

## **BROCKTON PLANNING BOARD MINUTES**

**Wednesday, October 12th, 2022 - 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 & Pourita Das. Also present were Director Rob May, Evan Sears (Planner 1), Rhode Germain (Admin) and Deputy Fire Chief Ed Williams.

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### **Items Requesting Continuances**

**The following items were scheduled but have requested continuances to next month's meeting:**

#### **Item #1**

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

#### **Item #2**

2. 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 #9**

9. Site Plan Approval  
Property: 148 North Montello  
Applicant: Woodward's Auto Spring Shop, Inc  
Representative: JK Holmgren

**Item #12**

12. Preliminary Subdivision  
Property: 262 Winter Street/34 Kent Street  
Applicant: Cruise Property Realty Trust  
Representative: William P. Self

**Item #13**

13. Definitive Subdivision - Petronelli Way  
Property: Brockton Redevelopment Authority  
Applicant: New Vision Enterprises  
Representative: JK Holmgren

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**Review and Acceptance of Minutes**

The Board reviewed the minutes of the last Planning Board meeting that took place on 9-1-22. **A motion to approve** the minutes was properly made by Jim Sweeney, seconded by Larry Hassan. The motion was unanimously approved (4-0).

**Endorsement of ANR Plans, Subdivision Plans and/or Lot Releases****ANR Applications****Lot Releases****Cypress Drive lots 17,13,12,11 and 6**

This is a request to release five Lots on Cypress Drive (17,13,12,11 and 6).

**A motion to approve** the Lot release was properly made by Larry Hassan, seconded by Jim Sweeney, and unanimously approved (4-0).

**Return of Surety****Curtin Farms - North Cary Street**

The applicant is requesting a Return of Surety for Curtin Farms Estates.

**A motion to approve** the Return of Surety was properly made by Pourita Das, seconded by Larry Hassan and unanimously approved (4-0).

**Street Acceptances****Dorothy Road & Corala Road**

**A motion to approve** the proposed public streets was properly made by Jim Sweeney, seconded by Pourita Das, and unanimously approved (4-0).

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## **Proposed Zoning Change**

N/A

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### **3. Permission to Return to ZBA**

**Property: 340 & 346 Warren Avenue**

**Applicant: John Andrade**

**Representative: Attorney James Burke**

Per Director May, Attorney Burke submitted the wrong application to the ZBA. He applied for a variance instead of a special permit, therefore Director May is asking the Board to grant them the ability to return to the ZBA so that they can apply for the correct application.

**A motion to approve with special permit** the return to the ZBA was properly made by Larry Hassan, Seconded by Pourita Das and unanimously approved (4-0).

### **5. Site Plan Approval**

**Property: 124 Manley Street**

**Applicant: Father Bill's & MainSpring**

**Representative: Joyce Consulting Group**

Per Michael Joyce, the site is currently occupied by a 14,000 Square foot brick Army Reserve building with a detached garage. The utilities currently come from the abutting VA Hospital, as both lots were federally owned. The applicant is proposing to renovate the current facility and add a 7,700 Sq.ft addition to the existing building. The addition will be a 3 story building with 32 studio apartment units of permanent supportive housing. The front of the building will be utilized as the Housing Resource Center. The driveway will be slightly widened, and the parking lot reconfigured to accommodate access of emergency vehicles, with a total of 42 parking spaces. Also through reconfiguration, 6,000 sq. ft of green space will be regained. Water and sewer utilities will be revised to connect to the existing street. Through technical review, the applicant fixed major stormwater issues, and there is no longer any stormwater on site.

James Sweeney asked how visible the facility would be from Manley street to which Michael Joyce answered by showing the google maps street view.

Pourita Das wanted clarification on the green space on page C2.0, Joyce clarified by pointing out the area on the map where the green space will be reclaimed.

Sweeney asked if the applicants would be opposed to uplighting the dogwood trees at the entrance. Joyce consulting replied affirmatively.

Larry Hassan asked what will happen to the current Father Bill's building on Main and Spring street Director May explained that it will be decommissioned and is in the process of negotiating a sale to the city.

(There were no comments from the public)

**A motion to approve with standard conditions and the following special conditions** was properly made by Pourita Das, Seconded by Larry Hassan, and unanimously approved (4-0).

**Special Conditions:** Enhanced lighting at street entrance

## **6. Site Plan Approval**

**Property: 716 Belmont Street**

**Applicant: KFC**

**Representative: Greenman-Pedersen, Inc**

Per Nicole Duquette, DE Foods will only be using the western side of the 1.1 acre lot.. The proposed site is a 2,435 sq,ft building, with 26 seats, and a 2 lane drive-thru to mitigate queue on the property. They also propose 15 parking spaces, 1 of them being ADA accessible. A special permit was acquired from the ZBA for the drive-thru. To keep stormwater on the property, there are catch basins with deep sumps and oil separator hoods around the property. They feed into a hydro-dynamic self defense unit, which then feeds into an underground infiltration system at the back of the property. There is also an emergency overflow that backs up into the current plaza drainage system. For landscaping they are proposing Spring Snow crabapple trees, because they do not bear any fruit. Per Heather Monicup, due to the site being off of a state highway Mass DOT requires an access permit for the site. GPI gathered a variety of data and information from using the site as a study area. The driveway can accommodate 13 vehicles. GPI has submitted the project to DOT for review, they came back with a few comments, which GPI says are minor issues that can easily be addressed.

