

The Brockton Planning Board held a special meeting on **January 9, 2013** at 7:00 PM in the GAR Room, City Hall. Members present: Chairperson Wayne McAllister, Avalon McLaren, Scott Ford, Sisto Volpe, Peter Gibbons, Clerk Susan Nicaastro, and Vice Chair James McCarthy. Also present was Secretary Pamela Gurley, Staff Planner Rian Amiton and BRA Director Marc Resnick.

1. Endorsement of Plans

(ANR Plans, Subdivision Plans and/or Lot Releases)

Ms. Gurley said that the developers for Lot 3 Prospect St. and 13 Toby Road each asked for a lot release. She said that both requests have similar construction circumstances.

Regarding lot 3 Prospect St., she said this is a two lot subdivision requiring that the developer overlay the road, install sidewalks and reset the granite curbing. She said although the plan shows new water and sewer for both lots, they are able to reuse the existing utilities for lot 3.

Mr. McLaren asked what surety the City would have to make sure that the developer would do the roadwork. Ms. Gurley stated that the Board will be holding the remaining lot. Mr. McLaren asked if we owned the lot and was told no. Mr. Resnick said that at this time the Board should require that all the work is completed or cash surety is placed to secure the remaining work.

Mr. Volpe said that the process is not complicated and that while he had his business he had to either finish the work to place the cash. Ms. Gurley explained that DPW has a form that the developer fills out. The form is then verified by DPW, the check is deposited by the City and the money is not given back until the work is completed and the Board receives the necessary inspection letters from DPW.

A motion was properly made (Ford), seconded (McLaren) and unanimously passed to release the remaining lots upon the condition that cash surety is placed in an amount sufficient to complete all work as shown on the approved plan.

Regarding Toby Road, Ms. Gurley said one lot has already been released and the developer is looking for the lot that fronts on Quincy St. Mr. McLaren said that the developer has already been back before the Board asking to modify his approval so that he would not have to do the road work. (The Board denied this request.) He said he would like to make sure that either the road work is completed or we receive cash surety before any additional lots are released.

A motion was properly made (McLaren), seconded (Nicaastro) and unanimously passed to release the remaining lots upon the condition that cash surety is placed in an amount sufficient to complete all work as shown on the approved plan.

2. Request for Permission to Return to the ZBA

Property: 506 Warren Avenue

Representative: Attorney John Creedon and Bruce Malcolm, Land Surveys Inc.

Applicant: Neree Themistocle

Attorney Creedon said he did not represent the applicant at the ZBA, he asked the Chairman if he could read the ZBA decision into the record and the Chairman granted his request.

Attorney Creedon said that the applicant appeared before the ZBA without an attorney and with only a floor plan. He said the property is a pre existing building in a mostly residential area. The building is almost vacant. He said they have a parking plan which shows adequate vehicle ingress and egress and would like permission to return to the ZBA to be able to make a full presentation to them.

Mr. Malcolm said the site is the old Claff Box Co. building; they are proposing to lease 500 s.f. of the building; and use the loading dock area with the existing canopy as an entrance. He said they will add a handicapped accessible walk and will be adding green plantings; all the utilities are existing.

Mr. McCarthy questioned the bathroom layout. Attorney Creedon said that the State will mandate the bathroom layouts. He said that if they are granted permission to return to the ZBA they will probably requesting 25 people not the 80 as previously requested by the applicant.

Attorney Creedon introduced the proponents: Neree and Rita St. Jean S
Mr. McAllister asked what the staffing would be and was told by Ms. Neree that her husband is a registered nurse and they will also have nursing assistants and an activity assistant. He asked if the space was sufficient for the proposed use and was told it was.

Mr. McAllister asked what the patient staff ratio was and was told 8:1. Mr. Ford asked if there a was a sidewalk on the Richmond Street side and was told yes. Mr. McLaren asked why that corner of the building was chosen. Attorney Creedon said that the building is broken into small rooms except for that area which is open space.

The Chair asked the Clerk to read the regulations which allow for granting permission to return to the Zoning Board.

Attorney Creedon said that he feels that there has been a substantial change since there were no plans submitted originally. Mr. Amiton said that the applicant submitted the same floor plan to the ZBA as submitted tonight.

A motion was properly made (McLaren) and seconded (Ford) to grant the applicant permission to return to the Zoning Board of Appeals as new and substantially different information was submitted...

