

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening March 23rd, 2026 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:01PM with all 11 members present.

1. PUBLIC HEARING on the Lovett Brook Urban Revitalization Plan

Premises: Lovett Brook area, as designated in a plan prepared by Innes Land Strategies Group, Tighe & Bond, and RKG Associates, dated October 6, 2025

Subject Matter and nature of action: Approval of the Lovett Brook Urban Revitalization District project for the purposes of revitalization and redevelopment of the area. A full copy of the Lovett Brook Urban Revitalization District Plan is available for viewing in full with the City Clerk's Office.

President Lally opened the Hearing.

No one signed up to speak on the matter.

President Lally closed the hearing.

173. Acceptance of the Minutes of the October 27th, 2025 City Council Meeting.

Accepted and placed on file

174. Acceptance of the Minutes of the February 23rd, 2026 / March 2nd, 2026 City Council Meeting.

Accepted and placed on file

175. Acceptance of the Minutes of the March 9th, 2026 City Council Meeting.

Accepted and placed on file

APPOINTMENTS:

176. Appointment of Eric Clark of 133 Hubbard Ave., Brockton, MA 02301 as a Special Police Officer of the City of Brockton.

Councilor Farwell motioned to move under suspension of rules and act on this item this evening and was properly seconded. The motion carried by a hand vote.

Confirmed by a roll call vote taken by "yeas" and "nays" eleven members present and all voting in the affirmative.

Councilor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. the motion carried by a hand vote.

177. Appointment of Maria Fernandes, of 21 Bower Avenue, Brockton, MA 02301 to the Brockton Advisory Council on Health, for a three-year term ending in March 2029.

Referred to Finance

178. Appointment of Steven Clay of 106 Main St., Apt. #101, Brockton, MA 02301, to the Commission on Human Rights.

Referred to Finance

HEARINGS:

Petition of Verizon proposing to place new conduit along the Southwestern side of Summer Street, near 57 Summer St, running approximately 130ft in a Southerly direction from existing Manhole 91, located near the intersection of Summer Street and Grove street, to intercept an existing conduit bank on Summer street. The installation is requested by Version to provide service to the residents at 57 Summer street, as well as to provide the distribution of intelligence and telecommunications.

President Lally opened the Hearing.

Austin Meakim a representative of Verizon appeared in favor of the petition and was there to answer any questions.

Mr. Meakin stated they are seeking to place 130 ft of new conduit on the southwestern side of Summer Street to bring FiOS to the residence at 57 Summer Street.

No one was in opposition.

President Lally closed the hearing.

Granted by a hand vote.

Councilor Nicastro stepped out.

Petition of New Westgate Mall LLC of 75 Park Plaza, Boston, MA 02116 for a garage license located at 200 Westgate Drive, Brockton, MA 02301.

President Lally opened the Hearing.

Tome Bowen general manager of Westgate mall appeared in favor of the petition and was there to answer any questions.

Councilor Asack: she knows that they have all been in contact with the clerk's office. They filed the right paperwork. Everything is in order to reactivate this license. She knows that CS did some mechanical work, tire replacement. She hasn't received any complaints or anything regarding this. Hopes her colleagues will vote favorably on this and looking forward to having the location be reopened and in use again.

Councilor Charnel: if the space that is being run by you?

Mr. Bowen stated actually is leased to a tenant top-notch tire will be operating there but evidently as the land owner we have to obtain this license.

Councilor Charnel: but we don't we don't have the ability to why isn't the person that's actually leasing the building here.

City Clerk Mr. Cruise: The way the operation works, garage license goes with the owner of the property. And in this case, this is just the garage license. And in this case also, if they only are doing tire changes, they will not need a motor vehicle repair license because that's not considered motor vehicle repair as long as they are not doing any other repairs or body work. So, in this case, the owner of the property always gets that's why we do the garage and motor vehicle repair license separate. This is strictly a garage license. So, it would be with the owner of the property.

Councilor Charnel: So in in regards to the garage license, knows that he was told that garage license had to check with the other tire shops in the area. Is that a stipulation that the mall puts?

Mr. Bowen: They didn't put a stipulation on it that they get approval from anyone else. They had to notify all the abutters but it's just a retailer doing business in a space.

Councilor Charnel: His only concern is that they don't know the person that is going to be running the business.

Councilor Asack: The mall have followed the process to get this business back into the location.

No one was in opposition.

President Lally closed the hearing.

Granted by a hand vote. Councilor Nicastro not present.

REPORTS:

179.Of the Finance Committee for its meeting of March 16th, 2026.

Accepted and placed on file

COMMUNICATIONS:

180.From the Chief of Police requesting the appointment of the following retired Officer Eric Clark as Special Police Officer.

Accepted and placed on file

181.From the Mayor appointing Eric Clark of 133 Hubbard Ave., Brockton, MA 02301 as a Special Police Officer of the City of Brockton.

Accepted and placed on file

182.From the Mayor appointing Maria Fernandes, of 21 Bower Avenue, Brockton, MA 02301 to the Brockton Advisory Council on Health, for a three-year term ending in March 2029.

Accepted and placed on file

183.From the Mayor appointing Steven Clay of 106 Main St., Apt. #101, Brockton, MA 02301, to the Commission on Human Rights.

Accepted and placed on file

184.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$175,688.00 from the Executive Office of Elder Affairs to the Council on Aging. These funds are the second installment of the FY26 formula grant.

Accepted and placed on file

185.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the grant award in the amount of \$175,688.00 from the Executive Office of Elder Affairs to the Council on Aging, without detrimental impact on the continuous provision of the existing level of municipal services. These funds are the second installment of the FY26 formula grant.

Accepted and placed on file

- 186.** From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$30,000.00. This transfer will fully fund the energy line item to pay invoices for the remainder of the fiscal year.

Accepted and placed on file

- 187.** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the total proposed transfer of \$30,000, without a detrimental impact on the continuous provision of the existing level of municipal services. This transfer will fully fund the energy line item to pay invoices for the remainder of the fiscal year.

Accepted and placed on file

- 188.** From the Superintendent of Parks requesting acceptance and expenditure of the State Appropriation in the amount of \$25,00 for Baseball Field Improvement for the City of Brockton.

Accepted and placed on file

- 189.** From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$25,000.00 from the Department of Conservation and Recreation to Parks and Recreation. These funds will be used for baseball field improvements in the city.

Accepted and placed on file

- 190.** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the grant award in the amount of \$25,000.00 from the Department of Conservation and Recreation to Parks and Recreation, without detrimental impact on the continuous provision of the existing level of municipal services. These funds will be used for baseball field improvements in the city.

