

BROCKTON PLANNING BOARD MINUTES
Tuesday, April 1st, 2025 - 6:00 PM

Chair Toni Goncalves opened up the meeting with a Roll Call...

Members present are

- Toni Goncalves - Planning Board Chair
- Iolando Spinola - Planning Board Vice-Chair
- Marty Crowell - Planning Board Member
- Matthew Gallagher - Planning Board Member
- James Sweeney - Planning Board Member
- Rob May - Director of Planning & Economic Development
- Evan Sears - Planner II
- Brendan Weeks - Deputy Fire Chief
- Isaiah Thelwell - Administrative Assistant

Review and Acceptance of Minutes

The Board reviewed the minutes of the last Planning Board meeting that took place on **03-04-25**

A motion to accept was properly made by Marty Crowell, seconded by Matthew Gallagher. The motion was unanimously approved (5-0).

ANR

89 Granite Street

Planner Evan Sears explained that the petition involves two neighbors shifting a lot line between their properties. Sears clarified that both properties would continue to meet frontage requirements after the adjustment. He added that the change had already been made via deed a few years ago, and this current process is mainly to formalize and resolve any remaining administrative issues. Sears stated he had reviewed the request and found everything in order.

A motion to accept was properly made by Marty Crowell and seconded by James Sweeney and unanimously approved (5-0).

1. Return to ZBA

Property: 244 & 252 Warren Ave

Parcel ID#: 090-076

Applicant: Mohammed Islam, Trustee

Representative: Attorney John Creedon

Attorney John Creedon, representing property owner Mohammed Islam, appeared before the board to request reconsideration of a proposal to convert a building into a four-family residence. He outlined the property's long history, noting that the rear lot was historically recognized as a three-family and the front as a six-family, for a total of nine units. The current proposal significantly reduces that to four units. Creedon argued that the previous denial may have been unfairly influenced by a police and fire department raid on the day of the hearing, which involved a homeless individual with a medical issue. Creedon emphasized that significant steps have been taken since then to address safety and security concerns, including plans for a full sprinkler system, fire escapes, security lighting, and cameras. He also mentioned that no further homeless-related incidents have occurred since those improvements began. Creedon stated the Boys and Girls Club, which had previously raised concerns, should support this effort, as it would eliminate a known problem property. He concluded that the upgraded, modernized building would replace a longstanding fire hazard and asked the board to allow the project to return to the Zoning Board of Appeals for reconsideration.

Chair Toni Goncalves asked for clarification on past issues with the property, prompting Jim Sweeney to explain that the previous denial stemmed from concerns about security, trash, and unauthorized access. He emphasized that the building was found open and unsecured, which raised questions about the owner's ability to manage it properly. Scott Faria, the project engineer, noted that parking remains unchanged from previous proposals, with seven spots available for what is now seven total units (reduced from eight). He explained that the lot is tight but compliant under the new MBTA Communities zoning, which allows multifamily housing by right and sets a maximum of two parking spaces per unit, not a minimum. The project therefore, meets zoning requirements.

Evan Sears clarified that even if parking is resolved, the Zoning Board's prior denial hinged on the absence of a demonstrated hardship, which is a mandatory threshold for granting a variance. Without new or substantially different information validating a hardship, other improvements become irrelevant in the zoning board's review. Faria added that the proposed renovations include updated layouts, new bathrooms, enhanced fire safety with sprinklers and clear egress, and security upgrades.

Deputy Fire Chief Brendan Weeks raised significant past safety concerns with the building, recalling a case where a tenant was trapped due to illegal unit subdivision, leading to hazardous conditions. However, he indicated support for the project if it complies fully with current fire and safety codes. Faria outlined the layout: 4 units in the front building (ranging from 500 to 1,800 sq ft, with 1–4 bedrooms and 1–2 bathrooms) and 3 in the back, totaling 7 units with 8 parking spaces. He confirmed that two enclosed stairwells provide egress, meeting current fire code, which prohibits open fire escapes. In response to parking and traffic concerns raised by Gallagher and Sweeney, especially in light of the street's planned conversion to two-way, Faria stated that many downtown residents don't own cars and suggested the existing spaces may suffice. He confirmed the site is within a half-mile radius of the train station and the downtown zoning district.

Spinola asks whether any core structural elements of the building, such as the roof, load-bearing walls, or foundation, are changing. Faria responds that no major framing or structural members will be altered, emphasizing it's more of a remodel focused on security upgrades like code-compliant doors and digital key access. He mentions the owner has already sustained extensive financial loss due to break-ins and vandalism. In response to Goncalves, Creedon notes that the owner is not new but has been a co-partner in the property. Spinola then inquires about owner-occupancy (it will not be owner-occupied) and whether a substantial hardship is being claimed. Creedon defers the hardship question to the Zoning Board but adds that the building is structurally non-conforming due to its age and history. He explains the original closure stemmed from Board of Health issues, like a lack of adequate hot water, which are now being addressed.

A motion to return to ZBA was properly made by Iolando Spinola, seconded by James Sweeney. The motion failed to move forward (2-3).

Sweeney - NO

Spinola - NO

Crowell - YES

Gallagher - NO

Goncalves - YES

3. Site Plan Review

Property: 85 Oak Hill Way

Parcel ID#: 118-182

Applicant: Vic's Food

Representative: J.K. Holmgren Engineering

Scott Faria with J.K. Holmgren Engineering presents the Site Plan Review presentation on behalf of Tropical Blue Seas, LLC—also known as Vicente's Supermarket—regarding a proposed warehouse expansion. Faria explains that Vicente's is planning a 35,000 square foot addition to their existing warehouse due to business growth, including new locations in Boston and New Bedford. The addition will mostly be used for storage and will feature four new loading docks for truck access via Industrial Boulevard.

Faria notes that the site already has drainage infrastructure, but the new design includes a full subsurface infiltration system and a detention basin to handle 100% of the site's runoff. The project is currently under review by the Stormwater Authority's consulting engineer, and Faria expresses full confidence in the drainage design. The site will include 23 parking spaces (more than the 13 required), and plans also call for improved landscaping to replace overgrown scrub and better define site boundaries.

A motion to approve was properly made by Marty Crowell, seconded by James Sweeney. The motion was unanimously approved (5-0).

