

**BROCKTON PLANNING BOARD MINUTES**  
**Wednesday March 6th, 2024 - 6:00 PM**

Chairwoman Goncalves opened up the meeting with a Roll Call...

Members present are

- Toni Goncalves - Planning Board Chair
- Larry Hassan - Planning Board Member
- James Sweeney - Planning Board Member
- Iolando Spinola - Planning Board Member
- Marty Crowell - Planning Board Member
- Edward Williams - Deputy Fire Chief
- Rob May - Director of Planning & Economic Development
- Evan Sears - Planner II
- Rhode Germain - Administrative Assistant II
- Isaiah Thelwell - Administrative Assistant

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**Review and Acceptance of Minutes**

The Board reviewed the minutes of the last Planning Board meeting that took place on 02-06-24.

**A motion to approve** the minutes was properly made by James Sweeney, seconded by Larry Hassan. The motion was unanimously approved (5-0).

**Lot Release**

**Emilia Estates Lots 1,10,13, 16, and 17**

**A motion to approve** the Lot Release of Emilia Estates lots 1,10,13,16 and 17 was properly made by Larry Hassan, seconded by James Sweeney. The motion was unanimously approved (5-0).

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**1. Site Plan Review**

**Property: 1315 Main Street**

**Parcel ID#: 082-005**

**Applicant: Teen Challenge**

**Representative: J.K Holmgren Engineering**

*The Applicant requested to **postpone to the April 2nd, 2024** Meeting. The Board chose not to grant a postponement and instead made **a motion to hear** the case for 1315 Main Street. **The motion** was properly made by Larry Hassan and seconded by James Sweeney, passing with a vote of (5-0).*

Chairwoman Toni Goncalves provides a recap of the project at 1315 Main Street for The Board. The proposal involves constructing a new dwelling and adding an addition onto an existing garage. Goncalves mentions that stormwater issues between the applicant and the neighbor are no longer a concern for The Board as those particular issues will be handled by the Law Department. The focus of The Board's vote is on the easement issues and whether they have been addressed as requested by the Planning Department.

### ***Public Comment***

*Veronica Stephens (32 Green Place)*

Stephens expresses concern regarding the proposed project at 1315 Main Street. She raises issues regarding the elevation of the easement and the potential impact on her property. Stephens mentions difficulties in obtaining information about the Enforcement Order related to the project from the City's Building Department. She questions whether approving the plan would mean the approval of the wall and easement changes, or if they would still be subject to enforcement. Chairwoman Goncalves responds that The Planning Board cannot provide an answer as the matter is outside their jurisdiction. Stephens expresses frustration and presents several reasons why the project should not proceed, including discrepancies in project scope and concerns about stormwater management. Stephens emphasizes the importance of proper oversight given the stormwater issues in the area. Stephens continues to highlight various concerns regarding the project. She points out inconsistencies regarding the property at 12 Clifton, including conflicting information about its zoning and occupancy. She questions whether the project adheres to zoning regulations, including the number of units, parking spaces, and green space requirements. Stephens raises concerns about parking spaces in front of a mechanic's shop, potential loss of parking space due to dumpster relocation, and unresolved issues with the engineering plans. She emphasizes the need for proper oversight and expresses skepticism about the effectiveness of proposed drainage solutions. Additionally, Stephens invites officials to visit the site to observe the issues firsthand and verify claims about green space. Stephens offers to provide photographic evidence of her observations. Chairwoman Goncalves interjects to discuss the existing conditions and suggests that there may be limitations on what actions the board can take regarding these issues.