Accepted and placed on file

- 191.** From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of prior year's unpaid bill of \$18.00. These funds will be used to pay an invoice from FY25.

Accepted and placed on file

- 192.** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support approval of prior year's unpaid bill of \$18.00, without a detrimental impact on the continuous provision of the existing level of municipal services. These funds will be used to pay an invoice from FY25.

Accepted and placed on file

- 193.** From Planning Board Chair Toni Barbosa informing the Council that she has legally changed her last name back to her maiden name as of February 2026.

Accepted and placed on file

194.From the Interim Commissioner of Buildings proposing temporary order allowing short-term rentals in the City of Brockton during the 2026 FIFA World Cup period.

Accepted and placed on file

195.From the Mayor supporting the proposed temporary order allowing short-term rentals in the City of Brockton during the 2026 FIFA World Cup period.

Accepted and placed on file

UNFINISHED BUSINESS:

Councilor Teixeira stepped out.

101.Appointment of Susy Barros as an alternate to the License Commission, for a three-year term, ending in February 2029. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays” nine members present and all voting in the affirmative. Councilor Nicastro and Teixeira not present.

Councilor Teixeira stepped back in.

102.Appointment of Elisangela Teixeira to the Brockton Advisory Council of Health for a three-year term ending in February 2029. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor Nicastro not present.

103.Appointment of Luisa Schaeffer to the Human Rights Commission for a three-year term ending in February 2029. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor Nicastro not present.

Councilor Nicastro stepped back in.

147.Appointment of Wadezah McCullough of 47 W. Elm Street, Apt. 503, Brockton, MA 02301, to the role of Commissioner of Health and Human Services. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

Councilor Nicastro motioned to file for reconsideration with the wish that it not prevail and was properly seconded. The motion carried by a hand vote.

149.Appointment of Marge Shepard, of 29 Hancock Ave, Brockton, MA 02301, as a full Board Member of the Council on Aging. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

129.Ordered: WHEREAS, the Lovett Brook area is considered to be a decadent area because of the diversity of ownership, irregular lot sizes or obsolete street patterns; and also, for excessive land coverage;

WHEREAS, the City with the Department of Planning and Economic Development and the Brockton Redevelopment Authority prepared the Lovett Brook Urban Renewal Plan to support goals and to take necessary action to implement the plan;

WHEREAS, the Brockton Planning Board will consider determined that the Lovett Brook Urban Renewal Plan is based on a local survey and is consistent with the Brockton Comprehensive Plan, A Blueprint for Brockton, and approved said plan at its August 5, 2025 meeting;

WHEREAS, the Brockton Redevelopment Authority will meet to consider approval of the Lovett Brook Urban Renewal Plan as an Urban Renewal Plan prepared in accordance with MGL Ch. 121B and 760 CMR 12.00, as amended from time to time.

NOW THERE, be it ordered as follows:

1. The City Council finds that there is a clear need for an Urban Renewal Plan in order to achieve the approved objective on the Brockton Comprehensive Plan, A Blueprint for Brockton.
2. That the Lovett Brook Urban Renewal Plan, as described in Exhibit A attached hereto, prepared by Innes Land Strategies Group, Tighe & Bond, and RKG Associates, dated October 6, 2025, is an Urban Renewal Plan prepared in accordance with MGL Ch. 121B and 760 CMR 12.00.
3. That the City Council approves the boundaries of the Lovett Brook Urban Renewal Plan as depicted in Exhibit A.
4. That the area contained in the Lovett Brook Urban Revitalization District project boundaries is a blighted open area as designed by MGL Ch. 121B and as described in the Findings and Declaration of the Brockton Redevelopment Authority approved on October 23, 2025 and is in need of revitalization and redevelopment.
5. That the City Council approves the Lovett Brook Urban Renewal Plan, as described in Exhibit A attached hereto, prepared by Innes Land Strategies Group, Tighe & Bond, and RKG Associates, dated October 6, 2025.
6. That the City Council requests the Mayor to submit the Urban Revitalization Plan together with such other materials as required, the Department of Housing and Community Development for final approval.
7. That the City Council requests the Mayor to submit an Environmental Notification Form to the Massachusetts Environmental Policy Act (MEPA) Office for a MEPA Certificate.
8. That upon final approval of the urban renewal plan, and during its duration, requests that the Brockton Redevelopment Authority report annually on the status of implementation of the urban renewal plan.
9. That the City Council authorizes the Mayor to approve minor, non-substantive language changes to the Urban Revitalization Plan if such changes are recommended by the Department of Housing and Community Development or MEPA office.

10. That this order shall take effect upon the final approval of the Urban Revitalization Plan by the Department of Housing and Community Development.
(UNFAVORABLE)

Councilor Thompson: I stand this evening in support of the establishment of the Lovett Brook Urban Renewal District. This plan has been in development for approximately 5 years and it will allow for the orderly development of a blighted area. I believe due diligence on this matter is warranted but paralysis is not. URDs are not a new entity in the city of Brockton. In fact, we have two other highly successful urban renewal districts. We have an urban renewal district in downtown that was established in approximately 2016. Since that time, at least 10 redevelopment projects have been spurred due to this URD, including multiple residential developments, state aid, a state office building, and one of our downtown parking garages. These investments and more have totaled about a total investment in our downtown of approximately over \$100 million. We also have the Trout Brook Urban Renewal District. that's about 45 to 50 acres of land. It's has approximately a planned 1,000 residential units along with commercial entities, mixed used, major public infrastructure improvements and a public Riverwalk. When this URD is in a complete buildout, there's a potential for a total investment between 300 and \$800 million in the city of Brockton. Now, I'm about to offer an amendment in a minute that's going to amend the current Lovett Brook urban renewal plan. That amendment, it's going to speak to some of the concerns that my fellow counselors had regarding us understaff planning office and Brockton redevelopment office. It's also going to push back any displacement actions until after 2032. The city council one of our jobs is to provide for the orderly development of our city. Believe that this URD will do so and I ask that my fellow counselors support the plan. with that I'm going to make a motion to amend and I'd ask the legislative council to speak to the amendment.

President Lally: Is there a second?

Councilor Asack: Second.

