

**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, March 13, 2012 at 7:00 p.m.

IN RE: 12-11 Petition of **RUSS BAKER, SIGNS BY RUSS, INC.**, 244 Liberty Street, Unit 9A, Brockton, MA, for a Variance from Sec. 27-65, General Requirements (9), and such other relief as the Board may deem appropriate, to relocate the Dollar Tree Sign on the roof of the building. Sign will be below parapet line of the building. Sign is on face of building now and could be hit by trucks, located in a C-2 Zone, located at **735 BELMONT STREET.**

PETITIONER'S STATEMENT: Attorney John Creedon, Land Surveyor Bruce Malcolm and Ninjel Patel presented to the board Exhibit A, Site Plan. Ms. Patel is before the board seeking a Special Permit to sell beer and wine inside the existing convenience store. The store has three (3) employees and will hire two (2) additional employees to oversee the beer and wine. The plan shows twenty five (25) parking spaces. Entrance for just purchasing alcohol will be separate. Signage for beer and wine will be separate on the building.

OPPOSITION: None

DECISION: Denied. Did not carry.

BASIS: Granting would negatively impact the orderly development of the neighborhood. There is an abundance of outlets in the area to serve public needs.

VOTE:

Motion to Grant by:

Stephen Bernard

Seconded by:

Richard Francis

IN FAVOR: (3)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

OPPOSED: (2)

Susan Nicastro

Paul Merian

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 14, 2012 at 7:00 p.m.

IN RE: 12-08 Petition of **MARK BOWIE, TRUSTEE OF ARCH STREET REALTY TRUST, P.O.** Box 3712, Brockton, MA, for a Variance seeking relief from Sec. 27-9 & 27-29, to allow (5) residential apartments to be constructed on the second floor above the existing business use and seeking relief from off-street parking requirements in a C-2 Zone, located at **36 ARCH STREET.**

PETITIONER'S STATEMENT: Attorney Wayne Matthews and the petitioner Mark Bowie presented to the board Exhibit A, Brief in Support, Exhibit B, Parking Plan and Exhibit C, Proposed Renovations. The petitioner Mark.Bowie is before the board seeking permission to construct five (5) studio apartments above the existing commercial garage. The garage is leased by tradesmen who store their commercial vehicles and supplies. The apartment and garage will be rented by a person associated with the business below. The entrance is gated. Mr. Bowie has looked into getting the building sprinkled. The property will have 6-7 parking spaces. The proposed living quarters will have escapable glass for safety. Councilors Paul Studenski and Thomas Brophy are in favor of this petition.

OPPOSITION: None

DECISION: Granted with the stipulations 1. Units are not to be sublet 2. The whole building is to be sprinkled. 3. The 1st and 2nd floor is to be connected per unit and 4. all units are not to be converted into condos for separate ownership.

BASIS: The location of the existing foundation creates a hardship at the site. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:

Paul Merian

Seconded by:

Richard Francis

IN FAVOR: (4)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Paul Merian

OPPOSED: (1)

Susan Nicastro

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 14, 2012 at 7:00 p.m.

IN RE: 12-09 Petition of **TROPICAL BLUE SEAS, LLC.**, 65 Oak Hill Way, Brockton, MA, for a Special Permit seeking relief from Sec. 27-35, to have a restaurant with indoor & outdoor seasonal seating to serve the employees of the principal uses in the area in an I-3 Zone, located at **65 OAK HILL WAY.**

PETITIONER'S STATEMENT: Attorney Wayne Mathews along with the petitioner Manny Vicente presented to the board Exhibit A, Brief in Support, Exhibit B, Special Permit Plan and Exhibit C, Floor Plan. They are before the board seeking permission to open a restaurant in front of the building. The restaurant will have eighteen (18) seats inside and twenty six (26) seats outside in nice weather. Sandwiches, baked goods and coffee will be served. Hours of operation will be seven (7) days a week from 6:00 a.m. until 5:00p.m. The restaurant will be open for all in the general area.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that the hours of operation will be open 7 days per week from 6:00 a.m. until 5:00 p.m.

BASIS: The use will be in harmony with the orderly development of the zone and not negatively impact the neighborhood. There is adequate ingress and egress to parking and will not interfere with traffic on the abutting streets.

VOTE:

Motion to Grant by:
Seconded by:

Stephen Bernard
Richard Francis

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

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 14, 2012 at 7:00 p.m.

IN RE: 12-10 Petition of **JOSEPH C. GONCALVES C/O MATTRESS MAKER**, 46 N. Montello Street, Brockton, MA, for a Variance seeking relief from Sec. 27-29, to allow manufacturing of mattresses on the premises in a C-2 Zone, located at **208 MONTELLO STREET.**

PETITIONER'S STATEMENT: Attorney Daniel Viera along with the petitioner Joseph Goncalves presented to the board Exhibit A, Site Plan. They are before the board seeking permission to assemble mattress at the above location. Mattress Maker is looking to expand from nine (9) employees to eleven (11) full time employees and two (2) part time employees. The parking lot will have twenty eight (28) spaces.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that no outside storage is to be allowed or unregistered trailers.

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
Susan Nicastro

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

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 Wednesday, October 12, 2011 at 7:00 p.m.

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

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 Wednesday, October 12, 2011 at 7:00 p.m.

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

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 Wednesday, October 12, 2011 at 7:00 p.m.

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:
Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

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 Wednesday, October 12, 2011 at 7:00 p.m.**

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:
Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

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 Wednesday, October 12, 2011 at 7:00 p.m.**

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman _____

Richard Francis, Fire Chief _____

Stephen Bernard _____

Susan Nicastro _____

Paul Merian _____

OPPOSED: ()

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 Wednesday, October 12, 2011 at 7:00 p.m.

IN RE:

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION:

BASIS:

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk