



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

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DEC 18 2008

Minutes
Wednesday, October 1, 2008
Town Hall

BOARD OF SELECTMEN

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

The meeting was called to order at 6:35 p.m.

Minutes:

August 6, 2008 motion made to approve by Mr. Clarke, 2nd by Mr Leahy. All in favor, with Mr. Eaton abstaining he was not present at the meeting.

August 12, 2008 motion to approve by Mr. Clarke, 2nd by Mr. Leahy. All in favor.

September 3, 2008 motion to approve by Mr. Clarke, 2nd by Mr. Leahy. All in favor.

Mr. Page, 50 Pine Lane. Special Permit add garage in Flood Plain

After reviewing the plans from Mr. Page on building a garage, Ms. O'Connell spoke to Building Inspector Jeff Taylor concerning the fact that Mr. Page's lot is in the Flood Plain District. . This may be a matter that the conservation committee should be made aware of. According to the Zoning Bylaw Section 4C2:

Within Zone A, where the base flood elevation is not provided on the Firm, the applicant shall obtain any existing base flood elevation data, and it shall be reviewed by the Planning Board and the Building Inspector for compliance with flood proofing requirements, as applicable, of the State Building code.

Ms. O'Connell suggested that Mr. Page get a letter showing his property is not subject to flooding.

Ms. O'Connell stated the Board will speak to Mr. Taylor about a possible zoning change to clarify the working of Section 4.C.2.b. and will write a public hearing ad for the change for a hearing to be held on October 29th or November 5th.

Mr. Hill of Land Planning for Mr. Mundell: Tower Hill Subdivision

Mr. Hill presented a quick overview of the modification on the subdivision. Mr. Hill, showed plans having 2 15" drainage pipes installed instead of one larger one (to avoid the gas line already in the ground. He also presented drainage calculations.

Currently there is one large lot on the right side of the approved subdivision road. Mr. Mundell wishes to divide this land into 6 new lots, resulting in lots on both sides of the road. Mr. Hill said the construction would be done in 3 phases. Phase II would include the retention area to be built. With the current property all zoned business, a special permit would be required for any lot where a residential use is proposed. Mr. Hill will submit an application on behalf of the owner to modify the subdivision. Mr. Hill has given the Board copies of the plan. . Ms. O'Connell requested that Mr. Hill send one copy to the Planning Board consulting engineer Mr. Scannell for his review. Mr. Hill would need to get a list of abutters for the public hearing. Mr. Hill asked what the fee would be for submittal on modification on the subdivision. Ms. O'Connell asked the Board for their opinion on a fee. Mr. Leahy asked the fee for an ANR (approval not required per lot), response was \$50. Ms. O'Connell

stated on subdivisions the fee is \$500.00 plus \$100 per lot. Ms. O'Connell asked the Board would \$600 be an acceptable fee since this is a modification that includes 6 new lots. Mr. Clarke asked if we only accept one lot, what happens with the money. Ms. O'Connell stated there are no refunds on the application fee. The Board pays for the hearing ad from its expense account.

The Board agreed \$600 would be acceptable. Mr. Mundell Jr. presented a check in the amount of \$600. Ms. O'Connell will contact Mr. Scannell asking him to give the Planning Board the cost for reviewing the modification on the subdivision plan. She will ask Mr. Scannell to email his fee estimate to herself and to Ms. Stawski, who will then contact Mr. Hill with the information.

Ms. O'Connell informed Mr. Hill of Land Planning and Mr. Mundell, Jr. that if everything is in place November 5th, 2008, the Planning Board will set the time for the Public Hearing as soon as possible. Mr. Hill stated that there was no rush on it.

Continuation Public Hearing Quayside Shores:

The hearing continuation opened at 7:15 p.m...Present was Mr. Neal, attorney for Zucco Construction, Mr. Loin of Bertin Engineering, Mr. Donald Zucco of Zucco Construction and Mr. Cliff Fontaine of Quayside Shores Condo Association had been notified the meeting would be continued. Ms. O'Connell stated the hearing will be continued again due to the fact there are only 4 board members present. Mr. Neal commented that Mr. Zucco was concerned due to the message informing him the meeting was not going to be held. Ms. Stawski informed Mr. Neal she phoned Mr. Zucco and did not talk to him personally but left a message. Hearing session was closed at 7:20 pm, to be continued on November 5th, 2008 at 7:15 pm.

Other Business:

Ms. O'Connell was asked by the Master Plan Committee for a support letter from the Planning Board to help them apply for a grant. She typed a letter and presented a copy to the Planning Board.

Planning Board meeting September 17th was cancelled because only two members showed up. The Planning Board will hold a working meeting on Wednesday October 29, 2008 at 6:00 p.m. to discuss the draft of the wind energy conversion systems bylaw.

Attorney Mr. Berthiaume for Mr. O'Clair, 13 Quaboag St. Site Plan

Mr. Berthiaume representing Mr. O'Clair appeared before the Planning Board asking for permission to present to the Board plans for their review. Mr. Berthiaume stated that there have been problems and concerns on drainage, seepage, oil leakage, 10' driveway and he hopes that the Board will be satisfied with the new plans so Mr. O'Clair may move forward. Mr. David Sadowsky, engineer for O'Clair, presented plans. The plans included space for 44 vehicles, and a garage 42' x 60'. The Planning Board looked at a Zoning Map to check the business zone. This property is classified Business B. Ms. O'Connell asked the Board if they were satisfied that the plan would be acceptable to be presented for a new site plan review. All commented they were and that Mr. O'Clair could move forward after the conservation commission was involved. Ms. O'Connell suggested that Mr. O'Clair submit the site plan and fees for engineering review. Mr. Berthiaume will get back to the Planning Board and thanked them for reviewing the plans.

Old Business:

After the Board reviewed the zoning map of 1988, it concluded that would be a benefit to have a new zoning map, by parcel, color coded. Mr. Clarke asked about the 100 yr .flood plain. Mr. Leahy said the FEMA maps are probably outdated.

Mr. Leahy stated he would like to find out when the next hearing for the Master Plan. Ms. Stawski will notify Mr. Leahy of the next hearing date. He may be interested in joining and it would be beneficial for the Master Plan Committee for him to be on the board with his engineering background.

Mr. Eaton asked Ms. Stawski if she could make a new list showing contact information of the Board members. Ms. Stawski will revise the listing and email the members.

Ms. Stawski contacted Mr. Simeone Zoning Enforcement Officer on getting updates on the Latino property. Mr. Simeone's response was:

"As for Latino; the last time he was in the office, he was very non-committal with the building that he has out in the back of his property. Although, I did request that if he wants to use it, he does need a special permit from the Planning Board as that was not included in the plan that was agreed upon the last time. He reluctantly agreed and said he would come to the Board 'later'. I do not know if he is using the building. If he is, then he is in violation and will need to go through your Board as soon as possible."

The Planning Board is concerned there may be violations, since they have been adding buildings, on the property, have a garage doing business, and would like Mr. Simeone to follow up to make sure all permits are in place.

Ms. Stawski informed Mr. Simeone that Jessrielle Estates need to post a sign. Mr. Simeone has been unsuccessful in finding David Kaitbenski's phone number or address. Ms. Stawski emailed Mr. Simeone the information, but Mr. Simeone is out of town until October 1st, 2008.

Ms. Stawski to follow up with Mr. Simeone on Jessrielle Estates and on Latino property.

Motion made to adjourn at 8:05pm by Mr. Leahy, 2nd by Mr. Eaton, All in favor.

Respectfully Submitted,

Diane Stawski
Clerk for the Planning Board

Minutes approved: 12/19/07