Legislative Counsel Attorney Resnick: just to clarify what I'm going to read. So the order that's on your agenda is the order that the council's voting on. When that was submitted, it included the plan that came from the planning department. So, this amendment changes the attached plan, the urban renewal plan language, not necessarily the order that you see on your agenda. So because of that, I need to read the full amendment because otherwise there's no tracking of where this text comes from. So, it would be to change 2028 and section 12-026 relocation to 2032 so that the text reads, "The BRA does not anticipate any displacement prior to January 1st, 2032 for any property listed in table 25 below. Add a new paragraph before the one beginning with table 27 as follows. The Brockton Redevelopment Authority should not begin the actions listed under development activities until the following conditions have been met. The mayor has appointed and the city council has confirmed the appointment of four members of the Brockton redevelopment authority and the executive office of housing and living livable communities has appointed one member consistent with MGL chapter 121B section 5. The Brock Development Authority has appointed an executive director and a project manager consistent with the authority for appointments in MGL chapter 121B section 7. If the executive director or project manager or both are city employees, both the mayor and the city council shall confirm their appointments. Add a new appendix for MEPA environmental notification form to the list of appendices. Delete the language contained in the sections titled Massachusetts Environmental Policy Act Office MEPA and insert the new language as follows. In January 2023, the Executive Office of Energy Environmental Affairs issues revised 301 CMR1 NEPA regulations to address changes in the Massachusetts Environmental Policy Act NGL chapter 30 section 61 through 62L MEPA. These revisions incorporated new legislation that addresses climate change and projects within environmental justice EJ communities. This legislation affected the MEEPA review projects for the Leburg URP given that the plan area includes several EJ communities. Based on the 2023 changes to me regulations, the URP required a more

intensive review through an environmental impact report as compared to simpler environmental notification forms filling that was previously required URPs. The MEEP filing for the URP also required a comprehensive analysis of impact to EJ communities and climate resiliency as well as enhanced outreach and engagements with EJ communities. In September 2025, in response to the ongoing housing crisis, Governor Healey announced proposed changes to 301 CRM 11 in order to streamline NEPA review for qualifying housing projects to align with actions to boost housing production as outlined in the comprehensive housing plan for 2025 through 2029.

Councilor Farwell: May I raise a point of order. Actually, a point of parliamentary inquiry. We just held a public hearing on the Lovett Brook plan, the plan that was fully debated last week at Fincom. We are now offering substantive amendments to that plan. And the people who appeared or might have appeared here tonight and didn't to talk about the plan might very well have come in if they read this. So, what good is it to hold a public hearing and then offer these amendments? I mean to me if I were a resident I would think that's smoke and mirrors. Either you hold a public hearing on what councilor we're getting off of parliamentary and the point of order is it appropriate to offer substantive amendments to something which you have published in the paper and ask people to come in and attend a public hearing.

Legislative Counsel Attorney Resnick: yes, you can make these amendments uh tonight. We did it with um a lot of the zoning issues that came before us with the fairgrounds. There were a lot of changes that were made after the public hearing. But it's up to you if you decide you think that the item is ready. But in terms of making a motion, they can make a motion at this time.

Councilor Farwell: I then move to table these amendments.

President Lally: Councilor, there's a motion actively made and seconded on the floor for the amendment, but the amendment just being explained by legislation.

Councilor Farwell: Is there a motion to table always in order?

City Clerk Mr. Cruise: Not during a motion.

Legislative Counsel Attorney Resnick: The regulatory changes are also addressed input from ELOC and gateway communities regarding NER review requirements for URP projects. Based on input from stakeholders, the mera office considered ways to expedite URP review so that the public actions to incentivize future developments can proceed while retaining the requirements for future projects to undergo MEA review under standard rules. The proposed changes were open to the public through November 2025 before being finalized and approved effective as of January 30th, 2026. Under the new regulations, the URP is still subject to NER review in accordance with 301 CMR 11.0312B2 approval in accordance with MGL chapter 121B of a new urban renewal plan or a major modification of existing urban renewal plan and because it requires a state agency action approval by EOHLC. However, new provisions in the MEEPA regulations remove the automatic requirement for an EIR drew solely to the presence of the EJ communities in the URP area. This provision is addressed in 301 CMR 11.0. 012C which outlines categories of projects that shall not be presumed likely or reasonably likely to cause damage to the environment notwithstanding that the product project exceeds one or more reviews thresholds in 301 CMR 11.03 provided an ENF is filed in accordance with 301 CMR 11.012 this includes projects subject to review by 301 CMR 11.0312 0312 such as URPs provided that the project does not independently propose any work project or activity that exceeds any other review threshold in 301 CMR 11.3 parentheses 1 through 11. The revised MEPA regulations also provides potential streamlining for future projects that may result from the URP. Future projects in the ERP area will only require MEEP review if they exceed a review threshold at 301 CMR 11.03 and require state agency action. EL HLC approval of the URP is not the corresponding state action that

may trigger MEPA review for a future project as that rep approval is solely tied to the actual URP 31 CMR 11.012C1 and 2 list types of projects that may be developed in the URP area that are also considered not likely or reasonably likely to cause damage to the environment. If projects in the URP area are proposed in the future that require NEPA reviews and meet the criteria below, they require an ENF only. Despite the URP project area being within a designated graphic area for EJ communities, these projects will not require an EIR in accordance with 301 CMR 11.067B. One, project meets all the following criteria. A devote 67% or more of the gross floor area of the project to residential uses with the remainder

devoted to supportive community uses. B ach achieves a density of at least eight units per acre for single family at least 12 units per acre for two and three family buildings and at least 15 units per acre for multifamily housing or more than three family residential uses. C alters up to 5 acres of previously developed land or alters up to 10 acres of previously undeveloped land or the project proposes a tree retention and replanting plan that demonstrates measures to minimize tree removal and replace remove trees to the maximum extent practical. D. project site is located outside the highest hazard areas and outside the special flood hazard area as defined by the wetlands protections act as e complies to the Massachusetts stretch energy codes adopted pursuant to chapter 169 of the acts of 2008. F does not require approval of a new interbas and transfer of water or waste water and does not require new or expanding gas mains. G generates fewer than 3,000 new ADT of traffic on roadways providing access to a single location or generates fewer than 6,000 new ADTS of traffic on roadways providing access to a single location if the project is located either in a transit-oriented development district or mixed use interest or less than 1/ half mile from the public transit stop with an existing or proposed safe and accessible path of travel to the project site. project does not meet or exceed any mandatory err thresholds in 301 CMR 11.3 provided the project satisfies criteria AE and either B or C or above. Table 23 below maps the buildout scenarios to the proposed criteria of streamlined MEEP review if only at 301 CMR 11.12C1 and 2. This analysis is a reference only and should future projects in the ERP require review. If a future project in the URP area is subject to meer review and meets the criteria below, it requires an ENF only and will not be subject to more intensive meer review required due to the URP's location in EJ designated graphic area. Insert the following table 23A renumbered in the existing table 23 is table 23B C 301 CMR 103 thresholds delete column and text referring to SI and table 23B. This I don't need to read because it's substantially the same as what was already in there. So that's the table that shows the new threshold, buildout, scenarios, and criteria met. And then replace the text in the January 2026 draft with the following. The Brockton Redevelopment authority understands that EOHLC's approval will be issued conditional upon completion of MEPA review. The city of Brockton will submit an environmental notification form after the city council's vote to adopt the plan consistent with 301 CMR 11.03122. Appendix 4 is the location of all MEPA documentation related to this plan. No known redevelopment projects within the n urban renewal area has been submitted to me for review.

