking lot striping per tech review. The entrance and exit will be off Main St. and they will have 15% green space.

Comments: C. Pina said this is the best location the board has seen so far.

No public comment.

Action/Decision: Grant site plan approval with standard retail marijuana conditions.

Motion: Pina

Second: Goncalves

In favor: 5

Opposed: 0

## 3. Site Plan Approval

Property: Centre St./Petronelli Way

Proposal: Phase II Trinity

Applicant/Representative: Trinity Financial/Kelly Engineering

Applicant's statement: Jonathan Brahmer said Trinity was seeking to amend the permit for phase II as the required garage construction as part of that phase was undertaken by the BRA. A short presentation was made to the board. He said they have a 99 year lease with BRA which will be assigned to BPA, once ownership is transferred, for spaces in the new garage. He said that 12 of the

proposed market rate units will be converted to workforce. He said 40% of the units will be affordable and 60% market rate/workforce; they are looking to apply to DHCD for funding in the next round, but are looking for an additional three years to start from time of this amendment in case there are delays in funding. He said the plans were peer reviewed by BETA Group and they were satisfied with the changes made which are reflected on these plans.

Comments: B. Pelaggi asked for an explanation of why the change is units; J. Brahmer said that this will preserve units for those not in the affordable band and not market rate; it also allows them to apply for different funding. He asked how long it will take for financing and was told they were approved to apply in the February round...they are very optimistic that they will receive some funding; he said the construction drawings are at 75% and if funded work would start the beginning of next year.

R. May explained that there is generally one funding round per year.

The representative from Ikon Architecture explained that they are proposing a five story building with a garage under, landscaping and a courtyard.

B. Pelaggi asked about the range of unit sizes and mix and was told that a 1 bed 700 sq to 3 bed 1200 sf; 65 1 bed's, 42 2 bed's and 4 3 beds. He said they did an impressive job on phase 1. He asked about the seasonal high groundwater and was told that there is a pump system in the old building and the new building will have the same system.

Council President Shirley Asack said she is in favor; she said she had met with Trinity representatives and the Mayor and is also impressed by phase 1; She said that the Korean Memorial Park is beautiful.

Ward Five Councilor Jeff Thompson also spoke in favor; he said he also has met with Trinity and the Mayor; he said that the project fits in nicely; he said that the outdoor common space will be an asset and he is expecting the same workmanship in phase two.

Councilor Susan Nicastro said she was on the planning board when this was originally approved; she said they originally proposed more market rate in phase 2 and is disappointed that it is being reduced; she said they slipped out of building the garage and now they are asking for three more years; she said that the initial approval was in 2011 and three years will bring it to 12 years. She was also disappointed that there is still no restaurant. Councilor Nicastro said she would like to see every effort made to fill the restaurant space.

J. Brahmer said the restaurant space is 44,000 SF on upper and lower floors (phase 1); he said they invested into the infrastructure for a restaurant; they have

spent the last five years trying to rent the space; he said the space is too large and cost of the buildout is too much; he said they still need to build a demand; they need more people living downtown...they have offered years of free rent. B. Pelaggi asked if they are looking to attract a restaurant of a specific nature and was told they are not limiting it to a particular status of restaurant. Relative to the change to the housing, over 50% will be market/work force; he said that market rents do not support sufficient capital to build a building of that stature; he said that there is a wait list for phase 1 and that will be leveraged to phase 2.

B. Pelaggi asked if the mix was changed in phase 1 and was told once the mix is set you are locked in for the life of the project.

J. Brahmer said they did not choose not to build the garage...he said that change was made by the COB.

R. Thomas asked what happens if they do not get funding in this round and was told they will seek in round and out of round funding.

R. May said that they (Trinity) have agreed to upgrade the amenity space to include gas grills, fire pits, etc.

Action/Decision: Amend the previous approval as follows:

Motion: Pina

1. Approval of the Amended Plans for Phase 2 - Enterprise Centre Phase 2 Trinity Brockton Limited Partnership (Trinity)
2. Number of Residential Units Market/Affordable Mix – The Applicant requested to revise the current residential mix to include as follows: 53 unrestricted market rate units; 12 workforce units at 80% AMI and 46 affordable units at up to 60% AMI. There are no changes to the total unit count.
3. The Conditions set forth in the Approvals dated August 2, 2011 and October 3, 2012 are incorporated by reference in this approval, except that all references to plans set forth therein shall be deemed to refer to the plans as modified by the Amended Plans.
4. All references to the construction of a parking garage by Trinity Financial are null and void as of the date of this letter.
5. There are no changes to the required parking counts; see lease agreement Exhibit E1 & E2: See Lease agreement for required tenant relocation information during construction of Phase 2.

6. The Waivers set forth in the Approvals of August 2, 2011, October 3, 2012 and October 4, 2016 are incorporated by reference in this Approval.

7. The Applicant shall have three (3) years beginning from February 4, 2020 to commence construction on Phase II.

8. Developer agrees to upgrade the amenity space to include gas grills, a fire pit etc. The applicant is to meet with the planning director/staff to develop a plan for amenity space.

Second: Thomas

In favor: 5

Opposed: 0

4. Definitive Subdivision

Property: 11 Wilbur Ave.

Lots: Two

Owner/Representative: Churchill/Haikal/JK Holmgren

Applicant's statement: Attorney Chris Vale said that because of an existing easement they are asking to split the lot to create two horizontal lots. Michael Haikal said that the original property owner gave Edison a 120' easement.

Comments: B. Pelaggi asked if the dashed line is the utility easement and was told it was. He asked if there was an on ground delineation done of the wetlands and was told by S. Faria that it was taken off GIS. B. Pelaggi said they had received a memo from the conservation agent and that also there were outstanding issues to be addressed with the city engineer. S. Faria said if approved they will do an on ground delineation. B. Pelaggi said that they need to show the size and material of services..add a clean out to the new house and remove the notations referencing the requested zoning waivers. He suggested that the hearing be continued until a revised plan is submitted and outstanding issues are addressed.

S. Faria asked if the board would approve it conditionally; after some discussion the board agreed to move this forward with a conditional approval with the stipulation that there is to be no I. planning board endorsement of the plan until the following conditions have been met:

A revised plan is submitted showing the location, size and material of the utilities and the addition of a clean out for the proposed home. Any outstanding issues with the DPW City Engineer are to be addressed to his satisfaction and the planning board is to be advised of the same in writing prior to endorsement. Applicant is to file with the conservation commission per the 2/4/2020 letter from the agent.

Action/Decision: Grant conditional approval as cited above.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

Action/Decision: Approve the following waivers from the rules & regulations

V(A) Street and Roadway (Wilbur Ave is an existing street)

V(B)3 Utilities (above ground utilities are existing)

V(C) No new curbs and sidewalks (no curbing & sidewalks exist)

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

The applicant agreed that the method of surety will be by covenant.

S. Faria thanked the board for approving this conditionally and mentioned that no other town/city grants conditional approval....that they are always continued to the next meeting.

#### 5. Definitive Subdivision - **Continued to March 3, 2020**

Property: Map 37, Plots 4, 6 & 18 Augusta Ave. and Plot 36 Prospect St.

Lots: 18

Owner/Representative: Frederick Hebshie/Curley & Hansen

#### Other Business

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.**

The admin asked for a discussion relative to incomplete applications; the members were unaware that the office was constantly chasing applicants for required information. The members instructed the planning staff not to schedule a hearing for any applications not filed as complete on the deadline date.

A motion was made instruction the planning staff not to schedule a hearing for any incomplete applications filed (Goncalves) seconded (Hassan) and unanimously passed.

The admin thanked the members for their support.