

**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, April 10, 2012 at 7:00 p.m.

IN RE: 12-16 Petition of **ROGER DWYER**, 208 Pearl Street, Brockton, MA, for a Variance from Sec. 27-9, and such other relief as the Board may deem appropriate, to construct an addition with relief from side yard requirements in an R-1-B Zone, located at **208 PEARL STREET**.

PETITIONER'S STATEMENT: The petitioner, Roger Dwyer presented to the board Exhibit A, Site Plan and Exhibit B, Floor and Elevation plans. Mr. Dwyer is returning to the board after being denied back in January, 2012 for an addition in the rear of the home. The new plan is 8.5' away from instead of the original 2.7.

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.

VOTE:

Motion to Grant by:

Stephen Bernard

Seconded by:

Kenneth Galligan

IN FAVOR: (5)

Anthony Eonas, Chairman

Stephen Bernard

Paul Merian

Susan Nicastro

Kenneth Galligan

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, April 10, 2012 at 7:00 p.m.

IN RE: 12-17 Petition of **GEORGE ARVANITIDIS AND ERMIONI ARVANITIDIS**, 30 Torrey Side Road, Brockton, MA, for a Variance from Sec. 27-28(3a), 27-29(h), to request a Variance and Special Permit for parking purposes as a joint occupancy use and to allow parking spaces in a residential zone for an adjacent legal conforming business in an R-1-C Zone , located at 133 **MORSE AVENUE**

PETITIONER'S STATEMENT: Attorney John Creedon along with the petitioners George and Ermioni presented to the board Exhibit A, Site Plan. The petitioners are the owners of West Side Pizza. They had recently purchased the single family home behind the restaurant. They are before the board seeking permission to be allowed to make six (6) parking spaces using the driveway and yard of the home. The spaces will be for employees. The home is rented and the tenants have space for their vehicles.

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. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:

Stephen Bernard

Seconded by:

Paul Merian

IN FAVOR: (4)

Stephen Bernard

Richard Francis, Fire Chief

Paul Merian

Susan Nicastro

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, April 10, 2012 at 7:00 p.m.

IN RE: 12-18 Petition of **CHRISTOPHER AND JENNIFER ERICKSON**, 402 Torrey Street, Brockton, MA, for a Variance from Art. III, Sec. 27-9, lot area, Art.III, Sec 27-13(a), lot width, to subdivide two parcels into two lots. One lot will contain the existing house and construct a single family residence on the second lot in an R-1-B Zone, located at **402 Torrey Street and Plot 15 Torrey Street.**

PETITIONER'S STATEMENT: The petitioners Christopher and Jennifer Erickson presented to the board Exhibit A, Plan of Land, Exhibit B, Memo in Support and Exhibit C, Floor Plans. They are before the board seeking permission to subdivide the two (2) parcels of land and construct a single family home on a 19,593 sq. ft .lot and with the existing home on a 15, 481 sq. ft. lot. The distance of the homes will be 90ft. The property has an old foundation which will be razed.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that no further subdivision is allowed.

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:

Stephen Bernard

Seconded by:

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
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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, April 10, 2012 at 7:00 p.m.

IN RE: 12-19 Petition of **DAVID ELMAN, MANAGER, DEC, LLC**, 1330 Main Street, Brockton, MA, for a Variance from Sec. 27-29, to permit residential use in a C-2 Zone, located at **1330 MAIN 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 heard before the board on May 8, 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)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS
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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, April 10, 2012 at 7:00 p.m.

IN RE: 12-20 Petitioner of MICHAEL MATHER, JR., P. O. Box 4143, Brockton, MA for a Special Permit from Sec. 27-28 (3b), 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.

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)

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, April 10, 2012 at 7:00 p.m.

IN RE: 12-21 Petition of **DAVID J. CRUISE**, 120 Torrey Street, Brockton, MA, for a Variance from 27-13 lot frontage and 27-13 (a), lot width, to construct a single family with an in-law apartment in a C-2 Zone, located at **208 Elliot Street**.

PETITIONER'S STATEMENT: Attorney John Yunits along with the petitioner David Cruise presented to the board Exhibit A, Letter to the neighbors, Exhibit B, Site Plan of Land and Exhibit C Floor and Elevations. They are before the board seeking permission to construct a single family home with an in-law apartment. The home is a raised ranch style which will have front and rear egresses for both units. The main floor will have two (2) bedrooms and the lower level will have one (1) bedroom. The neighborhood has single, multi and commercial properties. The lot is long and narrow.

OPPOSITION: The neighbors had come out in opposition. They are worried that the home will become a two (2) family home and not the usual home with an in law set up. The traffic is also a concern and the neighbors want a single family home. Councilor of Ward 5 Dennis Denapoli is also opposed.

DECISION: Denied unanimously.

BASIS: The Brockton Zoning By-laws do not allow in-law apartments.

VOTE:

Motion to Grant by:
Seconded by:

Stephen Bernard
Susan Nicastro

IN FAVOR: (0)

OPPOSED: (5)

Anthony Eonas, Chairman

Richard Francis, Fire Chief

Stephen Bernard

Susan Nicastro

Paul Merian

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

**COMMONWEALTH OF MASSACHUSETTS
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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, April 10, 2012 at 7:00 p.m.

IN RE: 12-22 Petition of MICHAEL TROJANO. 55 Crescent Street, Bridgewater, MA, for a Variance from 27-29,1b). 27-33, to operate a used car dealership business in an I-2 Zone, located at **193 GROVE STREET.**

PETITIONER'S STATEMENT: Attorney John Creedon, along with Michael and David Trojano presented to the board Exhibit A, Site Plan of Land. The Trojanos are before the board seeking permission to operate a used car dealership at the above location. They are looking for 21 spaces for cars and 5 spaces for trucks, and 3 parking spaces for the customers as shown on plan. A repair shop on the property is to be used for their needs and not to the general public. The hours of operation are Monday through Saturday 7:00 a.m. until 5:00 p.m.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that the hours of operation are as listed above.

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:

Richard Francis

Seconded by:

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
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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, April 10, 2012 at 7:00 p.m.

IN RE: 12-23 Petition of **DAMIEN CALEDONIA**, 237 Perkins Avenue, Brockton, MA, for a Variance from Sec 27-9, lot area, side yard and frontage requirements, Sec 27-13(2)lot width, to subdivide and transfer a portion of the property to an abutter so the land cannot be built on in an R-1-C Zone, **located at 237 Perkins Avenue.**

PETITIONER'S STATEMENT: The petitioner Damien Caledonia presented to the board Exhibit A, Site Plan of Land. Mr. Caledonia is before the board seeking permission to subdivide his property giving a portion to his neighbor at 603 Summer Street. This is to prevent any further subdivision. Abutter Dorothy Quimby is in favor.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that there be no further subdivision of the petitioner's premises or the recipient of the transferred property.

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:

Susan Nicastro
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
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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, April 10, 2012 at 7:00 p.m.

IN RE: 12-24 Petition of **RICHARD AND MARGARET PARENTEAU**, 37 Porter Street, Brockton, MA for a Variance from 27-9, for frontage, side line and area setbacks and 23-13(a) lot width requirements, to convey a small portion of land to an abutter in an R-1-C Zone, located at **41 Porter Street**.

PETITIONER'S STATEMENT: The petitioners Richard and Margaret Parenteau presented to the board Exhibit A, Site Plan of Land. They are before the board seeking permission to convey 248 sq.ft. to the abutting property which the petitioners also own.

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. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

Stephen Bernard
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