President Lally: The motion's been properly made and seconded to introduce the amendment. Amendments are done by a hand vote. All in favor of the amendment?

President Lally: The amendment passes.

President Lally: The question is on adoption by a roll call vote.

Adopted as amended by a roll call vote taken by “yeas” and “nays”; eleven members present and seven voting in the affirmative. Councilors Farwell, Griffin, Nicastro, and Teixeira in the negative vote. (see attached amendment)

130.Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of: \$285,000.00

FROM: SALE OF LOTS AND GRAVES

\$285,000.00

TO: CEMETERY – GOODS AND SUPPLIES (FAVORABLE)	\$285,000.00
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Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

Councilor Asack stepped out.

- 131.**Ordered: That the following named sum be and the same hereby transfer as the same was submitted by the Mayor as follows:

Appropriation of: \$35,590.86

FROM: HUMAN RESOURCES – BENEFITS	\$35,590.86
TO: PLANNING – PERSONAL SERVICES NON-OT	\$4,708.25
DPW WATER - PERSONAL SERVICES NON-OT	\$4,405.55
DPW ENGINEERING – PERSONAL SERVICES NON-OT	\$4,169.79
BOARD OF HEALTH – PERSONAL SERVICES NON-OT	\$3,579.74
PUBLIC PROPERTY – PERSONAL SERVICES NON-OT (FAVORABLE)	\$18,727.53

Adopted by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor Asack not present.

Councilor Asack stepped back in.

- 132.**Ordered: That the following named sum be and the same hereby transfer as the same was submitted by the Mayor as follows:

Appropriation of: \$65,648.79

FROM: HUMAN RESOURCES – BENEFITS	\$65,648.79
ANIMAL CONTROL – PERSONAL SERVICES NON-OT	\$443.37
ASSESSOR – PERSONAL SERVICES NON-OT	\$612.21
AUDITOR – PERSONAL SERVICES NON-OT	\$5,961.30
CEMETERY – PERSONAL SERVICES NON-OT	\$483.88
CITY CLERK – PERSONAL SERVICES NON-OT	\$4,754.53
CITY COUNCIL – PERSONAL SERVICES NON-OT	\$4,232.26
COUNCIL ON AGING– PERSONAL SERVICES NON-OT	\$612.21
DPW COMMISSIONER – PERSONAL SERVICES NON-OT	\$589.73
DPW HIGHWAY – PERSONAL SERVICES NON-OT	\$3,534.46
DPW REFUSE – PERSONAL SERVICES NON-OT	\$2,168.66
DPW WATER – PERSONAL SERVICES NON-OT	\$1,918.13
ELECTIONS – PERSONAL SERVICES NON-OT	\$1,830.31
FINANCE – PERSONAL SERVICES NON-OT	\$2,168.66
FIRE – PERSONAL SERVICES NON-OT	\$4,209.77
BOARD OF HEALTH – PERSONAL SERVICES NON-OT	\$443.37
HUMAN RESOURCES - PERSONAL SERVICES NON-OT	\$2,314.77

LAW - PERSONAL SERVICES NON-OT	\$1,161.67
LIBRARY - PERSONAL SERVICES NON-OT	\$2,894.75
PARKS AND RECREATION- PERSONAL SERVICES NON-OT	\$3,030.32
PLANNING - PERSONAL SERVICES NON-OT	\$1,008.36
POLICE - PERSONAL SERVICES NON-OT	\$7,248.35
PROCUREMENT – PERSONAL SERVICES NON-OT	\$567.24
PUBLIC PROPERTY – PERSONAL SERVICES NON-OT	\$2,149.88
TREASURER’S – PERSONAL SERVICES NON-OT	\$10,221.10
VETERANS – PERSONAL SERVICES NON-OT (FAVORABLE)	\$1,089.50

Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

Councilor Teixeira stepped out.

134.Ordered: That the following named sum be and the same hereby transfer as the same was submitted by the Mayor as follows:

Appropriation of: \$600,000.00

FROM: FINANCE – PERSONAL SERVICES NON-OT	\$50,000.00
FINANCE – PURCHASE OF SERVICE	\$50,000.00
POLICE – PERSONAL SERVICES NON-OT	\$250,000.00
FIRE – PERSONAL SERVICES NON-OT	\$250,000.00

TO: LAW – PROPERTY INSURANCE (FAVORABLE)	\$600,000.00
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Adopted by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor Teixeira not present.

Councilor Teixeira stepped back in.

159.Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of: \$25,000.00

FROM: INFORMATION TECHNOLOGY – GOODS AND SUPPLIES	\$25,000.00
TO: INFORMATION TECHNOLOGY – OVERTIME (FAVORABLE)	\$25,000.00

Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

160.Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of: \$15,000.00

FROM: POLICE – PERSONAL SERVICES NON-OT	\$7,500.00
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FIRE – PERSONAL SERVICES NON-OT

\$7,500.00

TO: EMERGENCY MANAGEMENT – PERSONAL SERVICES NON-OT \$15,000.00
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

172.ORDERED: That the City, pursuant to M.G.L. Ch. 44, §§ 53A and 53A½, hereby
accepts the following donation of \$100,000.00

From: UNITED STATES SOCCER FOUNDATION

To: PARKS AND RECREATION
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

Councilor Thompson motioned to file for reconsideration with the wish that it not prevail and was properly seconded. The motion carried by a hand vote.

133.Ordered: That the City Council authorize the Mayor and appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the City and for other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents necessary to accomplish the same. (FAVORABLE)

Councilor Charnel: when we met with, I'm not in opposition of this at all, but, one of the questions I have is, when the mayor executes the contract, could he work with the now, I guess, supplier or the distributor to have some type of fund for the residents here that they pay into or is that something? Again, I'm just trying to see how I don't know if this is the venue for that.

Legislative Counsel Attorney Resnick: like a revolving fund?

Councilor Charnel: I don't mean not an enterprise fund but you know maybe because again I don't know if my confusion is I don't know if they just take all the money and the customer saves or if is there a way that we can you know take a quarter of every and put it in a fund and then use that as surplus for you know electrical project.

Legislative Counsel Attorney Resnick: for my watching of the finance committee meeting. It was a direct customer pay company to company, but this arrangement allowed the company to come offer the services in the city because they had an agreement with the city. So, the only thing that you're really authorizing is the mayor to enter into a contract that allows them to operate in the city without any financial benefit to the city. The financial benefit would be to the resident as a rate payer with that company.

Councilor Charnel: Well, we're entering the contract with the mayor's entering the contract with Good Energy, though.

Legislative Counsel Attorney Resnick: That's correct.

Councilor Charnel: So, could we then have Good Energy?

Legislative Counsel Attorney Resnick: Again, I'm just My understanding from what they proposed, that's not part of their business operation.

Councilor Charnel: Okay. So, it couldn't be something that we could look into. Could I make a motion to be in favor but also looking to if they would consider that?

Legislative Counsel Attorney Resnick: Sure.

President Lally: So, we you know, the question will come on adoption and we'll vote on it, but then we can put in an email or request to the mayor for you know the law department for determination. If there's anything particularly egregious, you do have a couple of days to retract you know.

Councilor Charnel: No, no. I'm in favor of I think it's a good thing. I'd like them to, you know, be more involved in the city and maybe we can, you know, establish some type of enterprise account where we can where we can stack away some rainy-day money in this particular area. Is all I'm saying. Because again, if they're going to just be making the bulk of the money and again, we're saving as well. So, if we're saving, but again, I still see it's just a one-track kind of relationship once they're here. It's seems like it's one and that's all I'm saying.

President Lally: Well, it's yeah, it's savings for the for the resident. That would be something I'd recommend maybe talking to the law office or the mayor's office. They might be able to give you more clarity on that.

Adopted by a roll call vote taken by "yeas" and "nays" eleven members present and all voting in the affirmative.

135.Ordered: The City of Brockton grants to Eversource Gas Company of Massachusetts, doing business as Eversource Energy, an Easement over and under City owned land identified as Assessor's Parcel IDs: 110-017 and 110-016, to provide certain limited access over or under the identified parcels as more particularly described in the proposed Easement attached to this Order. The City Council authorizes the Mayor to execute the attached Easement and to take other actions as necessary to carry out the terms, purposes, and conditions of the same. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays" eleven members present and all voting in the affirmative.

138.Resolved: To invite Mayor Moises Rodrigues, Police Chief Brenda Perez, and Police Lieutenant William Schlieman to appear before the Brockton City Council sitting as the Finance Committee to discuss their "Proposal to Address the Issues Associated with Addiction, Mental Health & Homelessness in Brockton January 2026" and such other related issues as the Finance Committee wishes to address. (FAVORABLE)

Adopted by a hand vote.

162.Resolve: Be it resolved to invite Mayor Moises Rodrigues, DPW Commissioner Patrick Hill, Traffic Commissioner Captain Mark Porcaro, and BEMA Director Stephen Hooke to appear before the Brockton City Council, sitting as the Finance Committee, to discuss how the City of Brockton can improve its responses to the impacts on the City of recent snowstorms, including clearing streets and sidewalks near schools and throughout the city. Specific Information sought includes, without limitation, the snow removal plan(s) developed prior to the storms, where removed snow is placed, the amount and kinds of equipment and support available in the City for snow clearance and removal in recent storms, the amount and types of equipment and support provided by the Commonwealth and Federal Government, and the ideal amount of equipment and support needed by the City for this work going forward. (FAVORABLE)

Adopted by a hand vote.

137.WHEREAS, The Southeastern Regional Vocational Technical High School provides exceptional educational and training classes in many disciplines for Brockton students, and

WHEREAS, The majority of the student enrollment originates from Brockton families;

NOW, THEREFORE, BE IT RESOLVED: Superintendent Holly McClanan and other staff members as she may determine appropriate, be invited to a meeting of the Council to provide an overview of school enrollment, staff promotions, educational programs, and services. (FAVORABLE)

Adopted by a hand vote.

ORDINANCE:

Councilor Thompson motioned to summarize this Ordinance and asks that Legislative Counsel and or the Clerk just read Section 1 and 3 and was properly seconded. the motion carried by a hand vote.

196.ORDINANCE: Be it ordained by the City Council of the City of Brockton to adopt a new ordinance to the Revised Ordinances of the City of Brockton as follows:

AN ORDINANCE PROHIBITING THE MANUFACTURING, SALE AND DISTRIBUTION OF KRATOM

SECTION 1. PURPOSE

Whereas, Kratom, a tree-like plant indigenous to Southeast Asia, produces stimulant and sedative effects when orally ingested in tablet, capsule, or extract form. Kratom leaves can be chewed or dried and ingested as a tea. Use of Kratom can lead to psychotic symptoms, and psychological and physiological dependence because it contains mitragynine and 7-hydroxymitragynine, two major psychoactive ingredients.

SECTION 2. DEFINITIONS

For the purpose of this ordinance, the following terms shall have the meanings ascribed to them in this section:

Board. The City of Brockton Department of Health and Human Services.

Business Agent. An individual who has been designated by the owner or operator of any business to be the manager or otherwise in charge of said establishment.

Compliance Check. An enforcement activity where a person is sent into an establishment to attempt to purchase a restricted or prohibited product.

Kratom. Refers to the leaves or an herbal extract from the leaves or the other parts of an evergreen tree in the Rubiaceae family native to Southeast Asia called Mitragyna Speciosa, that contains as its primary compounds, mitragynine and 7-hydroxymitragynine, which produces stimulant-like effects in low dosages and opioid-like effects in high dosages, and it may be marketed in different forms, including but not limited to smokable products, tea, capsules, and as an additive to soft drinks or other products.

Person. Any individual, firm, partnership, association, corporation, company, or organization of any kind, including, but not limited to an owner, operator, manager, proprietor, or person in charge of any establishment, business or retail store.

SECTION 3. PROHIBITION ON THE SALE OF KRATOM PRODUCTS

No person shall manufacture, distribute, sell, or offer for sale Kratom in any of its forms, as defined herein, or any Kratom derived products, or any products containing Kratom as an additive in the City of Brockton.

This shall apply to Kratom and any product with similar ingredients or product operating under a different name.

SECTION 4. VIOLATIONS AND ENFORCEMENT

1. Any person or entity charged with violating this regulation shall receive a notice of violation from the Board or its designated agent(s).
2. It shall be the responsibility of the establishment owner and/or his or her manager or business agent to ensure compliance with this regulation. The violator shall receive:
 - i. In the case of a first violation within a 36-month period, a fine of one thousand dollars (\$1000.00),
 - ii. In the case of a second violation within 36 months from the first violation, a fine of two thousand dollars (\$2000.00), and a suspension of any permit issued by the Board, including but not limited to a permit to sell tobacco products, for seven (7) consecutive business days.
 - iii. In the case of three or more violations within a 36-month period, a fine of five thousand dollars (\$5000.00) and a revocation of any permit issued by the Board, including but not limited to a permit to sell tobacco products.
3. Every day that a violation exists shall be deemed a separate offense. If multiple violations occur stemming from the same inspection or compliance check, they shall be treated as separate violations.
4. Failure to pay a fine issued pursuant to this regulation within twenty-one (21) days of its date of receipt by the violator shall constitute a separate and subsequent violation of this regulation subject to the penalties set forth at paragraph 2 of this section. Payment of a fine is not required while an appeal is pending.
5. Any person who receives notice of a violation of this regulation may request and appeal hearing before the Board. The request must be made in writing, signed by the violator or the violator's attorney, filed with, and received by the Board within ten (10) business days of the date the notice of violation was received by the violator.
6. Any resident who desires to register a complaint pursuant to this regulation may do so by contacting the Board.
7. Before suspending or revoking any permit issued by the Board including a permit to sell tobacco products, the Board shall provide notice of the intent to suspend or revoke such permit, which notice shall contain the reasons therefor and shall establish a time and date for a hearing, to be held no earlier than ten (10) business days from the date of receipt of the notice. The permit holder or their designee shall have the opportunity to be heard and shall be notified of the Board's decision and the reasons therefor in writing. If after hearing, the Board finds that a violation of this regulation occurred, the Board shall suspend or revoke the subject permit. Such suspension or revocation shall not be carried out sooner than ten (10) business days of the date of receipt of the Board's decision. For purposes of such suspensions or revocations, the Board shall carry them out unless it receives an order of stay or injunction from the appropriate court before the date the suspension or revocation is set to go into effect. Upon suspension or revocation of a permit, all products subject to that permit must be removed from the retail establishment. Failure to remove such products shall constitute a separate violation of this regulation. Multiple permit suspension may not be served concurrently.
8. Failure to comply with the terms of a permit suspension imposed pursuant to this regulation may subject the permit holder to additional fines, as provided in paragraph 2 of this section, and suspension of all Board-issued permits for thirty (30) consecutive business days.
9. The Inspectional Services Department shall be authorized to enforce any provisions of this Ordinance.

10. The Brockton Police Department shall be empowered to seize the products prohibited by the Ordinance and shall discard the products in accordance with the policies of the Brockton Police Department.

Referred to Ordinance

197.ORDINANCE: Be it ordained by the City Council of the City of Brockton to adopt a new section of the Zoning Code as follows:

FORM BASED CODE DISTRICTS

(see attached on City of Brockton website or full viewing at the Clerk’s office upon request)

Referred to Ordinance & Planning

198.Ordinance: Amendment to Zoning Map for Parcel IDs identified

Be it ordained, pursuant to Section 27-5 of the City Ordinances “Zoning Map” whereby reference is made to and incorporation of said boundaries of each of the zones established as shown on the map entitled, “The City of Brockton, Massachusetts Zoning District Map” dated November 10, 1967, and thereafter amended, that said map be amended to reflect the following zoning change: (see attached on City of Brockton website or full viewing at the Clerk’s office upon request)

Referred to Ordinance & Planning

199.Ordinance: Be it Ordained by the City Council of the City of Brockton the following Temporary Order regarding Short Term Rentals to Expire on July 31, 2026, and be enacted upon majority vote of the City Council:

Whereas, the City of Brockton's Zoning Ordinance does not expressly regulate or permit short-term rentals, and unlisted uses may be prohibited by default; and

Whereas, the 2026 FIFA World Cup will feature multiple matches at Gillette Stadium in June and July 2026, with significant additional visitor activity expected in the surrounding region, including Brockton; and

Whereas, this event is projected to bring hundreds of thousands of visitors to the area, creating a temporary shortage of lodging accommodations and a unique economic opportunity for Brockton residents and businesses; and

Whereas, while short-term rentals offer potential benefits, concerns exist regarding public safety, neighborhood impacts, enforcement consistency, compliance with state building/fire/health codes, liability exposure for the City, and the need to preserve private property restrictions, such as condominium bylaws or homeowner association rules; and

Whereas, Massachusetts General Laws Chapter 64G (as enacted by Chapter 337 of the Acts of 2018) provides a statewide framework for short-term rentals, including mandatory registration, taxation, and \$1,000,000 minimum liability insurance, while authorizing local regulation without preemption; and

Now, Therefore, Be It Ordained that, for the limited purpose of accommodating World Cup-related visitor demand, the City of Brockton hereby temporarily allows Short-Term Rentals as defined below, subject to the following conditions and requirements:

1. **Definition:** A "Short-Term Rental" means a habitable dwelling unit, or portion thereof, owner-occupied or not, rented or used for occupancy of 31 consecutive days or less, and is not a hotel, motel, lodging house, rooming house, or bed and breakfast establishment as defined in M.G.L. c. 64G, § 1.
2. **Effective Period:** This temporary allowance shall be effective from **April 1, 2026 to July 31, 2026**, and shall automatically expire on July 31, 2026, without further action. Upon expiration, Short-Term Rentals shall revert to the status under the existing Zoning Ordinance, i.e., no grandfathering or permanent permission is granted.
3. **Permitting and Compliance:**
 - Operators using their primary residence or portion thereof for Short-Term Rental shall apply to the Commissioner of Buildings for a temporary permit. The application shall include a basic floor plan showing area dedicated to rental use and proof of compliance with state requirements.
 - All Short-Term Rentals shall fully comply with:
 - The Massachusetts State Building Code, Fire Code, and applicable health ordinances.
 - M.G.L. c. 64G, including mandatory registration with the Massachusetts Department of Revenue (DOR), issuance of a Certificate of Registration, collection/remittance of state and any local room occupancy excise taxes, and maintenance of liability insurance of not less than \$1,000,000 per occurrence.
 - Properties shall be subject to inspection by the Building Commissioner, Fire Department, or Health Department prior to occupancy.
 - The permit confirms temporary zoning eligibility and code compliance during the effective period only; it does not override private restrictions (e.g., HOA agreements, condo master deeds, rental covenants).
4. **Private Agreements and City Liability Disclaimer:**
 - Any lease or rental agreement for a Short-Term Rental is a private contract solely between the lessor (owner/operator) and lessee (guest). The City of Brockton is not a party to such agreements and assumes no responsibility for their terms or enforcement.
 - Nothing in this Temporary Order overrides or invalidates any prohibition or restriction on short-term rentals in a homeowner's association agreement, condominium master deed, rental agreement, or other private covenant as consistent with M.G.L. c. 64G, § 15.
 - The City of Brockton expressly disclaims any and all liability arising from or related to Short-Term Rentals permitted hereunder, including but not limited to property damage, personal injury, disputes between parties, or non-compliance with private agreements. Operators assume full responsibility and risk.
5. **Enforcement:** Violations of this Order, Massachusetts state law, or applicable codes and/or ordinances, during the effective period shall be subject to existing City enforcement mechanisms. Operators without a required permit or in non-compliance with state mandates may face penalties under city codes and/or M.G.L. c. 64G.

6. **Adoption Procedure:** This Temporary Order shall be adopted in accordance with M.G.L. c. 40A, § 5, including any required public hearing, notice, and planning board input (if applicable).

This Temporary Order will expire on July 31, 2026.

Referred to Ordinance

ORDERS:

- 200.**Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$175,688.00.

FROM: EXECUTIVE OFFICE OF ELDER AFFFAIRS	\$175,688.00
TO: COUNCIL ON AGING	\$175,688.00

Referred to Finance

- 201.**Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of: \$30,000.00

FROM: COUNCIL ON AGING – PERSONAL SERVICES NON-OT	\$30,000.00
TO: COUNCIL ON AGING – PURCHASE OF SERVICE	\$30,000.00

Referred to Finance

- 202.**Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$25,000.00.

FROM: DEPARTMENT OF CONSERVATION AND RECREATION	\$25,000.00
TO: PARKS AND RECREATION	\$25,000.00

Referred to Finance

- 203.**Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$18.00

FROM: POLICE – GOODS AND SUPPLIES	\$18.00
TO: ADVANCED LOCK & KEY	\$18.00

Councilor Farwell motioned to move under suspension of rules and act on this item this evening and was properly seconded. The motion carried by a hand vote.

Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

RESOLVES:

- 204.**Resolve: Be it resolved by the Brockton City Council to invite James O’Brien, City Solicitor, to appear before the Finance Committee for an introduction and greeting before the Council as the newly appointed City Solicitor.

Referred to Finance

Councilor's Recognition

Councilor Asack: would just like to announce that we're planning an ordinance meeting for Tuesday, March 31st, 6 p.m. here in council chambers.

Councilor Thompson: I'll be holding a W 5 community meeting this Wednesday, March 25th at 6:30 p.m. at the Baker Elementary School. This ward meeting the community meeting will be hosted by myself and our W 5 school committee member Sandra Centeio. Joining us will also be Kevin Sullivan of Left Field Project Management who will be discussing the Brockton High building project. We hope to share some important information with the public and listen to the feedback from our constituents. I welcome anyone who has time to attend to join us that evening.

President Lally: just give you a reminder that next Monday is the fifth Monday of the month and we have no meeting due to that. So, I will see you all in two weeks.

Meeting Adjourned: 7:30PM

All council business as listed on the agenda have been emailed to the City Council members in their complete form, with exception of oversized material, such as maps, photos, etc. Recommendations are based on reports from committees.

MOTION TO AMEND LOVETT BROOK URBAN RENEWAL PLAN

Motion to Amend the Lovett Brook Urban Renewal Plan as follows:

Change “2028” in Section 12.02(6) relocation to “2032” so the text reads:

The BRA does not anticipate any displacement prior to January 1, 2032, for any property listed in Table 25 below.

Add a new paragraph before the one begging with “Table 27” as follows:

The Brockton Redevelopment Authority shall not begin the actions listed under Development Activities until the following conditions have been met:

- The Mayor has appointed, and the City Council has confirmed the appointment of, four members of the Brockton Redevelopment Authority, and the Executive Office of Housing and Livable Communities (EOHLC) has appointed one member, consistent with MGL Ch. 121B, Section 5.
- The Brockton Redevelopment Authority has appointed an Executive Director and a project manager, consistent with the authority for appointments in MGL Ch. 121B, Section 7. If the Executive Director, or the project manager, or both are city employees, both the Mayor and the City Council shall confirm their appointments.

Add the new Appendix 4: MEPA Environmental Notification Form to the list of appendices.

Delete the language contained in the section titled “Massachusetts Environmental Policy Act Office (MEPA) and insert new language as follows:

In January 2023, the Executive Office of Energy and Environmental Affairs issued revised 301 CMR 11.00 MEPA Regulations to address changes in the Massachusetts Environmental Policy Act, M.G.L. c. 30, §§ 61 through 62L (MEPA). These revisions incorporated new legislation that addresses climate change and projects within Environmental Justice (EJ) communities. This legislation affected the MEPA review process for the Lovett Brook URP given that the plan area includes several EJ communities. Based on the 2023 changes to MEPA regulations, the URP required a more intensive review through an Environmental Impact Report (EIR) as compared to the simpler Environmental Notification Form (ENF) filing that was previously required for URPs. The MEPA filing for the URP also required a comprehensive analysis of impacts to EJ communities and climate resiliency, as well as enhanced outreach and engagement with EJ communities.

In September 2025, in response to the ongoing housing crisis, Governor Healey announced proposed changes to 301 CMR 11.00¹ in order “to streamline MEPA review of qualifying housing projects to align with actions to boost housing production as outlined in the Comprehensive Housing Plan for 2025-29, as well as corresponding recommendations of the Unlocking Housing Production Commission formed in 2024.”

¹ <https://www.mass.gov/doc/proposed-mepa-301-cmr-1100-redline/download>

The regulatory changes also addressed input from EOHLC and Gateway City communities regarding MEPA review requirements for URP projects. Based on input from stakeholders, the MEPA office considered ways to expedite URP reviews, so that public actions to incentivize future development can proceed while retaining the requirement for future projects to undergo MEPA review under standard rules.

The proposed changes were open to public comment through November 2025 before being finalized and approved, effective as of January 30, 2026².

Under the new regulations, a URP is still subject to MEPA review in accordance with 301 CMR 11.03(12)(b)(2), “Approval in accordance with M.G.L. c. 121B of a New urban renewal plan or a major modification of an existing urban renewal plan”, and because it requires a state agency action (approval by EOHLC). However, new provisions in the MEPA regulations remove the automatic requirement for an EIR due solely to the presence of EJ communities in the URP area. This provision is addressed in 301 CMR 11.01(2)(c), which outlines categories of projects that “shall not be presumed likely or reasonably likely to cause Damage to the Environment, notwithstanding that the Project exceeds one or more review thresholds in 301 CMR 11.03, provided an ENF is filed in accordance with 301 CMR 11.01(2)”. This includes projects subject to review by 301 CMR 11.03(12), such as URPs, provided that “the Project does not independently propose any work, project or activity that exceeds any other review threshold in 301 CMR 11.03(1) through (11)”.

The revised MEPA regulations also provide potential streamlining for future projects that may result from the URP. Future projects in the URP area will only require MEPA review if they exceed a review threshold at 301 CMR 11.03 and require a state agency action. EOHLC approval of the URP is not the corresponding state action that may trigger MEPA review for a future project; as that approval is solely tied to the actual URP.

301 CMR 11.01(2)(c)(1) and (2) list types of projects that may be developed in the URP area that are also considered not likely or reasonably likely to cause Damage to the Environment. If projects in the URP area are proposed in the future that require MEPA review and meet the criteria below, they will require an ENF only. Despite the URP project area being within a Designated Geographic Area for EJ communities, these projects will not require an EIR in accordance with 301 CMR 11.06(7)(b):

1. Project meets all of the following criteria

- a. devotes 67% or more of the gross floor area of the Project to residential uses, with the remainder devoted to supportive commercial uses.
- b. achieves density of at least 8 units per acre for single-family, at least 12 units per acre for two and three -family buildings, and at least 15 units per acre for multi-family housing of more than three-family residential uses.
- c. alters up to 5 acres of previously undeveloped land; or alters up to 10 acres of previously undeveloped land and the Project proposes a tree retention and

² <https://www.mass.gov/regulations/301-CMR-1100-current-mepa-regulations>

replanting plan that demonstrates measures to minimize tree removal and replace removed trees to the maximum extent practicable.

d. the Project site is located outside of highest hazard areas and outside the Special Flood Hazard Area as defined by the Wetlands Protection Act.

e. complies with the Massachusetts Stretch Energy Code adopted pursuant to Chapter 169 of the Acts of 2008.

f. does not require approval of a new interbasin transfer of water or wastewater, and does not require new or expanded gas mains.

g. generates fewer than 3,000 New adt of traffic on roadways providing access to a single location; or generates fewer than 6,000 New adt of traffic on roadways providing access to a single location if the Project is located either in a transit-oriented development district or mixed-use district or less than one-half mile from a public transit stop with an existing or proposed safe and accessible path of travel to the Project site.

2. Project does not meet or exceed any mandatory EIR threshold in 301 CMR 11.03, provided that the project satisfies criteria a, d, e, and either b or c above

Table 23 below maps the buildout scenarios to the proposed criteria for streamlined MEPA review (i.e. ENF only) at 301 CMR 11.01(2)(c)(1) and (2). This analysis is for reference only should future projects in the URP area require MEPA review. If a future project in the URP area is subject to MEPA review, and meets the criteria below, it will require an ENF only and will not be subject to the more intensive MEPA review required due to the URP's location in an EJ Designated Geographic Area.

Insert the following Table 23A and renumber the existing Table 23 as Table 23B 301 CMR 11.03 Thresholds. Delete column and text referring to SEIR in Table 23B.

New Threshold		Buildout Scenarios	Criteria Met?
1. Meets all of the following criteria			Strictly reading No as 1(c) is not applicable. Otherwise, all other criteria are met.
(a) Allocates 67% or more of the gross floor area to residential uses, with the remainder devoted to supportive commercial uses			This depends on the scenario. The Life Sciences Scenario would not meet this requirement for all projects, although the three mixed-use buildings are likely to individually meet it. The Alternative Scenario may meet this requirement, depending on the final mix of uses.
(b) Has a density of at least 8 units per acre for single-family, at least			Meeting this criterion will depend on the final mix of uses and whether that

New Threshold	Buildout Scenarios	Criteria Met?
12 units per acre for two and three-family buildings, and at least 15 units per acre for multi-family housing of more than three-family residential uses		mix is closer to the Life Sciences Scenario or the Alternative Scenario. It is unlikely that the density of those parcels identified for mixed-use purposes will be less than 15 dwelling units per acre.
(c) Alters up to 5 acres of previously undeveloped land; or alters up to 10 acres of previously undeveloped land and the Project proposes a tree retention and replanting plan that demonstrates measures to minimize tree removal and replace removed trees to the maximum extent practicable.	Not applicable as the area is currently developed.	Not applicable; not possible for this project to comply with this requirement.
(d) Is located outside of highest hazard areas and outside the Special Flood Hazard Area as defined by the Wetlands Protection Act	Located outside of flood and hazard areas	Yes
(e) Complies with the Massachusetts Stretch Energy Code adopted pursuant to Chapter 169 of the Acts of 2008	Brockton adopted the Stretch Energy Code in 2024.	Yes.
(f) Does not require approval of a new interbasin transfer of water or wastewater, and does not require new or expanded gas mains	No interbasin transfers and no new or expanded gas mains are required	Yes
(g) Generates fewer than 3,000 New adt of traffic on roadways providing access to a single location; or generates fewer than 6,000 New adt of traffic on roadways providing access to a single location if the Project is located either in a transit-oriented development district or mixed-use district or less than one-half mile from a public transit stop with an existing or proposed safe and accessible path of travel to the Project site.	Either scenario would create a mixed-use district. A public bus route run along Oak Street Extension, parallel to the site.	Yes
2. Does not meet or exceed any mandatory EIR threshold in 301 CMR 11.03, and meets a, d, e, and either b or c, above.		Yes – meets d and e; is likely to meet a and b. See Table 23B, below. It is possible, but unlikely that the Wetlands

New Threshold	Buildout Scenarios	Criteria Met?
		Threshold will be met. The City will need to work with private landowners to determine the extent of the deculvertization and wetlands restoration.
3. Does not meet or exceed any mandatory EIR threshold in 301 CMR 11.03 <u>and</u> seeks to qualify as an Ecological Restoration Limited Project under 310 CMR 10.24(8) and 10.53(4)		• Does not meet or exceed any mandatory EIR threshold in 301 CMR 11.03 • Does not seek to qualify as an Ecological Restoration Limited Project
4. Meets or exceeds any review threshold in 301 CMR 11.03(12), provided that the Project does not independently propose any work, project or activity that exceeds any other review threshold in 301 CMR 11.03.		Meets 301 CMR 11.03(12)2 for a new urban renewal plan.

Replace the text in the January 2026 draft with the following:

The Brockton Redevelopment Authority understands that EOHLC's approval will be issued conditional upon completion of MEPA review. The City of Brockton will submit an Environmental Notification Form after the City Council's vote to adopt the plan, consistent with 301 CMR 11.03(12)2.

Appendix 4 is the location for all MEPA documentation related to this Plan.

No known redevelopment projects within the urban renewal area have been submitted to MEPA for review.