

PLANNING BAORD
Tuesday, April 4, 2017 – 6:00 P.M.
GAR Room- City Hall
Meeting Minutes

Members present: David Wheeler, Robert Pelaggi, Gary Keith, Reggie Thomas and Craig Pina

Also present: Rob May, Director, Shane O'Brien, Staff Planner and secretary Pamela Gurley

Acceptance of Minutes
Minutes (2-7-17 & 3-7-17)

A motion was made (Pelaggi) seconded (Keith) and unanimously passed to accept the minutes from February and March as submitted.

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

The Early Street lot release was re-signed due to a scrivener's error.

An ANR was represented for the property at 1288 Pleasant Street subdividing the property into three conforming lots.

A motion was made (Pelaggi), seconded (Keith) and unanimously passed to approve as submitted.

1. Street Acceptances

1. The laying out and acceptance of Delmar Road, from Dagmar Drive to Dodge Road, a distance of 984.17 feet, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.
2. The laying out and acceptance of Fortin Drive, extending from Dixon Road northerly, a distance of about 650 feet, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.
3. The laying out and acceptance of Maplewood Circle, from North Quincy Street, easterly, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.

Applicant's statement: As no councilors were present City Planner Rob May spoke to the board and said it is the duty of the board to make a recommendation to Council on street acceptances. He said that these streets were private ways and not built to city standards. He said we have no as built plans for these streets and that once accepted the city is responsible for maintenance and reconstruction.

Comments: There were no questions from the members or public.

Decision: Motion to take the streets collectively.

Motion: Pina

Second: Thomas

In favor: 5

Opposed: 0

Decision: Motion to recommend favorably with the notation that there are no as built plans on record for these streets.

Motion: Pina
Second: Thomas
In favor: 5
Opposed: 0

2. Definitive Subdivision
Property: Part of Plot 97 Pleasant Street
Lots: Three
Owner/Representative: Chilton Realty Trust

Applicant's statement: Ed Jacobs (Jacobs Driscoll Engineering) said this 2.6 acre property is part of a larger parcel; the property has been divided into three lots and a parcel A (drainage easement). They have received a ZBA variance for frontage and meet all other set back requirements; he said they have been granted an exemption by the traffic commission for sidewalk. He said they will be preserving the existing stone wall. Ed Jacobs said he spoke with DPW Commissioner Larry Rowley and there is an existing sewer stub and existing water on the property. He said they are proposing a 20' wide utility on the property; with the easement there will be no new cuts into Pleasant St. (construction details were added on the second sheet).

Comments: Gary Keith said the ZBA was concerned about construction of the pavement for the driveways (need for high density pavement); Ed Jacobs said this detail was also added to the plan.

No public comments.

Decision: Issue a standard approval with the condition that the board receive an updated revised plan.

Motion: Pina
Second Keith
In favor: 5
Opposed: 0

Decision: Grant the following waivers as presented.

Section III.

B.3

- j. Profile no new streets proposed
- m. proposed layout of storm drainage no new streets proposed
- n. typical cross sections no new streets proposed
- q. street lighting fixtures no new streets proposed
- r. lengths, radii, bearings, tangents and central angles no new streets proposed
- s. location of proposed improvements no new streets proposed

B.4 Impact Study There are no new roadways proposed and only 3 house lots on an existing public way. We feel there is no need for an impact study.

Section IV

B. Streets no new streets proposed

Section V

- A. Streets & Roadways no new streets proposed
- B.2 Storm Drainage no new streets proposed
- B.4 Street Lighting no new streets proposed
- C. Curbs and Sidewalks Due to the existence of 4 (36"+) very large deciduous trees located between the stone and masonry wall and the vertical granite curbing, and the absence of a paved sidewalk on the project side of Pleasant St. (see attachment)

- E. Street Names & Signs no new streets proposed
- F. Clean Up no new streets proposed
- G. Maintenance of Roadways & Utilities no new streets proposed
- H. Fire Department no new streets proposed
- I. Notification of Board no new streets proposed
- J Preliminary As-Built no new streets proposed

Motion: Keith
Second: Pina
In favor: 5
Opposed: 0

No surety required as there is no work in the right of way proposed.

3. Definitive Subdivision
Property: 69 Peterson Avenue
Lots: Three
Owner/Representative: Attorney John Creedon

Applicant's statement: Attorney Jake Creedon said that this area was originally developed by Ken Mousette. He said these could be considered the last two developable lots on the street. He said that the proposal fits the neighborhood.

Scott Faria said he has met with the City Engineer to go over his comments. He said they agreed to reduced some of the grading, added dry wells, reduced the driveway widths and moved the houses forward 30'. He said they have had the sewer line TV'd as requested by the DPW.

Comments: City Planner Rob May say that they will need to grind and overlay the road from the center over and corner to corner. He said this detail needs to be added to the plan.

No public comment.

Decision: Issue a standard approval with the condition that the board receive an updated revised plan to include the pavement on Peterson Ave.

Motion: Keith
Second: Pina
In favor: 5
Opposed: 0

Decision: Grant the following waivers as requested.

Section IV

- B. Streets no new streets proposed (Peterson Ave. is an existing street).
- F. Utilities (underground); above ground utilities are existing.

Section V

- C. Curbs and Sidewalks

Other
Frontage Waiver

Motion: Pelaggi
Second: Keith
In favor: 5
Opposed: 0

Method of surety will be cash.

4. Return to ZBA Application
Property: 20 Charlotte Street
ZBA Denial: 11-9-16 (Single Family Home)
Representative: Attorney John Creedon

Attorney Jake Creedon said that this has been back before the ZBA twice; the last time the ZBA requested more detailed plans. He said this is an unimproved street and if granted by the ZBA will be back before planning board for street construction under subdivision control.

Bruce Pilling said that the existing house #20 has been remodeled and they are seeking to divide the remaining property to build an additional home. He said the new plans shows added dimensions, off sets, and the kind of house proposed. He said that runoff will go towards the rear of the property.

Comments:

Bob Pelaggi asked what the proposed street width was and Bruce Pilling said 16'. He said that there may be an issue with the width of the road as two way traffic requires a minimum of 24'. Deputy Fire Chief Joe Marchetti said that they need a minimum of 20' for the trucks.

Public Comment:

Councillor Anne Beauregard said this is in her ward and hopes that it will be sent back to the ZBA.

Decision: Permission to return to the ZBA granted: New and substantially different information was submitted which may ultimately address the ZBA concerns; i.e. New engineered plans were submitted showing elevations of land, size of dwelling and setbacks.

Motion: Pina

Second: Keith

In favor: 5

Opposed: 0

5. Site Plan Approval
Property: 970 Montello Street
Proposal: Church
Owner/Representative: Bay Associates Inc.

Applicant's statement:

Lockner Bias said this is an existing building on a .3 acre site; he said the proposal is to renovate the existing building for the Church. They have addressed green space and parking and said that they have addressed the technical review committee comments.

Bob Pelaggi asked for an explanation of the parking arrangements and was told they have entered into an agreement with a church in vicinity. Bob Pelaggi said they need a binding agreement and said the board typically gets a parking easement plan that would be recorded; if the church building is sold or it is under new leadership they stand a chance of losing their parking. Lockner Bias said if that church ceases to exist they would need to find alternative parking.

The Pastor representing the church said that if the church sells they have the first right of refusal to buy the land. He said they have a small church.

David Wheeler asked the City Planner if it was the board's responsibility to protect the applicant and was told it was their responsibility to protect the City of Brockton.

Bob Pelaggi asked what the minimum required spaces would be and said they might have the right to purchase but may not have the money to purchase. He said the easement will protect the church's interest.

Bob Pelaggi asked if they would be willing to meet with the Planning Department and see if there is a middle ground for parking. Lockner Bias said they would contact the office and sit down with them. The Pastor said they have been meeting with the city on this and handed the secretary a card of the individual they were meeting with (Gary Leonard). Gary Leonard (Campello Main St. Manager) said that across from the property there is a piece of property that may be available and allow for a deed restriction. He said he has been working with the owner and the Church on this.

Continued to May 2, 2017 by agreement of the parties to allow for the applicant to meet with the Planning Department relative to parking.

6. 40R Site Plan Approval

Property: 93 Centre Street

Proposal: 51 Units of Housing/2,470 of commercial/retail

Continued to May 2, 1017 by agreement of the parties.

Other Business

Correspondence

Updates from Board Members

Shane O'Brien said they will be presenting the first draft of master plan at West Middle School on May 4th.

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.