In favor: McAllister, Nicastro, Volpe, Gibbons, McLaren, Ford
Opposed McCarthy

3. Site Plan Approval

Property: 1330 Main Street

Proposal: Commercial to Residential Renovation

Representative: Land Surveys Inc. and Attorney Robert Reed

Applicant: David Elman, DEC, LLC

Attorney Reed said that the property has had multiple uses; it was a residence, it was used commercially and was also used as a nursing home and day care. He said Mr.

Elman is hoping to attract people working in Boston because of its proximity to the commuter rail. He said that the building could use a face lift and said they are proposing to add additional green space. He submitted a copy of a letter dated 1-2-13 to ZBA from the Campello Business Assoc. in favor of the project.

Mr. Malcolm said as a result of Technical Review they redesigned a portion of the front walkway and eliminated a space in the front; they are proposing 23 parking spaces (22 are required by Zoning) the entrance and exist are 14' wide; there will be one way traffic; the five existing recharge units were installed in 1994 and were approved by the City at that time. He said Azu Etoniru did an inspection of the existing units and indicated that they are functioning properly. They will be adding inspection man holes and filters to catch any silt from the parking lot. An electrical contractor has provided locations for lighting; the existing plantings along the building are in good shape; some areas of pavement will be removed to allow for additional planting of low shrubs; the natural vegetation will remain along Montello St. and they propose to plant arborvitaes and mulch along Montello St.

David Elman said the units will be 800-900 S.F. He said although Brockton has many apartments, apartments for handicapped apartments are non-existent. He said seven or eight units will be handicapped accessible units. There will be two units on the second floor and one unit on the third floor. He said almost all units have direct access to the outside.

Mr. McCarthy asked if the units will have separate utilities. Mr. Elman said yes that when the condominium market comes back the separate utilities will allow for him to sell the units. Mr. McCarthy asked about the sprinkler system and was told that they will be meeting with Lt. Williams. Mr. McCarthy asked that the location of the STORRS connection show on the plan.

Mr. Volpe said there is no snow storage area. Mr. Malcolm said there is a lot of greenspace they can use for snow storage, but are agreeable to remove the snow as needed.

Mr. Ford said there are no sidewalks to get from front of building to back of building. He asked if there was a place that someone would be able to walk from their space to their unit without walking into the street or driveways. He said the layout looks unsafe for residential use.

Mr. Resnick said that they need a photometrics plan showing adequate lighting of the driveways.

Mr. McCarthy asked if there was any way to put a corridor through the center of the building where the two buildings meet. Mr. Elman said that could be done and will look at that option.

Mr. Amition asked how many steps would people need to walk up to get into the units as there is only one ramp in the front. Mr. Elman said there is only one step and there is a ramp along the back also.

Mr. McAllister asked Mr. Elman to show the Board what a resident living along the back part of the building will would be looking at green space wise. Mr. Elman said that along

the back side of the building they will be facing 12' of plantings. Mr. McAllister said he wants to make sure that the developer is responsible to clear the public sidewalk along Main St. entrance. Mr. McAllister asked what the building will look like and Mr. Elman said the entire building will be vinyl sided. He showed the Board pictures of projects he has done in the City.

The January 9, 2013 memo from Mr. Resnick to the Board was entered into the record, and a copy was given to the applicant.

Mr. McAllister suggested that the applicant ask for a postponement to the February 5th meeting in order to address the Board's concerns and Mr. Resnick's memo. Mr. Malcolm asked for a continuance to the March meeting as he was going to be out of town for three week and unable to address the changes.

A motion was properly made (Nicastro), seconded (McLaren) and unanimously passed to postpone to the March meeting.

4. Site Plan Approval

Property: 120 Mulberry Street

Proposal: Commercial Addition

Representative: Barry Koretz, BKA Architects

Applicant: George Baldwin, Trustee c/o MCB Management

Barry Koretz said he represents the owners of 110 Mulberry St. He said the building was the former offices for Brockton Edison. He said in 2000 the building was renovated into state offices. Children and Family Services will be renting the building and they need to add a 1,400 S.F. addition under an existing roof for secure storage. There will also be a new water service brought in to service the new sprinkler system.

Mr. Amiton said this is a straightforward project and he has no concerns.

A motion was properly made (Gibbons), seconded (Volpe) and unanimously passed to grant site plan approval of the plan as submitted with the standard conditions of approval.

Old Business

New Business

Mr. McAllister reminded the Board will be meeting again on January 23rd at 7 pm.

Discussion - ZBA, Traffic & Site Review Updates

No updates.

Site Plan Review Regulations

The subcommittee is working on changes and a final document will be passed out to members for discussion.

Minutes

Meeting adjourned.

