

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 11, 2014 at 7:00 pm.

**IN RE: 14-15 Petition of EDDIE AWON, 530 North Main Street, Brockton, MA , for a Variance from Sec. 27-10, to construct a building lacking side yard and rear yard requirements in a C-2 Zone, located at PLOTS 173 & 174 MAIN STREET & 1A BATTLES STREET.**

**PETITIONER'S STATEMENT:** Attorney George Asack, Bruce Malcolm from Land Surveyors and the petitioner Eddie Awon presented to the board Exhibit A, Certified Site Plan of Land. Mr. Awon is before the board seeking permission to construct a commercial building which is abutting his existing auto repair shop. Two (2) multi-family homes will be demolished for this new building. The building will consist of six (6) garage bays and four (4) offices. The bays and at least one (1) office space will be for the petition and the other office spaces will be rentals for professional with low traffic. The size of the bays will be 20 x 40, each bay will have one (1) outside parking space and thirteen (13) parking spaces for the four (4) offices. The dumpster will be emptied from Battles Street. Along the rear of the property will have a six (6)' stockade fence and four (4)' greenspace. On Battles Street evergreen trees will be planted that will grow at least five (5)' in height. The lighting on the property will be facing downward. Councilor from Ward 7 Shirley Asack is in favor of Mr. Awons expansion stating his business has always been kept up nicely. If granted, this petition will have to go before the Planning Board

**OPPOSITION:** None

**DECISION:** Granted unanimously with the stipulations that 1. All lights are to face downward and 2. Plantings of evergreens along the Battles Street side of property.

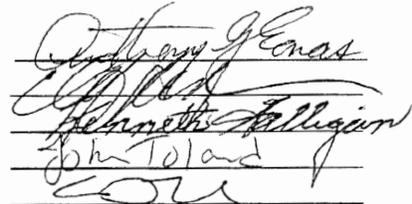
**BASIS:** The location of the existing foundation creates a hardship at the site. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. All representations in petitioner's statement shall be incorporated by reference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

**VOTE:**

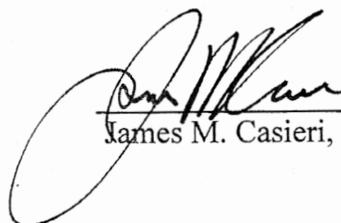
Motion to Grant by: Kenneth Galligan  
Seconded by: Richard Francis

**IN FAVOR: (5)**

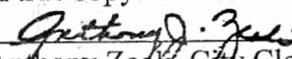
Atty. Anthony Eonas, Chairman  
Richard Francis, Fire Chief  
Kenneth Galligan  
John Toland  
Scott Ford



**OPPOSED: (0)**

  
James M. Casieri, Clerk

A true copy. Attest:

  
Anthony Zeoli, City Clerk

ANY APPEAL MUST BE MADE  
WITHIN 20 DAYS FROM THIS  
DATE MAR 25 2014 PURSUANT TO  
M.G.L.C. 40A SECTION 17.

RECEIVED AND FILED: April 15, 2014  
I, ANTHONY J. ZEOLI, CITY CLERK OF BROCKTON, MASSACHUSETTS HEREBY CERTIFY THAT THE AFORESAID IS A TRUE COPY AND THAT TWENTY DAYS HAVE LAPSED AND NO APPEAL HAS BEEN FILED. CHAPTER 40A SEC. 11

RECEIVED  
2014 MAR 25 A 10:08  
CITY CLERK'S OFFICE  
BROCKTON, MA

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 11, 2014 at 7:00 pm.

**IN RE: 14-16 Petition of VALENTINO R. GOMES, 16 Battles Street, Brockton, MA, for a Variance from Art.III, Sec 27-9(Lot Frontage) and 27-13a (minimum lot width).** Petitioner who lives at 16 Battles Street will be demolishing the dwelling on Plot 1-1 Battles Street, and requesting to build a new single family dwelling on Plot 2 Battles Street in a R-2 Zone, located at **PLOT 2 BATTLES STREET.**

**PETITIONER'S STATEMENT:** Attorney John Creedon, Bruce Malcolm from Land Surveyors and the petitioner Valentino R. Gomes presented to the board Exhibit A, Certified Site Plan of Land and Exhibit B, Floor Plans of the home. Mr. Gomes is before the board seeking permission to construct a two (2) story Colonial home with four (4) bedrooms and deck shown on plan. Mr. Gomes had originally been in front of this board four (4) years ago to build on Plot 2 which had been granted. Mr. Gomes also owns the three (3) family home on Plot 1 where he lives and the home on Plot 1-1 had been expanded without permits from the city and has not been completed at this time. Mr. Gomes will be demolishing the rear home. Attorney Pamela Linsky spoke for her clients the Kerwins who are rear abutters on Division Street. They are asking for a six (6)' fence and tree plantings along the rear property for privacy.

**OPPOSITION:** None

**DECISION:** Granted unanimously with the stipulations 1. Removal of the temporary electrical service and pole 2. Demolish of existing rear home on Plot 1-1 3. Building permit issued after the home is demolished, debris is gone and yard is graded 4. planting of Royal Empress trees and a 6' fence along the rear of Plot 1-1 5. Plots 1 and 1-1 are to be combined as one (1) plot by deed and shall never be subdivided and 6. Parking no more than 30' from existing 3 family home in order to have a backyard.

**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:  
Seconded by:

**IN FAVOR: (5)**

Atty. Anthony Eonas, Chairman  
Richard Francis, Fire Chief  
Kenneth Galligan  
John Toland  
Scott Ford

**OPPOSED: (0)**

*Anthony Eonas*  
*Richard Francis*  
*Kenneth Galligan*  
*John Toland*  
*Scott Ford*

*James M. Casieri*  
James M. Casieri, Clerk

A true copy. Attest:

*Anthony Zeoli*  
Anthony Zeoli, City Clerk

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