

The Brockton Planning Board held a meeting on September 1, 2015 at 7:00 PM in the GAR Room, City Hall. Members present: Chair David Wheeler, Ross Messina, Gary Keith, Bob Pelaggi, Reggie Thomas and Ollie Spears. Also present were Pamela Gurley Planning Board secretary, and Planning and Staff Planner Shane O'Brien.

### **1. Remand of Proposed Definitive Subdivision**

Applicant: Robert Carroll

Property: East Street (Knights Way)

Representative: Attorney Michael O'Shaughnessy/Todd Pilling, Pilling Engineering

Attorney O'Shaughnessy said he met with the planning department staff last week and discussed two proposed layouts: a 20' turning radius with 26' of pavement or a 30' turning radius also with 26' of pavement.

Philip Viveiros said the options are the same design; 26' wide pavement curb to curb with 20' radius or a 30' radius. He said they used auto turn software to show the turning movements of tower truck. Mr. Pelaggi asked about the width of the vehicle and was told it is shown as 8' wide. Attorney O'Shaughnessy said that this configuration allows for the installation of the requested screening buffer.

Mr. Keith asked if any on street parking would hinder their turning radius in any way. Attorney O'Shaughnessy said there is no reason to park on the street...all parking is off street parking.

Dept. Fire Chief Joe Marchetti said he addressed his concerns with the Fire Chief who met with the E. Bridgewater Chief and both agreed that 30' radius is sufficient. He said they worked out their concerns and are asking that they also relocate the hydrants because of the possibility of the hydrants being buried from the snow plows. Mr. Thomas asked him if the Fire Dept. had any concerns with the location of poles at the entrance. Deputy Chief Marchetti said they did not look at that.

Mr. Keith asked what would happen if the E. Bridgewater section of the street is made public. Attorney O'Shaughnessy said that the section in Brockton will remain private and there will be a deed restriction recorded that the road remains private.

Miles Burke, 670 East Street asked if there will be a sidewalk along his property. He said he is worried about a fire truck running over his property. Attorney O'Shaughnessy said that should not happen and in response to the sidewalk question....a condition of approval would contain a provision for landscaping. Mr. Pelaggi said that a turning easement would take care of that concern and asked Mr. Burke if he would entertain an easement to allow for turning. Mr. Burke said he might be open to suggestions.

Nancy M, 720 East Street, said she is concerned about water. She said water currently runs into her property from another project worried about it getting worse.

Attorney O'Shaughnessy said that the drainage will be located at the end of the cul de sac and discharge to the back of the property.

Jim Bosco, 719 East Street, said there are other parcels in the area and was concerned that this might set precedence for other projects. He said that the church across the way parks along the road and believes that roadway will be used for parking by them. Mr. Bosco said that the developer still has property to the north and there was talk of a cell tower. Attorney O'Shaughnessy said that the cell tower company took the City to court and won.

Xxxx 694 East Street – said she still has concerns; she said that the street needs a lot of work because of the amount of traffic; it is a thickly settled area. She said that Brockton will pay the penalty for the homes located in E. Bridgewater.

Councillor Studenski said that Mr. May made a suggestion that Brockton lots are not buildable and asked if that would be done. Attorney O'Shaughnessy said there will be a deed restriction but said the deed restriction will not prohibit a cell tower, just building.

Councillor Studenski said Brockton cannot take over the duties for E. Bridgewater public safety. He asked if they looked at the accident statistics for the area and was told they did and they will get the Board that information.

Councillor Studenski said that he stands with his neighbors, opposed to this project.

Deputy Chief Marchetti said he wanted to clarify the issue of fire response and said Brockton will not be first responders they will only offer mutual aid.

Attorney O'Shaughnessy said he would like to get some sense of which layout the Board would prefer in order to prepare final plans for the Board to review and vote on. He said all those other issues will be contained in the IMA. He said he has a draft that was submitted to the water department several years ago. Mr. Pelaggi said that he would like to see the draft.

Mr. Keith said Attorney O'Shaughnessy is asking for concessions from Brockton and it seems none from E. Bridgewater.

Mr. Thomas said that in the interest of moving this along he would make a motion to have the applicant submit a revised set of plans showing the 30' radius, the

draft IMA and accident statistics for review by the Board at a subsequent meeting. Motion was seconded by Mr. Messina.

On the motion: Mr. Pelaggi said it is possible that a similar project like this could come up again and the Board could quite possibly be setting precedent.

In favor: Wheeler, Messina, Pelaggi, Thomas

Opposed: Spears, Keith

Mr. Wheeler told the public that this matter was continued to Wednesday, October 14, 2015.

### **Unfinished Business**

Endorsement of ANR Plans, Subdivision Plans and/or Lot Releases

Meeting was adjourned.

Mr. Wheeler asked the member to remain.

Ms. Gurley said that owner of Lot B of the Claremount Avenue subdivision has asked for his final lot and will be placing the cash surety for the release.

Ms. Gurley said that she had a proposal and a contract from Nover Armstrong for peer review of the Brockton Power project for signature.

Some members felt that the meeting should be re-opened to discuss this item.

Mr. Spears made a motion to reopen the meeting, seconded by Mr. Messina and unanimously passed.

Ms. Gurley said the Solicitor's Office chose Nover Armstrong to do the review as they had done previous review work for the City on this project and sat as a member of technical review. She explained it was not necessary to go out to bid or do an RFP on this as the amount was under \$10,000.

The Board agreed that they would like to choose the company and no action was taken.