

**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 8, 2011 at 7:00 pm.

IN RE: 11-11 Petition of **WIRELESS COMMUNICATIONS GROUP, INC.**, 1285 Belmont Street, Brockton, MA, for a Variance from Sec. 27-32, Sec. 27-67, to operate a retail cellular phone store and related products in a C-5 Zone, located at **1301 & 1313 BELMONT STREET.**

PETITIONER'S STATEMENT: Attorney George Asack along with the petitioner, Jonathon Waxman presented to the board Exhibit A, Site Plan and Exhibit B, Floor Plans. They are before the board seeking permission to open a Sprint cellular retail store at the above location. Cellular phones and related products will be sold. The hours of operation will be Monday through Thursday 9:00 a.m. until 7:00 p.m., Friday 9:00 a.m. until 6:00 p.m., Saturday 10:00 a.m. until 5:00 p.m., and Sunday 11:00 a.m. until 4:00 p.m. Mr. Waxman will have at least three (3) employee working at one time and four (4) employees during the holiday season.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that the hours of operation are as specified by Attorney George Asack in the petitioner's statement.

BASIS: Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The above listed stipulations are incorporated by reference herein. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

John Toland
Paul Merian

IN FAVOR: (4)

Stephen Bernard, Chairman

Paul Merian

D. Sean Noonan

John Toland

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**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 8, 2011 at 7:00 pm.

IN RE: 11-12 Petition of **GOODLIFE HOLDINGS, LLC.**, 830 Providence Highway, Dedham, MA, for a Variance from Sec. 27-32, Sec. 27-67, to operate a massage therapy spa selling related products in a C-5 Zone, located at **1301 & 1313 BELMONT STREET.**

PETITIONER'S STATEMENT: Attorney George Asack along with the petitioner Richard Silva presented to the board Exhibit, Site Plan and Exhibit B, Floor Plan. The petitioner would like to open a Massage Envy store at the above location. The facility will sell products that were used during the treatments for customers to bring home. This would be the fourth (4) store that Mr. Silva owns. The hours of operation will be Monday through Friday 8:00 a.m. until 10:00 p.m., Saturday 8:00 a.m. until 6:00 p.m. and Sunday 10:00 a.m. until 6:00 p.m. Massage Envy will have thirteen (13) employees. The massages are reasonably priced compared to other salons.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that the hours are as specified by Attorney George Asack in the petitioner's statement.

BASIS: Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The above listed stipulations are incorporated by reference herein. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

John Toland
Paul Merian

IN FAVOR: (4)

Stephen Bernard, Chairman

Paul Merian

D. Sean Noonan

John Toland

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**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 8, 2011 at 7:00 pm.

IN RE: 11-13 Petition of **JOHN P. O'DONNELL**, 175 Rockland Drive, Brockton, MA, for a Variance from Sec. 27-9, lot size, Sec. 27-13, lot frontage, 27-13(a), minimum lot width, to construct 5 detached single family dwellings, in an R-3 Zone, located at **PLOTS, 58, 59, 60, 61 BELLEVUE AVENUE.**

PETITIONER'S STATEMENT: Attorney Joseph Grimaldi and the petitioner John O'Donnell presented to the board Exhibit A, Site Plan, Exhibit B, Floor and Elevations and Exhibit C, Previous Zoning. Mr. O'Donnell was previously granted before the board to construct 10 unit townhouses. They are back with a better proposal of five (5) single family homes. The petitioner has selected two (2) different style homes to be constructed. The homes driveway will be 36' in depth. The petitioner will erect a fence or shrubs along the homes for the home owners privacy. Ward 6 Councilor Michele DuBois is in favor of this new proposal.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that a 6 ft. solid fence be erected along the rear and sides of each lot for privacy.

BASIS: Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The above listed stipulations are incorporated by reference herein. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

D. Sean Noonan
John Toland

IN FAVOR: (4)

Stephen Bernard, Chairman

Paul Merian

D. Sean Noonan

John Toland

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**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 8, 2011 at 7:00 pm.

IN RE: 11-14 Petition of **NEW HEIGHTS DEVELOPMENT**, 430 Belmont Street, Brockton, MA, for a Variance from Sec 27-9, to raze existing 1 story house and construct a 2 story colonial lacking lot frontage, area, & lot width, in an R-1-B Zone, located at **18 SUMNER STREET**.

PETITIONER'S STATEMENT: Petitioner Mark Roukas and Land Surveyor, Bruce Malcolm presented to the board Exhibit A, Site Plan and Exhibit B, Floor and Elevation Plans. Mr. Roukas would like to raze the existing home on 18 Sumner Street and build a new single family Colonial style home. The home will have three (3) bedrooms on the 2nd floor with a possible forth (4) bedroom on the 1st floor or study. An attached 2 car garage is also on the plans.

OPPOSITION: None

DECISION: Granted unanimously.

BASIS: Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The above listed stipulations are incorporated by reference herein. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

Paul Merian
D. Sean Noonan

IN FAVOR: (4)

Stephen Bernard, Chairman

Paul Merian

D. Sean Noonan

John Toland

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk