

COMMONWEALTH OF MASSACHUSETTS
CITY OF BROCKTON
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 11, 2024 at 6:00 p.m.

IN RE: 24-23 Petition of **SEAN GELORAN**, 35 Torrey Street, Brockton, MA, seeking relief from Sec. 27-94, for a Variance to build an addition extending kitchen and bedroom, in an R-1C Zone, located at **97 ALGONQUIN STREET**.

PETITIONER'S STATEMENT: Contractor Sean Geloran, presented to the Board Exhibit A Building Plans. and Exhibit B Memo in Support. Mr. Geloran stated the owners are seeking to extend the existing dwelling for a larger kitchen, master bedroom and bath. A building permit was issued and during inspection he was informed zoning approval was required.

OPPOSITION: None

DECISION: Denied

BASIS: After reviewing the application, plans, information submitted, individual site visitations, and giving due consideration to testimony given at the public hearing, the Board found the petitioner failed to present evidence with the plan submitted regarding elements of MGL Chapter 40-A, Section 10 which would relate to unique soil conditions shape or topography of the land or structure in question which would affect generally the zoning district. The presentation before the Board was inconsistent with the plans submitted. As a result, the Petitioner failed to clearly provide specific information to allow the Board to make an informed decision. Granting of the requested side yard relief by Special Permit and Variance from section 27-9 considering the information provided would derogate from the intent of the zoning by-laws and will negatively impact the orderly development of the neighborhood.

VOTE:

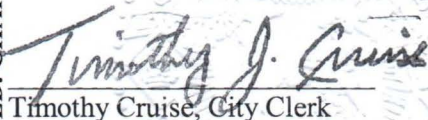
Motion to Grant by: James Sweeney
Seconded by: Monique Screen-Berry

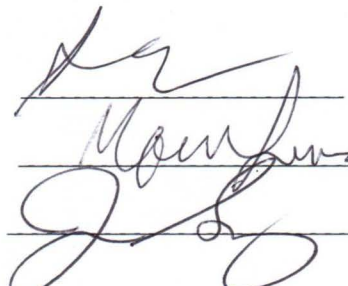
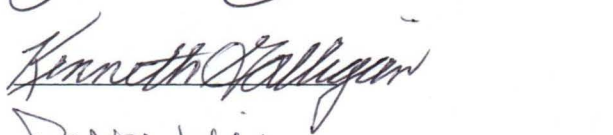
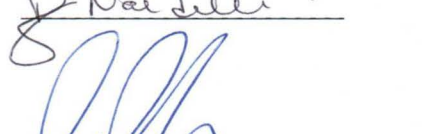
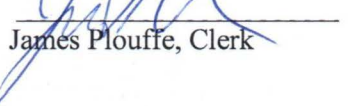
IN FAVOR: 3

Steven Lainas
Monique Screen-Berry
James Sweeney

OPPOSED: 2

Kenneth Galligan, Chairman
Brian Nardelli, Fire Chief


Timothy Cruise, City Clerk





James Plouffe, Clerk

PURSUANT TO M.G.L.C. 40A SECTION 11

RECEIVED
2024 JUL - 1 P 2:28
CITY CLERK'S OFFICE
BROCKTON, MA.

20 DAYS FROM THIS DATE:

ANY APPEAL MUST BE MADE WITHIN

RECEIVED AND FILED: JULY 23, 2024
I, TIMOTHY J. CRUISE, CITY CLERK OF BROCKTON, MASSACHUSETTS, HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

RECEIVED AND FILED: JULY 23, 2024
I, TIMOTHY J. CRUISE, CITY CLERK OF BROCKTON, MASSACHUSETTS, HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

COMMONWEALTH OF MASSACHUSETTS
CITY OF BROCKTON
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 11, 2024 at 6:00 p.m.

IN RE: 24-28 Petition of **ADAM KAUFMAN c/o PHILIP NESSRALLA, JR.**, 1063 North Main Street, Brockton MA, for a Variance seeking relief from, Sec. 27-25, to develop a residential structure on Lot A, located at **454 COPELAND STREET**.

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS: The petitioner requested to Withdraw from the scheduled hearing by letter prior to the start of the hearing as a matter of right in accordance with chapter 40-A, Section 16.

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: 5

Kenneth Galligan, Chairman

Brian Nardelli, Fire Chief

Steven Lainas

Monique Screen-Berry

James Sweeney

OPPOSED: 0

Timothy Cruise, City Clerk

[Handwritten signatures of Kenneth Galligan, Brian Nardelli, Steven Lainas, Monique Screen-Berry, and James Sweeney]

[Handwritten signature of James Plouffe]
James Plouffe, Clerk

RECEIVED
2024 JUL - 1 P 2: 28
CITY CLERK'S OFFICE
BROCKTON, MA.

