

The Brockton Planning Board held a meeting on April 2, 2013 at 7:00 PM in the GAR Room, City Hall. Members present: Wayne McAllister, James McCarthy, Sisto Volpe, Avalon McLaren, and Scott Ford. Also present was Planning Board Secretary Pamela Gurley and Marc Resnick, BRA Director.

## **1. Endorsement of Plans/ Minutes (ANR Plans, Subdivision Plans and/or Lot Releases)**

### Request for Lot Release

– lot 1 Draper St. (James Meeks)

Mr. Meeks said he is looking for release of lot one in order to secure a building permit. It is his intention to build this home and construct the roadway at the same time. It is a two lot subdivision; one of the homes house will be sold and the other will be built and lived in by his family. He needs to build approximately 200 feet of roadway.

Mr. McLaren asked what work had been done to date and was told none. He asked why the Board would release the lot if no work has been done. Mr. Resnick explained that the covenant secures the entire subdivision; the release of the lot will allow the builder to secure construction funds to begin work. The City will not issue a Certificate of Occupancy on the home until the roadway is brought up to binder course; the Board still has control. Mr. Volpe said that he wants to make sure surety (remaining lot) is sufficient and said he would have felt more comfortable with an estimate for the road work. Ms. Gurley said that this is an unusual circumstance.

Mr. McLaren said he would like a letter sent to the Building Superintendent stating that no Certificate of Occupancy Road is to be issued unless the road is installed as per the approved plan and at a minimum the binder course is down.

A motion was properly made (Ford), seconded (McCarthy) and unanimously passed to release lot one with the condition that the road is to be installed to at a minimum the binder course prior to the issuance of a Certificate of Compliance.

- Prospect Terrace (Mike Juliano)

Mike Juliano has requested that the Board rescind their release of lot 12 Prospect Terrace and issue a release of lot 6. This is an unusual request, since Mr. Juliano never picked up the lot release for lot 12 and it was still in the file and able to be destroyed. Mr. Juliano has a buyer for lot 6.

A motion was properly made (Ford), seconded (McCarthy) and unanimously passed to rescind release of lot 12 and grant release of lot 6 with the condition that Board receives a written request from the applicant.

## ANR Plan

- 361 355 N. Montello St.

The Board reviewed the submittal by DEC LLC for an ANR Plan for 361-355 N. Montello St. These are two older homes on one parcel of land. The owner would like to separate the lots in order to sell the homes separately. Mr. Resnick said that although the Board should endorse the ANR that the signing of the plan does not negate any possible zoning violations. Ms. Gurley pointed out the disclaimer stamp stating that Board does not certify the lots as buildable.

A motion was properly made (McCarthy), seconded (Ford) and unanimously passed to endorse the ANR plan.

### **2. Affordable Properties/Stephen Torrey**

Updates on 214 West Elm St and 17 Foster St.

Steve Torrey, Affordable Properties

Bruce Malcolm, Land Surveys

Foster St. - Mr. Torrey said he has completed two additional units in building two; tore out foundations for buildings three and four and raised them up two feet; he has begun framing building six; the cost to fill the first hole was \$40,000 and he removed 100 truckloads of fill.

214 West Elm – Mr. Torrey said this project was substantially complete in December and is now fully complete; he has deposits on all units and seven are occupied; and he replanted the Elm trees along West Elm St.

Mr. Ford said that the buildings “look awesome”. Mr. Torrey said it would have been nice to get more recognition for other projects he completed in the City. Mr. McLaren said that without the Board’s insistence the project would not have evolved to where it is now.

### **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

Continued to May 7, 2013 by agreement of the parties.

### **4. Site Plan Approval**

Property: 548 Main Street

Proposal: Proposed Family Dollar Store

Representative: Brian Dunn, MBL Land Development & Planning and Attorney James Burke

Applicant: Corvo Properties

Mr. Dunn said the proposal is for the construction of an 8,000 SF building at Main and Arch Streets. He said there were only minor comments that needed to be addressed from Technical Review; the Fire Department requested solid fencing be replaced with chain link and black slats because of graffiti and the STORS connection was relocated and a concrete walkway was added for Fire Department access. He said as part of this project all existing utility stubs were cut and capped at the lot; the existing sidewalk along Main St. is being replaced from the property line to Arch St; landscaping along front was replaced from trees to low bushes; turning pavement markers were added as well as signage; they extended the proposed saw cutting of the sidewalk to Arch St; and all drainage will be contained on site.

Councillor Paul Studenski asked to be recorded in favor and said this is an improvement and will make the area look better.

Mr. McCarthy asked if the dumpster was enclosed and was told yes.

Mr. Ford asked about the façade that faces Main St. He asked if there were any particular colors proposed for the half wall of blocks. He said the Board should consider what it will look like from the street. He asked to see the colors, and was told that the façade is carried around all four sides of the building. Mr. Ford asked the Board if they would like to see windows on the Main St. side. He said that is the area that you will see driving by.

Attorney James Burke said that the ZBA approved this plan. He said windows are a security issue. Mr. Resnick said this is a national chain and they will have a variety of layouts. The applicant said that wall space is an issue.

Mr. Ford said he wants to see them aim high and said that aesthetics are important to the Board. Mr. Volpe asked about the landscape design and what as facing Main St. He was told that the landscaping area along Main St. consists of burning bushes, loam and seed and mulch. Mr. Ford asked about the diameter of trees and was told they are 8-10 feet high and 2 inch caliper.

Mr. McAllister said that the two way traffic may be an issue and asked if they had thought of petitioning the Traffic Commission to make Arch St. two way. Mr. Dunn said the road is only 20 feet wide and two way traffic would be difficult.

Mr. McAllister asked how long to it will take for construction and was told about four months; the Company does not take possession from Nov. through Dec. so they want to be done before then.

The Board members stated that they want to see the façade colors. Attorney Burke said any delay is costly. He asked if the Board would grant an approval

with the condition they come back at the next meeting with renderings. Mr. Volpe said he would like to see the color scheme and elevation of Main St. and Mr. Ford said he would like to see a rendering with windows and or some architectural details.

A motion was properly made (Ford), seconded (McCarthy) and unanimously passed to grant Site Plan Approval with the condition that the Planning Board grant design approval of the façade and exterior building materials and the applicant provides the Board with a color rendering for approval.

**Old Business**

Ray Ferrone - Chestnut Woods Senior Residential Community

No discussion - Removed from the agenda at Mr. Ferrone's request.

**New Business**

Discussion - ZBA, Traffic & Site Review Updates