

BROCKTON PLANNING BOARD MINUTES

Tuesday, December 6th - 6:00 PM

This meeting is being recorded in accordance with the government order suspending certain provisions of the Open Meeting Law General Law chapter 38 section 20. Real-time public participation and comment can be addressed to the planning board utilizing the zoom virtual meeting software for remote access; this application will allow users to view the meeting and send a comment or question to the chair via the question and answer function; submitted text comments will be read into the record. For those of you joining by phone press star nine. If you want to ask a question, please raise your hand. A copy of this recording will be on the city's web pages. All votes will be done via roll call to ensure account accuracy. As your name is called please indicate that you are present; members present: Toni Goncalves, Larry Hassan, Jim Sweeney. Also present were Director Rob May, Evan Sears (Planner 1), Isaiah Thelwell (Admin) and Deputy Fire Chief Ed Williams.

Items Requesting Continuances

The following items were continued to next month's meeting

Item #2

2. Permission to Return to ZBA
Property: 1449 Main Street
Applicant: Alicia Fernandes
Representative: Attorney John Creedon

Item #3

3. Permission to Return to ZBA
Property: 48 North Pearl Street
Applicant: Douglas A. King
Representative: Attorney James Burke

Item #4

4. Permission to Return to ZBA
Property: 124 Bradley Ave
Applicant: John A. & Lisa McCormack
Representative: Curley & Hansen

Item #5

5. Permission to Return to ZBA
Property: 159 North Main Street
Applicant: Sonor Realty Trust
Representative: Orwig Associates

Planning Board Update

Per Director May. The Planning Board which is a 5 member board, currently has only 3 appointed members. Therefore "Return to ZBA" cases will be continued to the following month's meeting due to the requirement for 4 sitting members.

Review and Acceptance of Minutes

The Board reviewed the minutes of the last Planning Board meeting that took place on 11-22-22.

A motion to approve the minutes was properly made by Jim Sweeney, seconded by Larry Hassan. The motion was unanimously approved (3-0).

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

ANR Applications

N/A

Lot Releases

N/A

Return of Surety

N/A

Street Acceptances

N/A

Proposed Zoning Change

N/A

1. Open Space & Recreation Plan

Per Conservation Agent Megan Shave, the OSRP framework was designed by the State Division

of Conservation Services in the 1990s as a method to guide towns and cities both to take inventory of their existing open space and recreational opportunities and to guide their acquisition development and management to further incentivize towns and cities to adopt and update their open space plans. The DCF has made their various grant programs contingent upon having an updated OSRP, to encourage cities to continue to advise and adapt their plans.

A motion to accept was made by Jim Sweeney and seconded by Larry Hassan

6. Site Plan Approval

Property: Knapp Center (West Chestnut)

Applicant: Lynch's Towing

Representative: JK Holmgren

Per Scott Faria, This project has been back and forth between boards and the city for about 4 years, the first part of the project was approved which involves turning the current site of Lynch's Towing into residential use, due to its proximity to the MBTA. Faria says the applicant requires their new site to be within the city limits because of their service contracts with Brockton Police and BAT. The proposed site at West Chestnut St was acquired from the City in 2020, it was used as solid waste disposal in the 1930s and 1940s. The site was unofficially capped and laid vacant, which led to natural vegetation. Once the applicant bought the land, they worked together with MassDEP to get the site ready to build.

The applicant plans to excavate and sift through the debris and dirt, carry all dirty debris and fill offsite, and replace it with clean fill. MassDEP is making approval of their end of the project Contingent on City Approval. The applicant is proposing a series of drainage areas, including an infiltration system and surface retention area. The proposed facility will provide parking for 504 vehicles in total.

(There were no comments from the public)

A motion to approve with standard conditions and the following special conditions was properly made by Larry Hassan, Seconded by Jim Sweeney, and unanimously approved (3-0).

Special Conditions: The City Engineer must review and approve the Site Plan revisions before permits are granted.

