



**TOWN OF BROOKFIELD
OFFICE OF THE PLANNING BOARD
6 Central Street
Brookfield, MA 01506**

Minutes
Wednesday, May 7, 2008
Town Hall

Members Present: Bruce Clarke
Kermit Eaton
Daniel Leahy
Mary T. O'Connell
Sharon Mahoney

The meeting was called to order at 6:30 p.m.

Ms. O'Connell congratulated Ms. Mahoney & Mr. Leahy on their winning a seat on the Planning Board. Ms. O'Connell then commented that the Planning Board needs to reorganize.

Chairperson: Mr. Eaton nominated as Chairman Ms. O'Connell, 2nd by Mr. Clarke. All in favor. Ms. O'Connell accepted stating this will be her last year on the Planning Board.

Vice Chairman: Mr. Eaton nominated Mr. Leahy, 2nd by Ms. Mahoney. All in favor.

Secretary/Clerk: Mr. Leahy nominated Ms. Mahoney, 2nd by Mr. Clarke. All in favor.

Treasurer: Mr. Clarke nominated Mr. Eaton, 2nd by Mr. Leahy. All in favor. Mr. Eaton commented that he is considering resigning from the board but will stay until a replacement can be found.

Representative for CMRPC (Central Mass. Regional Planning Commission): Ms. O'Connell nominated Mr. Clarke, 2nd by Ms. Mahoney, All in favor.

Filling a vacancy on the Board would require a joint session with the Selectmen.

Mr. Booth, ANR, 200 Fiskdale Road

Mr. Booth presented a plan changing the lot line in the back of his property 2'. He is adding a room on the back of this home and needed two extra feet for setbacks.

The Board reviewed the plans, motion made to accept by Mr. Eaton, 2nd by Ms. Mahoney. All in favor.

Ms. O'Connell suggested the Planning Board waive the fee, and the Board agreed.

Public Hearing on Zoning Bylaw Amendment Proposals (Articles 27, 28, 29 on Annual Town Meeting warrant)

The hearing was called to order at 6:45 p.m. There were no residents present at the hearing, and no public comment was received. Ms. O'Connell read the suggested changes by Town Counsel. All the changes were minor. The public hearing was closed at 6:55 p.m.

The Board agreed that all changes proposed by Counsel should be included. Mr. Eaton stated that the purpose should be on focus when the bylaw is presented to Town Meeting and that the presentation should be as simple as possible.

Motion by Ms. Mahoney that all three zoning changes be forwarded to Town Meeting with the Board's recommendation for approval, 2nd by Mr. Clarke. All in favor.

The Board agreed that Ms. O'Connell would present Articles 27 and 28 and Mr. Leahy would present Article 29 with some visual aids.

Continuation of Public Hearing on Special Permit Application, Quayside Shores Condominium Project

Ms. O'Connell opened the hearing continuation at 7:15 p.m. Prior to tonight's meeting, a site visit was done on the property by all board members, Mr. Michael Loin of Bertin Engineering, [REDACTED], and Mr. Cliff Fontaine representing the Quayside Shores Condo Association. Members were able to see where the units would be built and noted when on site the exact location of some of the structures relative to abutters' property lines.

Residents of the condo units and abutters of the property were present at the meeting.

Ms. O'Connell asked Mr. Loin from Bertin Engineering if their attorney had contacted Town Counsel concerning the issue of the existing subdivision lot lines. Mr. Loin stated no contact has been made, but presented a new plan showing one large lot for the condo development and one separate ANR with frontage on Pine Lane. Mr. Loin suggested maybe new plans will have to be drawn up if the attorneys think this is the best course. The Planning Board agreed.

Mr. Leahy asked Mr. Loin about the status of Brunnell Ave. Mr. Loin said it is currently is a private way but might be proposed as a public way in the future.

Ms. O'Connell noted that a letter had been received from the Massachusetts Historical Commission concerning the possibility of areas on the site having archeological significance. The letter included a number of points. Ms. O'Connell pointed out several comments.

Even if no state permits and/or an ENF is required (which does not appear to be the case to MHC), and only local permitting and approvals are necessary, MHC strongly advises the Town of Brookfield to require that the proposed project have sufficient information prepared and submitted to the Town for consideration as to whether the proposed project could adversely affect the town's irreplaceable significant historic and archaeological resources that are also valued by many constituencies, particularly the Native American community. Sufficient information would be obtained by the Town requiring that the project be reviewed in accordance with the requests outlined in this letter.