*Councilor Susan Nicastro (Ward 4 Councilor)*

Councilor Susan Nicastro addresses the board, expressing concerns about the proposed plans. She suggests that the board should be cautious about approving the entire plan, as there may be aspects hidden within it that they haven't reviewed or aren't prepared to approve. Nicastro points out that the property on Clifton Avenue is residential (R-2), while the part on Main Street is commercial (C-2), which presents challenges in terms of parking allocation and usage. She questions whether there would be sufficient parking if the property were designated as a three-family residence and highlights the ambiguity regarding the number of units. Nicastro also raises concerns about the impact of adding an addition to the garage and whether it affects green space requirements. Overall, she urges the board to thoroughly consider these issues before making a decision on the proposed plans. Chairwoman Goncalves expresses confusion about the

new issues being raised during the discussion, particularly regarding Zoning and the number of units proposed for the property. She acknowledges that while the board had previously focused on stormwater drainage, new concerns are emerging, such as the number of beds proposed for the addition and the zoning implications. Director May notes that the interior layout of the building isn't within the Planning Board's purview. May reiterates the Planning Department's recommendation to approve the plan based on guidance from the City Solicitor's office, emphasizing that the Board can't address future issues such as groundwater flooding concerns raised by Veronica Stephens.

Veronica Stephens emphasizes that the focus during previous board meetings was primarily on addressing outstanding violations, particularly related to compliance with the 2017 plan. She recalls being told by Rob May that the Board wouldn't move forward with other aspects of the plan until these violations were resolved. However, she expresses frustration that despite these efforts, many requested documents and clarifications from the applicant haven't been provided. Stephens raises concerns about the applicant's history of violations and expresses doubt about the Board authorizing further actions without addressing these issues first. Goncalves clarifies that the Board's role is to approve the site plan as presented, focusing on easement revisions, while the Building Department would address violations and related issues.

James Sweeney expresses frustration at the lack of representation from the applicant and suggests that postponing or further deliberating on the matter may be necessary given the seriousness of the issues raised. May suggests that the Board can vote to approve, reject, or postpone the decision, noting that it's time to move forward with a decision. Stephens expresses concern about the lack of architectural drawings provided by the applicant, emphasizing that without such details, it's challenging to assess the proposed construction accurately. She highlights the risk of allowing the applicant too much leeway without proper documentation. Susan Nicastro echoes Stephens' sentiments, urging the board to carefully consider the adequacy of the presented site plan, especially in relation to the specific areas of focus outlined in the application. She suggests that the level of detail provided may not be sufficient for thorough review and decision-making.

### *Final Comments*

Marty Crowell seeks clarification on the purview of the Planning Board and what they are voting on. May explains that the Board is considering the applicant's proposal to rebuild a residential structure on Clifton Ave, including adding an addition to the garage, improving green space, parking spaces, and constructing a drainage swale.

Crowell questions whether approving the application will address the concerns raised by Stephens. Goncalves clarifies that the Board's focus is on the specific address and the proposed addition to that property. She emphasizes that zoning issues, such as changing the property to a three-family unit, would need to be addressed separately.

May further explains that architectural drawings are generally not required for this type of review, as the focus is on the physical footprint of the building and compliance with parking and green space requirements. He suggests conditioning approval on confirming the number of

residential units and obtaining zoning relief if needed. The discussion also touches on the current status of the property, with May confirming that it's currently a single-unit building, and any changes to the number of units would require zoning relief. Ultimately, the Board members indicate that they have received answers to their questions, and there are no further inquiries before proceeding.

Director May summarizes what the Planning Board will be voting on, including accepting or rejecting the site plan presented by the applicant. He outlines the proposed changes to the 12 Clifton Avenue home, the addition to the 1205 Main Street property, and the installation of a drainage swale at 30 Clifton Avenue.

**A motion to approve** with final approval contingent on the easement on 30 Clifton Avenue being properly revised, reviewed by City Staff and recorded, was properly made by James Sweeney, seconded by Larry Hassan, the motion was approved with a vote of (4-1).

## **2. Annual Reorganization of Board**

***Toni Goncalves nominated as Chair by Iolando Spinola and seconded by Marty Crowell. Unanimously Approved (5-0)***

***Iolando Spinola nominated as Vice-Chair by Marty Crowell and seconded by Toni Goncalves, Unanimously Approved (5-0)***

***James Sweeney nominated as Zoning Board Representative nominated by Toni Goncalves and seconded by Marty Crowell, Unanimously Approved (5-0)***

***James Sweeney nominated as Traffic Representative nominated by Toni Goncalves and seconded by Marty Crowell, Unanimously Approved (5-0)***

**A motion to adjourn** was properly made by James Sweeney and seconded by Larry Hassan, and unanimously approved (5-0).