Chair Toni Goncalves inquired about where the used oil will be stored on site, Dan Whitney replied that there will be 2 enclosed tanks that won't be in the parking lot.

Larry Hassan inquired about any plans for the plot besides the site, but GPI didn't have any knowledge of future plans. He also inquired about any separation between the KFC and the current Cajun Kitchen, to which Nicole replied that there was a grass patch to separate the two parking lots.

(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 (4-0)

**Standard Conditions:** Add clarification to the storage plan for the used cooking oil and a new MassDOT driveway.

## **7. Site Plan Approval**

**Property: 175 Warren Avenue**

**Applicant: Kaestle Boos Associates, Inc**

**Representative: Nitsch Engineering**

This project is a proposed public safety complex which will include fire, police, emergency management, and IT. The proposed site will be taking over the existing Champion High School. The site is bordered by W Elm St, Warren Ave, Highland St and Goddard Rd. The project will have a 251 vehicle parking garage, designated for patrol police parking and staff. The surface parking lot will have 41 spaces. The site will have lower level garage access and mid level garage access both from Goddard rd. The garage also features interior ramps to connect all levels of the garage. Public entry to the building will be coming from the Warren Ave side, the street will also be widened to provide a train lane. There will also be a well lit pocket park, which will have their prisoner discharge walkout, The stairs on W Elm st will remain.

Deputy Chief Ed Williams requested that there be a fire hydrant installed on the western side of Warren Ave in the general vicinity of the 8-inch water line. His main concern is blocking of traffic, if there was a fire emergency on that side of the site.

(There were no comments from the public)

**A motion to approve with standard conditions** was properly made by Pourita Das, seconded by Jim Sweeney and unanimously approved(4-0)

**Standard Conditions:** Add a new Fire Hydrant

## **8. Site Plan Approval**

**Property: 34 North Pearl Street**

**Applicant: Invaleon Technologies**

**Representative: Richard A Volkin**

Invaleon is proposing a 715 Megawatt DC system 3 carport canopy. These carports are built on 36 inch wide foundations and installed on 16 ft high piers. A fire truck, ambulance and box truck swept path analysis was presented by request from tech 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 (4-0).

## **10. Site Plan Approval**

**Property: 1159 Main Street**

**Applicant: Jeano's restaurant**

**Representative: JK Holmgren**

Jeano's restaurant is looking to expand their existing business to the proposed site. The site was recently a thrift store for Teen Challenge. They have acquired an easement to share

parking with the neighboring church. They are proposing to rebuild the entire parking area, now with 32 parking spaces. Landscaping throughout the perimeter to act as a buffer between the residential properties. They're proposing a large drainage area infiltration unit to handle roof runoff and stormwater.

The Chair confirmed that the easement was recorded with the registry of deeds, and that the city engineer has to review the site plans before permits can be issued.

Larry Hassan wanted further clarification on if those easements were recorded to which City Planner Evan Sears replied affirmatively.

(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

**Special Conditions:** The City Engineer must review and approve the site plan revisions before permits are granted (4-0).

## **11. Preliminary Subdivision**

**Property: 20 Winter Street**

**Applicant: Pedro Elias**

**Representative: JK Holmgren**

Currently a Single Family house. It's a unique situation as the property is split into 2 different zones. The front of the property where the home stands is R-2 and the back is zoned R-1-C. The homeowner wishes to divide the property with the zone line to create a new Lot A, where his current home sits. Then build a new home on Lot B, which is an R-1-C zone which requires 175 ft of frontage. Per Scott Faria there are available utilities on the adjacent Merritt Ave, and the new home will meet most zoning requirements other than the 20 ft of missing frontage.

Chair Goncalves inquired about Merritt Ave being completed to connect to Winter Street. Scott affirmed that there will be no need to extend into Merritt Ave. Director Rob May clarified on the state of the completion of Merritt Ave and Winter Street.

### **Public Comments:**

#### **Councillor Jack Lally**

Showing opposition to the proposition, primarily the connection between Merritt and Winter St, after speaking to residents in the neighborhood, wants to stipulate the road not be completed.

#### **Deputy Chief Ed Williams**

Finds validity in both Director May's points about emergency access to the area, but at the same time Jack Lally's point about disturbing the integrity of a neighborhood. Mentions his family member living on the street. Is opposed to turning a dead-end street into a thoroughfare.

Scott was understanding to the public's comments about the street completion, and reiterated that the new home will still have access to all the utilities without the completion of the road.

**Pourita Das**

Pourita inquired about possibly converting the street into a one-way to mitigate traffic issues.

**Director May**

Rob May asked the applicant if they would be willing to conduct a traffic study to determine if the road was harmful to the neighborhood or not. Scott replied that a traffic study is another big expense.

Director May gave his approval of the plan conditional on review of the one way street by the City engineer.

**Councillor Jack Lally**

Jack Lally confirmed that The Traffic Commission would have to give a unanimous approval for a one way street to be built. Lally also asked Scott how much the road would cost. Scott replied that it would depend on what the city would want, but affirmed that the cost would be greater than \$100,000 no matter which way of construction.

**Chair Goncalves**

The Chair asked Director May if it's a requirement for subdivisions to build streets, to which he replied that it's usually strongly encouraged.

**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 (4-0).

**Special Condition:** Conditional on further discussion with the City Engineer, Planning Department and City Attorney.

**8:07: Motion to adjourn the meeting**

**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 EXTENT PERMITTED BY LAW.**