

**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, February 9, 2010, at 7:00 pm.

IN RE: 10-01 Petition of **KEVIN ROGERS**, 180 Pleasant Street, Whitman, MA, from Sec. 27-9, to operate a lodging house in an R-2 Zone, located at **26 SOUTH STREET**.

PETITIONER'S STATEMENT: The petitioner Kevin Rogers presented to the board Exhibit A, Floor Plans and Exhibit B, Information for Stairway Recovery Center. Mr. Rogers would like a license to have a Recovery House in the one (1) family home. The program will have one (1) house manager to watch over the thirteen (13) men. The tenants are recovering from drug and alcohol use. There will be meetings at the home and they must stay clean and do chores or they will be asked to leave. The home has four (4) parking spaces in the driveway and one (1) in the garage. Most men have jobs and take public transportation or they are picked up. The home has smoke and carbon monoxide detectors. Hardwire fire alarms are on each floor. The home does not have a sprinkler system.

OPPOSITION: Ron Bethany, Chairman for the Brockton Historical District Commission is in opposition. The homes on the street were build in the 1800's and this will ruin the property value. Mr. Bethany also mentioned with Huntington School down the street and the street having bus stops for other schools in the city having this program at this location is not a good idea. The abutting neighbors on South Street have the same concerns since they have children and safety is an issue. Councilors Paul Studenski, Thomas Brophy and Robert Sullivan are in opposition. It was also mentioned that less than a mile is a detox facility in a non-residential area.

Decision: Denied unanimously

BASIS: No hardship dealing with the locus was found by be the board. Granting would derogate from the intent of the zoning by-laws & will negatively impact the orderly development of the neighborhood.

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ZBA#10-01

VOTE:

Motion to Grant by: Stephen Bernard
Seconded by: D. Sean Noonan

IN FAVOR: (0)

OPPOSED: (4)

Atty. Anthony Eonas, Chairman

Stephen Bernard

Richard Francis

D. Sean Noonan

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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IN RE: 10-08 Petition of **T-MOBIL NORTHEAST LLC**, 15 Commerce Way, Norton, MA, for a Variance & Special Permit from Sec. 27-25(3)(b), for construction of a telecommunication facility & Sec. 27-9, Table 1 for a height requirement in an R-1-C Zone, located at **678 EAST STREET**.

PETITIONER'S STATEMENT: Attorney Francis Parisi presented to the board Exhibit A, T-Mobile Plans and Elevations. They are seeking permission to have a wireless telecommunications facility. They are one of the largest wireless companies. Mr. Parisi mentioned that demand for expansion is high since the police and fire departments use T-Mobile and land lines are also becoming obsolete. The single pole structure will be 150' tall with the cable inside and antennas on top. The pole will be placed behind the existing warehouse structure. No trees will be taken down on the 22 acres of land as to keep a buffer for the residents and as to not change the look of the property. The wetlands will not be impacted. The petitioner originally spoke with the utility company to install an antenna on the existing wires but they are old and not high enough.

OPPOSITION: The neighbors came out in full opposition since safety concerns and health issues have not been addressed such as fatigue, memory loss, cardio problems and cancer. Councilors Paul Studenski, Thomas Brophy, Jass Stewart and Robert Sullivan are all in opposition stating the city has other viable options.

DECISION: Denied unanimously.

BASIS: No hardship dealing with the locus was found by the board. Granting would derogate from the intent of the zoning by-laws & will negatively impact the orderly development of the neighborhood.

VOTE:

Motion to Grant by:
Seconded by:

Stephen Bernard
Richard Francis

IN FAVOR: (0)

OPPOSED: (4)

Atty. Anthony Eonas, Chairman

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