5. Site Plan Approval

Property: 680 Center Street (Solar Canopy)

Applicant: Siemens

Representative: JK Holmgren

Per Scott Faria, Siemens Industry Incorporated is proposing to install solar canopies at the existing Signature Hospital on Center Street. The canopies will be located in front of the main entrance, in the lower corner between Libby and Center Street, and on the side closest to Adam and Center Street. The parking lot will not be affected by the canopies, and access, egress, emergency exits, and parking spaces will all remain the same.

The hospital will be able to repave the parking areas under the canopies, which are in rough shape. The canopies will also improve drainage by capturing rainfall and introducing clean water into the drainage system, instead of dirty water from the parking lot. To accomplish this,

drainage areas and manholes will be added to the site, and a large stormwater management unit will be installed in front of canopy four. This unit will provide stormwater management benefits that currently do not exist on the site

(There were no comments from the public)

A motion to approve with standard conditions was properly made by Jim Sweeney, Seconded by Larry Hassan, the motion was unanimously approved (3-0).

7. Site Plan Approval

Property: 0 Falmouth Avenue

Applicant: West Rosseter Village LLC

Representative: ET Engineering

Per Azu Etonori a development is proposed for a property located at 0 Falmouth Avenue. The property is made up of three lots owned by Mr. Steve Torrey through his LLC. The proposal includes the renovation of an existing multi-family unit at 28 West Rosseter Street, which contains two units. The southern portion of the property will include the existing 30 Falmouth Avenue, and the northwest of the property will include the proposed three unit townhouse. The units will have street side access and the project will include an underground recharge system for drainage for the 100-year storm event.

The pavement runoff from the driveway will be directed into a surface swale, an area of grass designed to filter out sediment and nitrous from the runoff, which will then percolate into an underground recharge system for the 100-year storm event. The overflow will then be directed to the street. The project will also include a blue line indicating the water service, and a proposed 3-inch ductile iron water line to provide water to the development. The parking requirements will be met, and the heating will be provided by heat pumps. The proposal has undergone a technical review.

(There were no comments from the public)

A motion to approve with standard conditions was properly made by Larry Hassan, seconded by Jim Sweeney, and unanimously approved (3-0).

7. Preliminary Subdivision

Property: 262 Winter St/34 Kent St

Applicant: Cruise Property Realty Trust

Representative: Bill Self

Per Matthew Costa , The application is for the reconfiguration of the parcels at 262 Winter Street, 34 Kent Street, and a landlocked parcel. The total land area involved is about three

acres, which includes an existing house on 262 Winter Street with 2 acres of land, a landlocked piece with 0.6 acres, and a house at 34 Kent Street with 0.25 acres. The reconfiguration will allow for the extension of Kent Street and the creation of a cul-de-sac, as well as 6 lots with frontage on Kent Street and a seventh lot for the existing dwelling at 262 Winter Street. Additionally, the water line for the area will be extended along the extension of Kent Street and down across to Winter Street, creating a loop and a turnaround for emergency vehicles. The land is currently in an R1C zoning district, which requires 30,000 square-foot lots. The Lots in this area do not conform with that standard, but the plan is to obtain preliminary subdivision approval and present the plan to the zoning board of appeals for the necessary variances.

The proposal includes the creation of a larger, more symmetrical lot, and the addition of an easement to improve services such as water pressure for the entire street. The development will also include a retention area and adequate access via roadways and a throughway in the back for maintenance purposes. Cruise plans to address any concerns raised during the preliminary review and the Board of Appeals and will add them to the plans during the design stage. The developer believes this to be a nice project for the site, as the lots in the development will be larger than most of the current surrounding lots.

Representative Michelle Dubois made comments in regard to the subdivision process and the applicant's due diligence with abutters.

(There were no comments from the public)

A motion to approve with standard conditions was properly made by Larry Hassan, seconded by Jim Sweeney, and unanimously approved(3-0).

7. Definitive Subdivision

Property: Arthur Estates

Applicant: Rockwood

Representative: Jacob's Driscoll Engineering

Per Greg Driscoll, Rockwood Realty Trust is proposing to extend an existing dead-end street, Arthur Street, in order to create a cul-de-sac that will improve the neighborhood. The cul-de-sac will be 150 feet in length and will provide frontage for two lots, one of which stops at the cul-de-sac, and the other that goes all the way up to the cul-de-sac. The remaining land will be used as another developed parcel. The proposed cul-de-sac will be a significant improvement for the neighborhood by allowing fire trucks, delivery trucks, and garbage trucks to have a place to turn around and head back out. The parcel is located in an R1C zone and is located off of Sawtell Avenue.

