

PLANNING BOARD
Tuesday, October 1, 2019 – 6:00 P.M.
GAR Room - City Hall
Meeting Minutes

Members present: Robert Pelaggi, Clarence Hassan, Toni Gonsalves, Reggie Thomas, Craig Pina; also present were: Rob May, Shane O'Brien and Pamela Gurley; Deputy Chief Williams.

A motion was made (Pina), seconded (Thomas) and unanimously passed to accept the minutes of 9/3/19 as presented.

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

The board asked that the roadway layout and drainage plans be submitted for signature and recording along with the new lot layout plan. The mylar of the new layout was not signed by the board as there were no signatures or stamps from the engineer or the surveyor.

1. Street Acceptances - Ordered: that the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of the following:

- A. Farnham Street, extending from the end of the 1965 layout, northerly, a distance of about 438 feet, more or less; Belding Circle, extending from Farnham Street westerly to Belding Circle Extension, a distance of 590 feet, more or less; Belding Circle Extension, extending from Belding Circle northwesterly 253.79 feet, more or less; Haskell Street, extending from Hovenden Avenue, northerly to Belding Circle, a distance of about 663 feet, more or less; and Leahy Road, extending from North Quincy Street, easterly, to Roslyn Road, a distance of about 1,335 feet, more or less.

No discussion.

Action/Decision: Motion to recommend favorably.

Motion: Gonsalves

Second: Hassan

In favor: 5

Opposed: 0

- B. Ordered: An Order for the City to Seek Authorization for the Acceptance of Streets in the City of Brockton.

Purpose: Common convenience and necessity requires the acceptance of streets in the City of Brockton as public ways for purposes of public access, repairs, snow removal, emergency vehicle access, maintenance, and care of all roads in the City of Brockton

Applicant's statement: Councilor Beauregard said that she submitted this to get a discussion going; she said when she is walking neighborhoods the number one request she hears is how do I get my street paved. She said that most of the private streets receive city services. She said that potholes are liability on the city. She said something needs to change about the definition of what a street is and we need to look at changing the process for how a street is accepted.

Comments: R. May said that a good amount of these streets are not built to city standards; he noted that the order asks for the acceptance of public ways. He said that the planning board has approved certain roads under subdivision control that were not built to city standards with the condition that they are to remain private. S. O'Brien said there are infrastructure issues on many of the streets; B. Pelaggi asked if the present policy was inefficient; R. May said that the policy is directed by state law. He suggested that the departments involved should sit down and have a discussion about this. B. Pelaggi said the board should know what the impact of the order would be on the COB (financially).

Action/Decision: Motion to recommend unfavorably with the recommendation that a task force be established with members from the Council, DPW, Law and Planning.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

2. Site Plan Approval

Property: 839 Main Street

Proposal: Commercial Building

Applicant/Representative: Jacobs Driscoll Engineering/Attorney John Creedon

Continued to November 6, 2019 by agreement of the parties.

3. Site Plan Approval

Property: 547 Chatham West Dr.

Proposal: Maintenance Building Addition/Utilities

Applicant/Representative: Beacon Chatham West/Cornerstone Land Consultants

Applicant's statement: Ken Lania, Cornerstone, said the proposal is for an addition to the existing undersized maintenance facility; he said they are containing rooftop runoff by infiltrating in the ground; they are relocating the existing drain line to allow for the building addition; the wetlands were identified and they are proposing to install hay bales and silt fencing.

There was no public comment.

Action/Decision: Motion to grant site plan approval with standard conditions of approval.

Motion: Thomas

Second: Pina

4. Site Plan Approval

Property: 770 East Ashland St.

Proposal: Phase III The Boulders (67 Units)

Applicant/Representative: Boulders Realty/Comeau & Kelly Engineering

Applicant's statement: Dan Kelly, Comeau & Kelly, said that they were before the board several years ago for this project and at that time it was approved as a phased project. He said phase one and two are completed and they are looking to begin phase three. He said that the area has been cleared and the hay bales are in; he said they are doing test pits for ledge now as they ran into ledge in the prior phases. He said that the traffic analysis suggested a crosswalk or an upgrade of the sidewalk; he said he would like to move the cross walk by Roslyn Rd. and create a concrete pad for students while they are waiting for the bus.

Comments: B. Pelaggi asked what the impact of the additional units would be on traffic on E. Ashland St. and was told the additional units do not warrant a traffic light.

R. Thomas asked if they had addressed the issues that were not addressed as part of the prior phase. S. O'Brien said there were some phase 2 items that had not been completed; they still need a letter from the school department. D. Kelly said he has requested the letter and received a verbal response. Ann Marie Carreira said that the school department does not want an additional bus stop within the site as it will extend the bus route. R. May said that he would like the developer to install a RRFB in addition to the proposed bus stop improvements at E. Ashland and Roslyn. L. Hassan said he took a ride up there and was impressed with what he saw.

There was no public comment.

Action/Decision: Motion to grant site plan approval with standard conditions as well as the following special conditions: Developer is to obtain the required letter from the school department as conditioned in the prior approval letter prior to the issuance of the first certificate of occupancy. All conditions within that letter are incorporated by reference. A revised plan shall be submitted showing: The location of the bus stop improvements at E. Ashland St. and Roslyn Rd. to be installed by the developer at his expense. Developer is responsible to install at his expense a rapid rectangular flashing beacon (RRFB) at the location of the pedestrian crosswalk.

Motion: Gonsalves

Second: Thomas

In favor: 5

Opposed: 0

5. Permission to Return to ZBA

Property: 598 North Main St.

ZBA Denial: 3-12-19

The chair asked if the staff had heard from anyone regarding this and was told no. The board felt that the applicant, through its attorney, had been given more than adequate time to get the necessary information to them.

Action/Decision: Motion to deny the application for return to the ZBA.

Motion: Thomas

Second: Pina

In favor: 4

Opposed: Pelaggi

6. Permission to Return to ZBA

Property: 747 Centre Street

ZBA Denial: 7-23-19

Applicant's statement: Attorney Patrick Sullivan said he was seeking permission to return to the ZBA as new and substantially different information had been submitted. He said that the planning board signed an ANR plan for this property about a month ago. He said there was a discrepancy in the zoning map and the back half of the property was in a residential zoning district. He said the property has been divided and the new lot is 24,000 SF within the C-2 zone where retail sale of marijuana is allowed. C. Pina asked if they will have enough parking and was told per current zoning they have enough. B. Pelaggi said that the property had been used commercially for many years and believes that the split zoning would not have been an issue if this had been any other application except for marijuana.

Opposed: Anne Paiva Tibot asked how the commercial portion and the residential portion are being separated to stop anyone from parking on residential space. Attorney Sullivan said that the new plan shows installation of fencing along property line

Councillor Anne Beaugraud said she is not excited about the location because it is close to schools .

Another resident also spoke in opposition and felt it was too close to a school and residential.

Action/Decision: Motion to grant permission to return to the ZBA; new and substantially different information has been submitted.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

7. Definitive Subdivision

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

Lots: 18

Owner/Representative: Frederick Hebshie/Curley & Hansen

CONTINUED TO NOVEMBER 6, 2019

8. Definitive Subdivision

Property: Plot 2 Belgravia Ave.

Lots: 4

Owner/Representative: Curley & Hansen

CONTINUED TO DECEMBER 3, 2019

Other Business

Updates from Board Members

The members discussed the need for a vice chair to run the meeting in the absence of the chair.

Nominated Craig Pina

Motion: Hassan

Second: Thomas

In favor: 5

Opposed: 0

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.