

BROOKFIELD CONSERVATION COMMISSION

MINUTES

THURSDAY, January 17, 2008

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JAN 18 2008

BOARD OF SELECTMEN

Present: O'Leary, Grimes, Brogan

Absent: LeBlanc

Meeting began at 7:00PM. Mr Grimes accepted the position of Treasurer.

Communications

Mr O'Leary reviewed the towns communication regarding the OClair property.

Mr O'Leary reviewed communication regarding TMDL report on North and South Pond.

Ms Brogan distributed copies of the report for the commissions review.

Latino property is in compliance.

No further business to be discussed the meeting adjourned at 7:45pm



TOWN OF BROOKFIELD
Conservation Committee
6 Central Street
Brookfield, MA 01506

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DEC 18 2008

BOARD OF SELECTMEN

Minutes
Tuesday Nov 18, 2008
Town Hall 7:00 p.m.

Members Present:
Kenneth Cleveland
Heath Grimes
John O'Leary
Tim Simon

Meeting called to order at 7:00 pm.

Mr. O'Clair 13 Quaboag St, Business with property in Partial Wetlands
Present Mr. Damien Berthume Attorney for Mr. O'Clair, along with Mr. David Sadowski Engineer for Mr. O'Clair.

Mr. O'Clair has owns property with a portion being in the wetlands, and is in the process of applying for permits to open a towing business, garage and maybe sell cars.

Mr. David Sadowski engineer for Mr. O'Clair, presented the Conservation Committee Board with a site plan. Mr. Sadowski commented the property had been flagged in 2002 & again in 2005.

Mr. O'Clair would like to put up a fence along Quaboag St., for privacy since towing vehicles will be parked on the property and a gate is needed. The Board asked how far the fence would be from the street, Mr. O'Clair replied far enough from the road, so that a vehicle could park between. Mr. O'Leary asked what he thought would be involved in putting in the fence. Mr. O'Clair stated he may have to put in some material to fill in low spots and dig holes. Mr. O'Leary informed him that no work can be done until full approval from D.E.P., and the Conservation Committee including the order of condition has been approved. At the end Mr. O'Leary will address this issue with the D.E.P. and is considered open at the next meeting.

Mr. Menaggio Molasses Hill Rd. Order for Extension File# 119-095

Request to extend the construction phase has been submitted. This will need to be approved at the next meeting on December 16, 2008 by Board members.

Mr. Trifone Fiskdale Rd Order for Extension File# 119-0093

Mr. Trifone on Rt. 148 has requested an extension of order of conditions. Mr. O'Leary asked the Board if everyone agreed to the extension, all in favor. Mr. O'Leary will check with the D.E.P. for their approval.

Complaint from Mr. White 33 Molasses Hill Rd, Tree Cutting

If anyone has comments/questions about this discussion please advise so I may document it.

Alleged tree cutting by Mr. Doug Powers, on adjacent land owned by Mr. White's family. Mrs. White stated she feels that Mr. Powers wetland flagging may not be accurate. Mr. White will approach Mr. Powers about his concerns on tree cutting.

The Committee stated Mr. Powers will likely be on next months agenda and feels he has more than 500 sq. ft. of wetland and replication will be in order.

Other Business:

Trying to get Ms. Jen Gensel, the circuit rider for D.E.P. here for training.

Minutes approve from Nov. 18th, 2008.

Next meeting: Tuesday Dec. 16, 2008 at 7:00 pm.

Note: minutes typed by Ms. Stawski who was not present at the meeting.

Respectfully Submitted,



Diane Stawski Secretary for Conservation Commission

Minutes approved: 12/16/08



TOWN OF BROOKFIELD
Conservation Committee
6 Central Street
Brookfield, MA 01506

Minutes
Tuesday December 16, 2008
Town Hall 7:00 p.m.

Members Present:
Kenneth Cleveland
John O'Leary
Timothy Simon

Absent: George Leblanc
Heath Grimes

Meeting called to order at 7:00 pm.

Mr. Trifone Fiskdale Rd Lot 3, Order for Extension File# 119-0093

Mr. O'Leary has checked with D.E.P. for their approval, there were no problems. The Board approved the extension date to 2011, signed the order for extension and Mr. O'Leary will mail a copy to Mr. Trifone.

Minutes November 18, 2008

Mr. O'Leary read the minutes from November 18, 2008. Corrections to include adding attendance of Mr. Berthume Attorney, and Mr. Sadowski Engineer for Mr. O'Clair's property 13 Quaboag St., a partial of the property located in the wetlands.

Change to Mr. Menaggio Molasses Hill Rd add order of conditions along with file #.

O'Clair Property 13 Quaboag St., Business Partial Wetlands

A copy of the Planning Board request for a special permit along with a revised map submitted by Mr. Sadowski dated October 9, 2008 was given to the Conservation Committee along with copies to the Zoning Board and Building Inspector.

Mr. O'Leary noted that on the application the applicant intends to construct and rent 44 self storage units.

Mr. O'Leary read a copy of a letter received from D.E.P. (Department of Environmental Protection) dated November 17, 2008 stating a Notice of Intent file # **CE 119-0117**. Copies were sent to Mr. Sadowski Engineer and

to the Natural Heritage & Endangered Species Program. See attached for detailed information.

Mr. O'Leary read a copy of a letter received from Division of Fisheries & Wildlife dated November 25, 2008 stating a Notice of Intent with site plans file # **08-25757**. Ma Wetlands Protection Act (WPA) stated based on a review of the information that was provided and the information that is currently contained in our database, the NHESP (National Heritage & Endangered Species Program) has determined that this project, as currently proposed, **will not adversely** affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions. The NHESP has reviewed the submitted material and has determined that the MESA (Ma Endangered Species Act) filing is incomplete. Once the NHESP has determined all the required materials have been received they will issue a file number and complete their review (321 CMR 10,18(1)). **No soil or vegetation disturbance, work, clearing, grading or other activities related to the subject filing may be conducted anywhere on this project site until the NEHESP has completed its Mesa review.** Copies of the letter were sent to Mr. Sadowski Engineer and to D.E.P.

Mr. Simon stated it is up to the owners of the property to contact the National Endangered Species.

Mr. Menaggio Molasses Hill Rd. Order for Extension File# 119-095

Request to extend the construction phase has been submitted. Mr. O'Leary asked if everyone agreed to the extension, all in favor.

Correspondence:

Smart Energy Conference class to be held in April, 2009. Mr. Simon has signed up for the class.

Mass Wildlife News, has a grant available for wildlife species for individual landowners, landtrusts, sportsmen's clubs. Applications need to be received on or before December 19, 2008.

Magazine Land & People received and will be filed.

Mr. O'leary received the Quaboag/Quacumquasit newsletter. Order of Conditions has been issued for flow barrier between North and south Pond has been approved 11/12/08, Weir operation, dep file# 140-0113. The conservation committee of Brookfield was not notified.

Other Business:

Mr. Cleveland presented a letter from the Rehabilitative Resources stating they have been in communication with the Blanchard Means Foundation (Elm Hill), and have been given authority by them to use the unpaved road behind their property located at 11 North Brookfield Road, Brookfield. Mr. Cleveland

Public Hearing called to order at 7:15 pm for: Mr. Powers Lot 7, Fiskdale Rd, Common Driveway per Mass Wetlands Protection Act Chapter 131, Section 40.

Mr. O'Leary read the Public Hearing notice.

There were no abutters present at the meeting.

Plans were submitted to the Conservation showing the proposed common driveway. The Wetland Protection is 950'.

Ms. Gensel gave a copy of the State Regulations to Mr. O'Leary.

Ms. Gensel asked if a notice of comment had been issued by the D.E.P. Mr. Powers said no.

The Board needs to have comments from the D.E.P. before making any decisions.

Hearing closed at 9:15 pm.

Continuation to February 17,2009 at 7:00 pm.

A check for the wetlands fee was received from Mr. Powers in the amount of \$262.50 by Mr. O'Leary.

A Training Session by Ms. Jennifer Gensel from D.E.P. who will explain some of the state regulations with regards to the various applications that the ConCom must deal with, an how to file those forms with the State and respond to the applicants with the correct forms.

Hiring outside consultants Chapter 44 section 53G

Mr. O'Leary read the article on employment of outside consultants.

Motion made to accept the article by Mr. Cleveland, 2nd by Mr. Simon, All in favor.

A separate account will be created for the fees for employment of outside consultants.

Motion to accept hiring outside consultants for advice by Mr. Cleveland, 2nd by Mr. Simon, All in favor.

Meeting adjourned at 10:00 pm.

Other Business:

Mr. O'Leary asked Ms. Stawski to type an Annual Report stating the Board has 2 regular filing cabinets, and also receive an expense account in the amount of \$500.

Received a letter from Division of Fisheries & Wildlife on a vernal pool in our town (Certified Vernal Pool 4985) located on Allen Rd., affords it protection under the following regulations. Regulations 310 CMR 10.00 protectable

vernal pool habitat includes the pool itself and up to 100 feet beyond the pool's margin. Regulation 314 CMR 4.00 discharges of dredge or fill material are strictly prohibited within the boundaries of certified vernal pools. Included was a map.

Respectfully Submitted,

Diane Stawski Secretary for Conservation Commission

Minutes approved:

Diane Stawski 2/17/08