The site comprises three lots, one at the beginning of the street, one in the middle and the larger one at the end of the street where the cul-de-sac will be located. This cul-de-sac will be an improvement for the neighborhood. The proposed project will also extend the water and gas

line, and the sewer line up to the cul-de-sac, adding another hydrant at the end. The plans also include typical erosion controls, construction entrance, stockpiling areas and everything outside of the conservation area. The developer has already been through conservation for this project and the construction will also include civil testing for the roof infiltration system of the lot. The cul-de-sac will be designed to drain down to the existing roadway along the existing gutter lines to the existing drainage system within Arthur Street. Overall this project will not only improve the street but also improve the services in the area.

The developer has made a note that there is a recorded water source at this point and the paperwork to discontinue it has been started and will be filed with the Department of Environmental Protection (DEP) once the project is deemed permanent. This is subject to Mr. Kennedy purchasing the property from the seller. The project is still in the stage of properties under the agreement and subject to permits, which is common in the development process. The seller is the owner of the Spring Water Company, and the developer has identified the tank building and the cistern for the well. The well is currently closed and capped and will remain closed and capped, and the existing well house will remain inside. The cistern will be capped off and locked, and the filing to decommission the water source is pending. If the board were to approve this, the decommissioning process will be completed.

Per Ed Jacobs, he wanted to highlight that extending the roadway, which is currently 1300 feet long from Sawtell Avenue to its terminus, would be a benefit to the neighborhood. The safety of delivery trucks, emergency vehicles, and the residents in the area is a concern due to the fact that currently, these vehicles have to back all the way down the street. The cul-de-sac will also help with the trash trucks, as there is an agreement with the landowner for them to leave the gate open so that they can turn around. Additionally, the developer noted that the well is no longer active as it has been contaminated and the silver stainless steel cover is on the overflow pipe to prevent people from filling up bottles with the contaminated water. The well is being discontinued. The developer also wanted to address concerns from the neighbors that Bridge Street will never be developed or constructed, and that Arthur Street will not be extended further and will remain a dead end and not be a cut-through street.

Ed also mentioned that he is requesting a dead-end length waiver and a sidewalk waiver, he mentions that both houses are by right.

Councilor Jack Lally is expressing concerns from the residents of the neighborhood regarding the water issues they have been experiencing and the increase of water in their basements. He is also concerned about the capping of the spring and why it would

not happen already if the water is non-potable. He suggests that the developer should cap it regardless unless there is a reason they haven't done so yet. He is also requesting that the developer provide a buffer or tree buffer for the neighbors who have backed up to what they consider woods. He also mentions that the proposed project is disrupting the historical and cultural significance of the area and the Lithuanian village. He is concerned about losing the village's culture as the city continues to grow and wants to keep the village's culture intact.

Mr. Douglas Wedge, a resident of the neighborhood, is concerned that there were no meetings with the residents to gather input or opinions on the proposed project, and that no one from the project has reached out to address any concerns. He also mentioned that 35 members of the neighborhood were present at the Zoning Board of Appeals meeting and that they voted against the project. He is worried that once the cul-de-sac is built, the developers will come back and ask for permission to build on the non-conforming lots. He is also concerned about the cistern well spring and that the developers have not taken water out of it. He stated that he has been experiencing water in his garage even with minimal rain and that he is worried about what will happen to the water table and the surrounding area when the developer stops blasting. He also mentioned that there are many animals in the area that will be affected by the construction and that there is no respect for the residents and the environment by the proposed builders. He also added that development is not needed in the city.

A motion to continue was properly made by James Sweeney, seconded by Larry Hassan, and unanimously approved(3-0).

THE ITEMS LISTED ARE THOSE REASONABLY ANTICIPATED BY THE CHAIR, WHICH MAY BE DISCUSSED AT THE MEETING. NOT ALL ITEMS LISTED, IN FACT, MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

\