PURSUANT TO M.G.L.C. 40A SECTION 17

20 DAYS FROM THIS DATE:

ANY APPEAL MUST BE MADE WITHIN

RECEIVED AND FILED: JULY 23, 2024
I, TIMOTHY J. CRUISE, CITY CLERK OF BROCKTON, MASSACHUSETTS, HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

COMMONWEALTH OF MASSACHUSETTS
CITY OF BROCKTON
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 11, 2024 at 6:00 p.m.

IN RE: 24-27 Petition of **GUSTAMA ROODYLE, c/o PHILIP NESSRALLA, JR,** 1063 North Main Street, Brockton MA, for a Variance seeking relief from Sec. 27-29, to enclose a 24x30 existing deck, in a C-2 Zone located at **598 PLEASANT STREET**

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION: Granted to Withdraw

BASIS: The petitioner requested to Withdraw from the hearing shortly after the commencement of the hearing due to inadequate and incomplete information available necessary for presentation to the Board. The Board voted to allow the petitioner to Withdraw from the hearing.

VOTE:

Motion to Grant by: James Sweeney
Seconded by: Brian Nardelli, Fire chief

IN FAVOR: 5

Kenneth Galligan, Chairman

Brian Nardelli, Fire Chief

Steven Lainas

Monique Screen-Berry

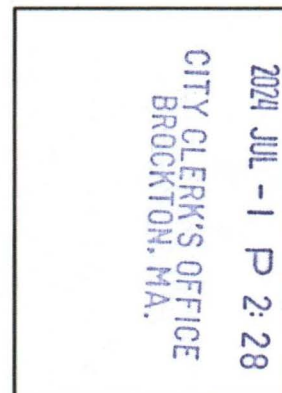
James Sweeney

OPPOSED: 0

Kenneth Galligan
Brian Nardelli
Steven Lainas
Monique Screen-Berry
James Sweeney

James Plouffe
James Plouffe, Clerk

PURSUANT TO M.G.L.C. 40A SECTION 17



ANY APPEAL MUST BE MADE WITHIN
20 DAYS FROM THIS DATE:

Timothy J. Cruise
Timothy Cruise, City Clerk

RECEIVED AND FILED: JULY 23, 2024
I, TIMOTHY J. CRUISE, CITY CLERK OF BROCKTON, MASSACHUSETTS, HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND
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COMMONWEALTH OF MASSACHUSETTS
CITY OF BROCKTON
ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, June 11, 2024 at 6:00 p.m.

IN RE: 24-24 Petition of **EVEROURCE GAS COMP OF MASS**, 800 Boylston Street 17th Fl, Boston MA, for a Special Permit seeking relief from Art. III, Sec. 27-25, Sec 3 (b) and Art V, Sec. 27-38 (b) for a public utility installation infrastructure, in a R-1-C Zone, located at **PLOT 18 S LEYDEN STREET**.

PETITIONER'S STATEMENT: Eversource Engineer Brandon Pitts and Nick White, presented to the Board Exhibit A Memo and Exhibit B Site Plans. Mr. Pitts stated sub-grade district regulator station and after completing a safety assessment they identified the regulator pressure station at Perkins Av. and S. Leyden St high priority to be replaced. Due to not being able to take the current regulator off line, a new location was needed. The parcel on S. Leyden St was chosen because it was outside of travel way and site the above grade features.

OPPOSITION: Several abutters spoke in opposition.

DECISION: Denied

BASIS: After reviewing the application, plans, information submitted, individual site visitations, and giving due consideration to testimony given at the public hearing, the Board found that the petitioner failed to satisfy the mandates of Article 5, Special Uses, Section 27-37 mandating that the proposed use of Plot 18 South Leyden St for a public utility natural gas installation infrastructure facility will be of such location, size and character that generally, it will be in harmony with the appropriate and orderly development of the zone in which the use is proposed and will not be detrimental to the existing neighborhood. Specific neighborhood opposition was presented regarding failure of Eversource Gas Company to present development site plans, construction plans, heavy machinery on site, rodent infections associated with prior excavation work in the area and failure to address alternative location(s) for the facility. One direct abutter spoke in favor of granting the Special Permit. Ward 4 City Councilor Susan Nicastro sent a letter to the Board expressing concerns that the following area of concern be adequately addressed, work hours, parking of vehicles during construction, pre-construction survey/communication with neighbors and appropriate site landscaping so that the regulation station is not detrimental to the existing neighborhood.

NOTE:

Motion to Grant by: James Sweeney
Seconded by: Steven Lainas

IN FAVOR: 2

Kenneth Galligan, Chairman

Brian Nardelli, Fire Chief

OPPOSED: 3

Steven Lainas

Jamie Hodges

James Sweeney

Timothy Cruise, City Clerk

Handwritten signatures of Kenneth Galligan, Brian Nardelli, and Steven Lainas.

Handwritten signature of James Plouffe.

James Plouffe, clerk

PURSUANT TO M.G.L.C. 40A SECTION 17

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