



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

Minutes
Tuesday November 17, 2009
Town Hall 7:00 p.m.

Present: Kenneth Cleveland
Heath Grimes
William Neault
John T. O'Leary
Timothy Simon

Absent: George Leblanc

Mr. O'Leary called the meeting to order at 7:05 pm.
Pledge of Allegiance

Mr. Bannish 92 Quaboag St potential buyer of property NOI 119-0119

The Notice of Intent received November 12, 2009 from MassDep with file number in accordance with the Wetlands Protection Act (M.G.L. c.131, §40). Contact person on this file with D.E.P. is Maryann Dipinto @ 508 767 2711.

Mr. O'Leary informed the potential buyers that the Conservation Commission has been diligent in getting information about Title V septic tanks in a flood plain. The compensatory storage is an issue and would like to see on the plans the elevation of the flood plain, along with the volume that will be displaced with the septic system. Mr. Cleveland noted that the current plan submitted does not show no mark on the elevation for the Flood Plain.

Mr. Bannish asked how to achieve that. Mr. Simon stated that an engineer is certified, and would submit the plans with the flood plain.

Mr. O'Leary informed Mr. Bannish, that the order of conditions is written by the Conservation Commission and sends a copy to Dept. of Environmental Protection (D.E.P).

Mr. Simon asked Mr. Bannish about Notice of Intent on page 2 System Repair Septic Tank, has the septic tank failed? Mr. Bannish stated no it is not a repair but an upgrade per Title V.

Mr. O'Leary informed Mr. Bannish that a public hearing needs to be done, along with getting a list of abutters from the tax accountants office, advertisement in the Worcester Telegram & Gazette 7 days prior to the public hearing must be submitted, send a copy of the advertisement by certified mail to abutting neighbors and to bring the copies to the hearing date.

Mr. Bannish was concerned with placing the ad and getting the correct information. Mr. Simon informed him that Mr. Gobi or the surveyor would have all the information and could help him.

The date for the Public Hearing will be Wednesday, December 16, 2009 at 7:15 pm.

The Board discussed issues on septic systems and Mr. Neault stated he would attend the next Board of Health meeting to get feedback on septic systems in the Flood Plain.

**Mr. Holcraft East Side Lake Rd – Filing with State selling property
Agriculture**

Mr. Holcraft informed the conservation commission of his intentions. The Conservation Commission asked Mr. Holcraft to bring in a plan and the paperwork for next month's meeting on Wednesday December 16, 2009 at 8pm, so they may do a site visit.

Mr. Neault asked about selling a conservation restriction 61A & 61B, this is for property listed as agriculture. Mr. Holcraft will be selling the building rights to be used as agriculture so no buildings will be developed on the property.

Correspondence:

Kevin Swanson potential buyer Lot 2 198 Rice Corner Rd

Mr. Swanson contacted Mr. Simon asking if the Con/Comm would do a site visit. The lot size is irregular and there are wetlands, river and stream crossing. A plan was submitted and the Board will do a site visit.

Office of the Attorney General Article #34 Section VIII, Regulations

A proposed by-law for the Conservation Commission to promulgate rules and regulations to effectuate the purposes of the proposed by-law has been approved under this Article, except as provided below, (**Disapproval #1 of 1**).

We disapprove and delete the above underlined section text in Section XI of the proposed by-law (non-criminal citations under G.L. ch.40 §1D).

The change has been made and posted by the Town Clerk. The change will be added to the next Town Warrant Meeting as a change showing the deletion of the words.

Request for Determination of Applicability CSX Transportation, Inc.

CSX will be doing spraying to avoid impact to wetlands.

Mr. Simon stated there is a form that he will download and will bring it to our next meeting on Dec. 17 for signatures.

Letter from the Selectmen Town Meeting being held Nov 17, 2009

The Board of Selectmen in a letter stated that a meeting for a grant (CDGB) will be held at 7:15 pm for review, along with information on voting registration, special town meeting, and announcements for upcoming events.

Old Business:

Bill was received from Massachusetts Association Conservation Commission for \$98.00, Mr. Grimes will process the bill.

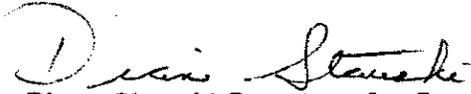
Minutes approve Oct 20, 2009

Motion made to approve with changes by Mr. Simon, 2nd by Cleveland. All in Favor, Abstained Mr. Grimes, Mr. Neault and Mr. Leblanc.

Meeting adjourned at 9:00 pm.

Next meeting Wednesday December 16, 2009 at 7:00 pm.

Respectfully Submitted,



Diane Stawski Secretary for Conservation Commission

Minutes approved: 12/16/09