MHC requests that an intensive (locational) archaeological survey (950 CMR 70) be conducted for the project. The goal of the investigation, which must be conducted by a professional archaeological consultant under permit by the State Archaeologist, is to locate, identify, and evaluate any significant historic or archaeological resources, including any unmarked burials, that could otherwise be adversely affected by the project

Mr. Roughan, 61 Quaboag St. asked if Ms. O'Connell could explain the letter in layman language. She stated the purpose of the letter was to inform the Planning Board of MHC's concerns about the possibility of important historical sites on the property and MHC's recommendation that an archaeological survey be done. Mr. Loin stated that the applicant is currently seeking the services of a consulting archeologist and that MHC would be involved. Ms. O'Connell requested the Planning Board be copied on all reports.

Mr. Loin said he has filed a Project Notification Form with the Natural Heritage program. He has spoken with them and was told of 2 species of endangered aquatic plants and bald eagle habitat. Copies of all reports will be given to the Planning Board.

Ms. O'Connell asked the Board if they had any questions.

Mr. Eaton asked if the plans included trees around the retention pond. Mr. Loin commented not at this time, but that would not be a problem.

Mr. Clarke asked Mr. Roughan what he thought could be done with his concerns about the 2nd floor of one of the buildings having a view into his back yard. Mr. Roughan had no comment. Mr. Loin stated there will be a 4' earth berm, along with 8 - 10' Norway spruce trees planted on top of the berm as a privacy buffer.

Mr. Clarke asked if they would be upgrading the roads. Mr. Bertin said not at this time, but when the project is completed final pavement will be done.

Mr. Eaton asked who would be responsible for maintaining a buffer on the property for privacy. Mr. Loin said the condo association would be responsible for such things.

Mr. Clarke commented that privacy is a concern to the neighbors and that the Planning Board felt it important to respond to the concerns of the people.

Mr. Loin stated that the light posts on the property will be of similar design to those currently in place. Ms. O'Connell stated everything will be on the plans.

Mr. Eaton asked what are the phasing plans and will that be on the revised plan? Mr. Loin commented phase 1 will be on the east side of the property. As for time to complete phase 1 & phase 2, depends on the market. Estimate maybe 3 years to complete.

At this point Mr. Loin & Mr. Fontaine presented Ms. O'Connell a letter for an extension until June 4th, 2008. The Board is still waiting on information to be compiled from Massachusetts Historical, legal counsel, along with information from Natural Heritage on the endangered species issues.

Ms. O'Connell stated the fire coverage seems to be adequate.

Mr. Leahy raised the issue on catch basin covers. Mr. Bertin agreed that Mr. Leahy's ideas would be incorporated. All roadways will be owned by the condo association.

Ms. O'Connell said if Brunell Ave. were to be made public, the abutters would be notified of a public hearing by the Selectmen prior to any Town Meeting vote on the issue.

Mr. Clarke asked if they could reshape the retention pond so as not to cut down trees. Mr. Loin said that could be possible.

Ms. O'Connell asked if there were any concerns that were not addressed. No comments were made.

The hearing session was closed at 8:10 p.m. and will be continued on June 4, 2008 at 7:15 pm.

Countrywood Circle. Article to make the road a public way.

The Planning Board has received comments from consulting engineer John Scannell and Highway Superintendent Herb Chaffee. The Board can make a recommendation to the Selectmen about whether the road should be accepted as a town way. Motion made by Mr. Clarke, 2nd by Mr. Eaton, to have Ms. O'Connell send a letter to the Selectmen with the concerns raised by the engineer and Mr.

Chaffee and to recommend that the road not be accepted as a public way until the items are resolved. All in favor.

Other Business:

Mr. Simeone Zoning Enforcement Officer was asked to comment on items for sale in front of a storage facility on Route 9 owned by Latino. He stated he sent a letter to the owner, that a Special Permit was needed to sell items. The owner of the property sent Mr. Simeone a copy of the state laws, on storage facilities, if the tenants do not pay rental fees, the owner has the right to sell the property. Mr. Simeone stated that there are other zoning and building issues on that property that are being pursued by himself and the Building Inspector.

Ms. Mahoney asked Mr. Simeone about unregistered vehicles on property. Mr. Simeone stated that at this time he has asked the Police Department to do enforcement of the town bylaws on this problem. The Planning Board will contact the Police Department to check on the unregistered vehicles at property located on East Main Street and on Long Hill Rd.

Mr. Eaton asked the Planning Board who takes care of the property for Woodland Apartments because there are dead trees that need to be removed and the trees were a part of the agreement with the owner when a Special Permit was granted. Mr. Clarke will call the owner.

Mr. Eaton asked about when the debris near Clear Creek Estates will be cleaned up. Ms. O'Connell said the Conservation Committee should be contacted since this is a part of the wetlands replication. Ms. Brogan of the ConCom noted that wetlands replication can take a long time since replacement plants and trees have to grow.

Motion to adjourn the meeting by Mr. Clarke at 8:30 p.m., 2nd by Ms. Mahoney. All in favor.

Respectfully Submitted,



Diane Stawski
Clerk for the Planning Board

Minutes approved: _____

6/4/08

REVISED NAME PG 2 8/7/08