

The Brockton Planning Board held a meeting on May 6, 2014 at 7:00 PM in the GAR Room, City Hall. Members present: Chair Wayne McAllister, Gary Keith, Ozzie Jordan, David Wheeler, Paul Sullivan, Paul Morin, James McCarthy, Ross Messina and Peter Tsokanis. Also present was Ruthy Andrade Barros acting Planning Board Secretary.

**1. Endorsement of Plans/ Minutes
(ANR Plans, Subdivision Plans and/or Lot Releases)**

Bertarelli Brothers – West Elm Park II
Request for Lot Releases

Michael Bertarelli said there has been some interest in the subdivision lately and he is requesting the release of six additional lots. He said one lot (lot 6) was previously released but the release was misplaced. He said he has interested buyers for some of the lots and intends to build spec houses also. The water, sewer and binder course has been installed and they have purchased the curbing. The City currently has a \$100,000 cash which along with the five remaining lots should be sufficient surety. With the lots currently under agreement and the interest in the subdivision he expects to have four or five lots sold by the end of the year. He said they do not want to install the top course until the remaining homes are sold. He said he has received an estimate from TL Edwards for completing the road.

A motion was properly made (Spears) and seconded (Wheeler) to release lots 3, 6, 7, 11, 15 and 16 under the condition that the Planning Board receives the estimate from TL Edwards for completion of the road work.

In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears

Opposed: None

Abstained: Tsokanis

ANR Plan for Plot 56 Trenton Street

Bruce Malcolm said this subdivision plan was signed by the Board four years ago and because of the permit extension act is still valid. The proposal is for construction of two single family homes. He said the land is on Trenton St. and a portion of the land owned by the Brockton Agricultural Society. He said the second lot is registered land and requires a separate Land Court plan. He said they have been meeting with the Land Court regarding plan specifications and have come to an agreement; the plan before the Board tonight.

A motion was properly made (Keith) and seconded (McCarthy) to endorse the ANR plan.

In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears

Opposed: None

Abstained: Tsokanis

2. Definitive Subdivision

Applicant: Michael Curtin

Property: Plot 16 Perry Avenue

Representative: Attorney John Creedon

Attorney Creedon said that they were scheduled for a hearing last month, but unfortunately there was no quorum. He said the lack of a quorum gave them the opportunity to update the plan to address the DPW comments included on the plan before the Board tonight. The proposal is for a two lot subdivision. Mr. Curtin owns plot 17 and would like to divide the lot to place a home on lot 16. He said that the new plan shows water and sewer correctly labeled, a sewer cleanout was added and the size of the services and the location of the bounds were added. The existing stone wall will be retained. Both lots are similar in size (7,200 SF) and they are looking for waivers for utilities and sidewalks as there are no sidewalks now and they would like to keep the area consistent.

There was no opposition from the public.

A motion was properly made (McCarthy) and seconded (Spears) to grant waivers to the following sections of the Planning Board Rules and Regulations. In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears

Opposed: None

Abstained:

A motion was properly made (McCarthy) and seconded (Spears) to issue a standard approve of the definitive plan as submitted with the granted waivers. In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears

Opposed: None

Abstained: Tsokanis

Attorney Creedon said that the method of surety will be covenant.

3. Zoning Change/Zoning Map Amendment

Map 165: Plot 27 Intervale St. (C-1 to R-3), Plot 1-1 Arthur St. (C-1 and R-3 to R-1C), Plot 28 Intervale St. (C-1 to R-1C), Plots 1 and 2 Arthur Street and Plot 3 Arthur St. (C-1 to R-1C)

Mr. McAllister explained to the new members that although the Planning Board is required to hold a public hearing on all zoning changes their decision is non-binding on the City Council.

The members asked about the proposed use for Plot 1-1and if they could stipulate that Plot 28 be used as green space since it appears unbuildable.

Mr. McAllister explained that the proposed use of the land is not before them tonight, and if they do not agree with the re-zoning of the property they can vote against the change, but said the change is solely the decision of the City Council.

A motion was properly made () and seconded () to recommend the change favorably to the City Council.

In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears

Opposed: None

Abstained: Tsokanis

Other Business

Mr. McAllister said that they Board needs to appoint a member to the Traffic Commission and the Zoning Board.

Mr. Keith volunteered to be the ZBA representative and Mr. Messina the Traffic representative. Seeing no other volunteers, the Board voted as follows to appoint Mr. Keith and Mr. Messina to the ZBA and Traffic Commission respectively.

In favor: McAllister, Sullivan, McCarthy, Messina, Wheeler, Morin, Keith and Spears; Opposed: None; Abstained: Tsokanis