

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 8, 2014 at 7:00 pm.

IN RE: 14-17 Petition of CAROLYN A. PARKER, 3 Lorion Avenue, Worcester, MA, for a Variance from Art. XIV & Sec 27-65, Cumberland proposes to install a new 6" x 60 1/2" alternator placard within each of the existing 4'-0" high x 6'-0" wide LED price panels, allowing the signs and prices to alternate from the "Smart Pay Member" price to the "Non Member Price in a C-2 Zone, located at 1205 BELMONT STREET.

PETITIONER'S STATEMENT: The petitioner Carolyn Parker presented to the board Exhibit A, Illustration of Existing and Proposed Signs, Exhibit B, Illustration of Pump Topper and Exhibit C, Proposed Site Plan. Ms. Parker is before the board, as a representative of Cumberland Farms, Inc., seeking permission to modify two existing 4'x6' LED pylon signs and pump toppers to incorporate the new Smart Pay program. The existing pylon signs will remain in the exact size of 48 square feet and in the same location. The signs will alternate every 10 seconds and will not flash or be animated. The "Smart Pay" member and non member wording will be the color white.

OPPOSITION: None.

DECISION: Granted with the following stipulation that all message boards only contain the "Smart Pay" display and the same stipulation will also apply to the pump toppers. The message may not change sooner than every ten seconds.

BASIS: A variance is required to modify an existing granted variance. 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: Avalon McLaren

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

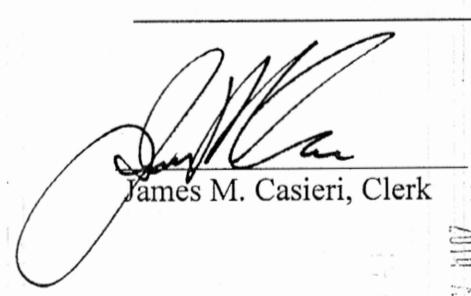
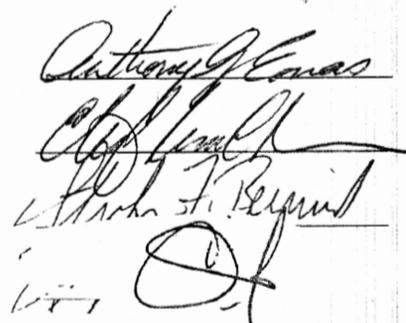
Richard Francis, Fire Chief

Stephen Bernard

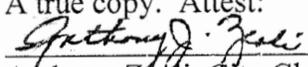
Jeffrey Charnel

Avalon McLaren

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 APR 24 2014 PURSUANT TO
M.G.L.C. 40A SECTION 17.

RECEIVED AND FILED: May 14, 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 APR 23 A 10:19
CITY CLERK'S OFFICE

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 8 2014 at 7:00 pm.

IN RE: 14-18 Petition of CAROLYN A. PARKER, 3 Lorion Avenue, Worcester, MA , for a Variance from Art. XIV & Sec 27-65, Cumberland proposes to install a new 4 1/4" x 60" alternator placard within the existing 3'-0" high x 8'-0" wide LED price panels, allowing the signs and prices to alternate from the "Smart Pay Member" price to the "Non Member Price in a C-2 Zone, located at 1813 MAIN STREET.

PETITIONER'S STATEMENT: The petitioner Carolyn Parker presented to the board Exhibit A, Illustration of Existing and Proposed Sign, Exhibit B, Illustration of Pump Topper and Exhibit C, Proposed Site Plan. Ms. Parker is before the board, as a representative of Cumberland Farms, Inc., seeking permission to modify an existing 3'x8' LED pylon sign and pump toppers to incorporate the new Smart Pay program. The existing pylon sign will remain in the exact size of 72 square feet and in the same location. The sign will alternate every 10 seconds and will not flash or be animated. The "Smart Pay" member and non member wording will be the color white.

OPPOSITION: None.

DECISION: Granted with the following stipulation that all message boards only contain the "Smart Pay" display and the same stipulation will also apply to the pump toppers. The message may not change sooner than every ten seconds.

BASIS: A variance is required to modify an existing granted variance. 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: Jeffrey Charnel

IN FAVOR: (5)

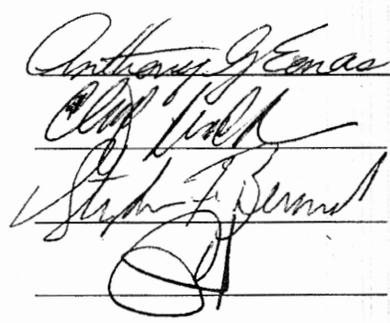
Atty. Anthony Eonas, Chairman

Richard Francis, Fire Chief

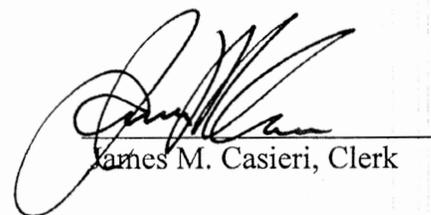
Stephen Bernard

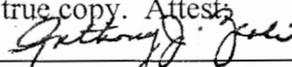
Jeffrey Charnel

Avalon McLaren



OPPOSED: (0)


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A true copy. Attest:

Anthony Zeoli, City Clerk

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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 8, 2014 at 7:00 pm.

IN RE: 14-19 Petition of LINDA SAKELARIS POOLE, 42 Lisa Drive, Brockton, MA, for a Variance to sell a small portion of our backyard to our neighbor in an R-1 Zone, located at 42 LISA DRIVE.

PETITIONER'S STATEMENT: The petitioners Richard Poole and Linda Poole presented to the board Exhibit A, Plot Plan. Mr. and Mrs. Poole are before the board seeking permission to sell a portion of their plot to their neighbor Paul Ashness. Mr. and Mrs. Poole stated that they have maintained the property and selling the portion of land will eliminate the expense. Mr. and Mrs. Poole stated that they have never had a use for the piece of land and Mr. Ashness has a growing family and would benefit from obtaining the additional plot size. Land Surveyor Bruce Malcolm was also present and stated that there is a hardship due to the odd shape of the land. Ward 6 Councilor Michelle Dubois was present and in support of the petitioner's proposal.

OPPOSITION: None.

DECISION: Granted unanimously, conveyance must be recorded on both buyer's and seller's deeds.

BASIS: The shape of the parcel creates a hardship at the locus. 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: Richard Francis, Fire Chief
Seconded by: Avalon McLaren

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

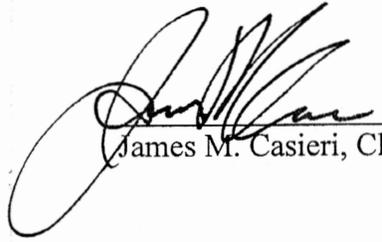
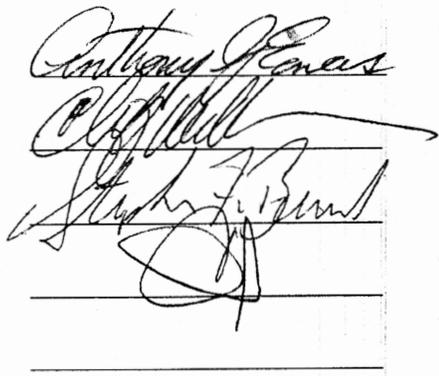
Richard Francis, Fire Chief

Stephen Bernard

Jeffrey Charnel

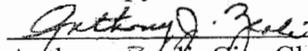
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OPPOSED: (0)



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2014 APR 23 - A-10-19
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