



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

Minutes Tuesday July 21, 2009

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

Absent: George LeBlanc

Meeting called to order at 7:00 pm.

**Correspondence:**

**Mr. Fromm's Dredging Rice Reservoir agri-business, private pier and boatshed: NHESP Tracking No. 06-20694**

A letter was received from the Division of Fisheries & Wildlife stating the referenced project via letter dated June 15, 2009 asking for information relative to the above referenced project from Mr. Jeffrey W. Oakes from CLE Engineering, Inc. representing Mr. Fromm. Mr. Oakes letter attempts to address on-going fisheries concerns relative to the proposed dredging of Rice Reservoir. For the following reasons, rather than respond to your letter, we will wait until the Draft Environmental Impact Report is available for our review.

Fisheries concerns are not adequately addressed.

Lack of fisheries survey information makes it difficult to determine what the potential impacts might be.

Presence/Absence of the beaver dam makes this two very distinct potential projects which will require thorough review of both scenarios.

It has been brought to our attention that the proponent has filed a Notice of Project Change which is dramatically different from the project proposed in your June 15, 2009 letter.

Mr. O'Leary stated at this time only a letter from Mr. Fromm's Engineering group stating he plans to move forward with his plans.

A request by email from a concerned resident Wendy Waegell, 7 Rice Corner Rd., asking if any decisions had been made on the business. Ms. Stawski responded stating only a letter has been received showing intentions to move forward and Mr. Fromm has not contacted the Conservation Commission.

**Letter from Commonwealth of Massachusetts Capital 2010 Summary**

A list of programs included grant and loans offered by the Executive Offices of Administration and Finance were included. For more information go to [www.mass.gov/commcap](http://www.mass.gov/commcap)

**Letter from Kopelman & Paige** – Information on Certificates of Construction Approval and time limits for applications are available under the Subdivision Control Law and Zoning Act.

**Letter from Residents of Brookfield Meadows to Selectman**

Residents were concerned that trucks coming and going full of gravel through a residential area along with a senior development have not been notified that there would be trucks removing gravel. The Conservation Commission stated this is not a wetland problem.

**Wage Authorization Form:** Processed and returned to Personnel Board.

**Minutes to approve:**

**May 19, 2009** motion made by Mr. Cleveland to accept the minutes, 2<sup>nd</sup> by Mr. O’Leary, All in Favor. Abstaining Mr. Neault and Mr. Leblanc not present.

**June 16, 2009** motion made by Mr. Neault to accept with changes, 2<sup>nd</sup> by Mr. Cleveland, All in Favor. Abstaining Mr. Simon, Mr. Grimes and Mr. Leblanc not present at the meeting.

**Treasurer’s Report:**

Mr. Grimes stated bills will be submitted for reimbursement on Mr. Simon’s classes attended on the Wetlands Delineation and the Mass. Association Conservation Commission.

Purchase of keys for the filing cabinet by Ms. Stawski.

Mr. O’Leary asked if the bill for Central Massachusetts Regional Planning had been submitted. Mr. Grimes stated not at this time, due to he needed signatures to submit the paperwork for payment.

**Other Business:**

**Article 34: a new chapter “Chapter XVI” Non-Zoning Wetlands Protection By-Law Town Meeting June 26, 2009**

The purpose of this bylaw is to protect the wetlands. The bylaw passed with a count of 34 ayes, 28 nays.

**Mr. Trifone, Fiskdale Rd** – Mr. O’Leary received a phone call from Mr. Trifone informing him that plans for logging from the Forestry will be forthcoming.

**Order of Conditions for Mr. O’clair, Quaboag St**

Mr. Cleveland received a verbal extension on the Order of Conditions. There are two checks that need to be submitted.

Mr. O’Clair was present and he was not aware there would be additional fees until the meeting held on June 16, 2009. He stated when he submitted his plans last year in October 2008 he was never informed of all the fees.

Mr. O’Leary stated the plans were changed and revised with the final revision on the plan being submitted to the Conservation Commission dated Rev 7 April 4, 2009. The Dept. of Environmental Protection charges a fee of \$1,050 for each building in the riverfront. The plans show 4 buildings, Mr. O’Leary talked with D.E.P. asking if this fee could be changed and was informed that D.E.P. would only charge for two buildings and that would be acceptable. Mr. O’Leary asked Mr. O’Clair if he would consider withdrawing his application. Mr. O’Clair said no.

Mr. O’Clair was informed this fee is from the State and has nothing to do with the Conservation Commission. The Board is not trying to prevent the business. Mr. O’Clair should have been informed that these fees needed to be paid before the Order of Conditions can be released. Mr. O’Leary stated he will drop off the two checks \$800 for D.E.P. and \$800 to the Town of Brookfield on July 22,2009.

**Motion to adjourn meeting By Mr. Neault, 2<sup>nd</sup> by Mr. Cleveland, All in Favor at 8:45 pm.**

Respectfully Submitted,

Diane Stawski Secretary for Conservation Commission

Minutes approved: \_\_\_\_\_