

**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, 2011 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: The petitioner Russ Baker from Signs by Russ presented to the board Exhibit A., Pictures of Existing and Proposed Signage. Mr. Baker is asking for a Variance to put a Dollar Tree Sign on top of the roof. The sign will be in line with all the existing signs on the building. The sign will be lit internally using LED lights.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that the sign shall not remain lighted one (1) hour after the close of business.

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:

Paul Merian

Seconded by:

Stephen Bernard

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: (0)

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS
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ZONING BOARD OF APPEALS**

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, March 13, 2011 at 7:00 p.m.

IN RE: 12-12 Petition of **HARRY DAVID BUBB**, 14 Parker Street, Hyde Park, MA, for a Variance from Sec. 27-9, and such other relief as the Board may deem appropriate, to construct a dormer and relocate a stairway lacking side setback requirements in R-2 Zone, located at **64 HARVARD STREET**.

PETITIONER'S STATEMENT: The petitioner Harry David Bubb presented to the board Exhibit A, Site Plan, Exhibit B, Floor and Elevation Plans and Exhibit C, Letter from Ardlin Fire Protection. Mr. Bubb had taken out a permit to update a kitchen. When the work was being started the petitioner noticed other things that needed repairs. The work was done without a permit. He is now asking the board permission to keep the dormer and new stairway that was completed. Estimates for the sprinkler system have already been done. The home will be a three (3) family home. Parking spaces already exist in the rear of the home. Green space will be in the front of the building.

OPPOSITION: None

DECISION: Granted unanimously with the stipulations 1. The home will have one (1) apartment per floor making the home a three (3) family, 2. The parking spaces will be 9 x 20 in size and 3. All green space shown on plan shall be planted.

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:

Susan NiCastro

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: (0)

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, March 13, 2011 at 7:00 p.m.

IN RE: 12-13 Petition of **DAVID WAUHOB**, 85 Breer Street, Brockton, MA, for a Special Permit from Art. IV, Sec. 27-25(3f), and such other relief as the Board may deem appropriate, to obtain a Kennel License in an R-1-C Zone, located at **85 Breer Street**.

PETITIONER'S STATEMENT: The petitioner David and Ilene Wauhob and the owner of the home Nancy Francis presented to the board Exhibit A, Pictures of Dogs and the Home. They are before the board seeking a kennel license in order to keep six (6) dogs on the property. The Wauhobs moved in with David's sister, Nancy, two (2) years ago with three (3) dogs while Nancy also has three (3) dogs. The dogs are neutered and spayed. The backyard is all fenced in. The Horgans and the Alves are abutters and were concerned that the petitioners were trying to have a business at the above location. After hearing why they were present they didn't have any issues with the dogs staying.

OPPOSITION: The Ramkissoons had complained the dogs came under the fence and the yard gave out foul odors.

DECISION: Granted with the stipulations 1. Damaged fence to be repaired by kennel owners and 2. The dogs are not to be replaced by city ordinance.

BASIS: For domestic use only not for "breeding, sale, show or sport" or for business purposes such as boarding and grooming. As dogs expire or are no longer at the premises the special permit will expire when the legal limit of three (3) doges is reached.

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

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, March 13, 2011 at 7:00 p.m.

IN RE: 12-14 Petition of **ROBERTO AMADO**, 36 Hunt Street, Brockton, MA, for a Variance from Sec. 27-27, and such other relief as the Board may deem appropriate, to construct a two story addition to enlarge the master bedroom & existing bath lacking side setback requirements in an R-3 Zone, located at **36 HUNT STREET**.

PETITIONER'S STATEMENT: The petitioner Roberto Amado presented to the board Exhibit A, Site Plan of Land and Exhibit B, Floor Plans. Mr. Amado has owned the home for two (2) years. He is now before the board seeking permission to construct an addition to enlarge the master bedroom and existing bath for more family space. The home is a two (2) family.

OPPOSITION: None

DECISION: Granted unanimously.

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 and shall remain a two (2) family home.

VOTE:

Motion to Grant by:

Richard Francis

Seconded by:

Paul Merian

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: (0)

Frank Gazerro, Clerk

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Anthony Zeoli, City Clerk

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IN RE: 12-15 Petition of **MICHAEL MATHER, JR.**, P.O. Box 4143, Brockton, Brockton, MA, for a Special Permit from Sec. 27-28 (3b), and such other relief as the Board may deem appropriate, to obtain a beer and wine license in a C-2 Zone, located at **800 CRESCENT STREET**.

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION: Withdrawn

BASIS: The petition is withdrawn prior to the meeting as a matter of right. The petitioner will be returning to the zoning board on April 10, 2012.

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: (0)

Frank Gazerro, Clerk

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OPPOSITION:

DECISION:

BASIS:

VOTE:

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Seconded by:

IN FAVOR: ()

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

OPPOSED: ()

Frank Gazzero, Clerk

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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

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OPPOSED: ()

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk