



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

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BOARD OF SELECTMEN

Minutes Tuesday May 19, 2009

Members present: Kenneth Cleveland
Timothy Simon
Heath W. Grimes
John O'Leary

Absent: William Neault
George LeBlanc

Meeting called to order at 7:03 pm.

Clear Creek Developers Name Change:

JJMT Clear Creek LLC - Mr. Tom McDermott 1608 River St. Apt 111, Hyde Park, Ma 02136

Mr. Jim Werner, 81 Travis Rd., Holliston Ma 01746

Mr. Mark Helm, 1011 South St, Walpole Ma 02081

Mr. Jim Scannell, 7 Beechwood Dr., Walpole Ma 02071

Mr. Simon stated a letter was sent by registered mail informing them that the Order of Conditions had expired and they are in violation, a new Order of Conditions has been filed with the Registry of Deeds and was included in the mailing.

Mr. Simon & Mr. Cleveland both did a site visit and noted several problems. Mr. O'Leary stated there was a silt area raised to 25 feet, and ½ of the silt area is missing.

Mr. Cleveland stated the replication area is of concern.

Mr. O'Leary stated nothing at this point can be done. Mr. McDermott at the meeting of April 21, 2009 that the work would be done by June 1, 2009.

Mr. Cleveland asked that all the concerns of the Board be listed. Mr. Simon will type up a letter, send it to the Realtor and to Mr. McDermott. Mr. Simon stated there was no order of conditions on a 2 homes built, on Clear Creek Lane and for Parcel A. Mr. Simon stated it was the developers responsibility. Mr. Simon mailed an enforcement order.

Mr. O'Leary stated the Conservation Commission will wait, the property will be auctioned on May 20, 2009 at 2:00 pm on the site. Mr. Simon will attend the auction.

Correspondence:

Mr. Ed Paquette Rt. 148 – A letter from Attorney Edmund Neal III representing Mr. Paquette, asking for a copy of the certificate of compliance for Lot 8.

Mr. Simon stated no plans were ever submitted to the Board.

Mr. O'Leary phoned Mr. Paquette informing him that plans need to be submitted for Stormwater and to include the wetlands. Mr. O'Leary asked Mr. Paquette to attend the next meeting on June 16,2009 with the plans subject to order of conditions.

Mr. Richard Trifone Lot 3 & 4 Fiskdale Rd., Rt 148

Mr. Trifone phoned Mr. Simon about concerns for the driveway. Mr. Simon stated the plans did not include the riverfront nor did it include the perennial stream. Mr. Simon had a copy of the plan submitted with the order of conditions. Mr. Simon phoned Mr. Trifone informing him that he and Mr. Cleveland would do a site visit and may have suggestions as to moving the roadway away from the riverfront.

Mr. Cleveland stated the Conservation Commission needs to advise Mr. Trifone that a cape cod berm by the road surface will help to avoid flooding. Mr. Simon stated new plans will need to be presented.

Mr. Simon noted that the Highway Dept. requires the road be 14' wide, and the Fire Chief stated the road should be 18' feet wide in order to turnaround the fire truck in an emergency.

Continuation Public Hearing O'Clair Quaboag St. called to order at 8:45 pm

Mr. O'Clair was not present at the meeting, and no abutters.

Mr. Simon stated the Notice of Intent (NOI) was incorrect and did not include the riverfront. There will be 4 buildings within the buffer zone and the fees will increase. Mr. Simon will inform Mr. Sadowski the Engineer for Mr. O'Clair the fence along the wall should be moved. Mr. Simon also stated concerns about the driveway and the area for snow removal.

Mr. O'leary ended the hearing at 8:50 pm.

Mr. O'Leary to continue the hearing for June 16,2009 at 7:00 pm.

Old Business:

Mr. Simon printed off Chapter 39 sec 23, sec 23B, Mass. Chapter 131 sec 40 on Open Meeting Mass. General Laws. This will be kept in the filing cabinet for future reference.

The members of the Board asked what the regulations are to missing meetings. Mr. George LeBlanc has missed the last 4 meetings. Mr. Grimes will contact Mr. Leblanc and ask him to submit a letter of resignation. Mr. O'Leary stated that would not be necessary.

Minutes:

April 21, 2009 motion made by Mr. Cleveland to accept with changes, 2nd by Mr. Grimes, All in Favor, with Mr. Neault abstained, not present at the meeting.

Meeting adjourned at 9:20 pm.

Respectfully Submitted,

Diane Stawski Secretary for Conservation Commission

Minutes approved: 7/21/09