



**TOWN OF BROOKFIELD
OFFICE OF THE PLANNING BOARD**

6 Central Street
Brookfield, MA 01506

Minutes
November 2010

Members Present: Kris Casucci
Bruce Clarke
Sharon Mahoney
Clifford Fontaine

Mr. Leahy had a conflict which left him unable to attend, so Mr. Clarke, acting as Chair, opened the meeting at 6:10 pm. Mr. Fontaine arrived at 6:17.

Old Business:

Interview: Planning Board Clerk applicant Carrie Worthington 6:15 pm
Board members Carrie Worthington, the sole applicant for the position of Administrative Clerk for the Planning Board. Since July 2010 she has been working works five to ten hours a month as Administrative Clerk for the Brookfield Conservation Commission/Wetlands Committee. She has also been hired by Zoning Board of Appeals Chair Michael Seery, for whom she writes and places legal ads for that Board in the local papers, as well as handling correspondence connected with individuals who are going before that board. She

Discussion ensued. It was determined that if she were to be hired in the position, Ms. Worthington's total hours would probably not exceed those for part-time employees for the town. She stated that the Conservation Commission pays her at a rate of \$15.00 per hour. Ms. Mahoney observed by way of information that the highest step for this Grade 6 position, according to a chart forwarded to her by Phil Peirce of the Personnel Committee, was \$14.99.

The Board voted to hire at \$15.00 hour. All in favor, none abstained. Sharon will send a confirmation letter of the Planning Board's decision and vote to the Select Board so that they may appoint Ms. Worthington as Administrative Clerk at the rate recommended, effective immediately. She also will contact Diane Stawski or Trudy O'Connell to see if either of them would be able to help out on some basis with training Ms. Worthington and getting her acquainted with the filing system.

Michael Maneggio—Molasses Hill Estates; Request for Extension.

Mr. Maneggio appeared before the Board and explained that the economy has resulted in a slowdown in the scheduling of his subdivision project. If he had constructed the infrastructure for the project as planned, it was likely that he would be suffering financially right now, he explained. Instead, he has held off signing contracts for construction until the economic picture improves turns around, but this has resulted in a delay of his anticipated timeline for Phase I of the project as described in his timeline. He asked the Board if he could extend the deadline for Phase I for an additional year beyond the deadline of Dec. 6, 2011. After discussion the Board voted to grant Mr. Maneggio an extension of h

Granted Michael Maneggio a five year extension of his Molasses hill Estate (see doc.)

The board agreed to give Sharon Mahoney permission to respond on their behalf to a letter sent by the law offices of Stephen J. Ellis who represented Mark Hammond in his application for a Special Permit, which was denied by the Planning Board on October 6, 2010 by a three to two vote. Mr. Ellis in his letter had pointed out the timeline of Mr. Hammond's notification of his Special Permit decision and requested that Ms. Mahoney contact him at her earliest convenience. Ms. Mahoney explained that she was reluctant to do so without notifying the Board of the letter as she did not want to seem to be speaking for the Planning Board as a whole.

Mr. Clarke asked if state law required that an applicant be contacted by a Planning Board as to the disposition of a Special Permit application. Ms. Mahoney said she found no such reference on the Mass.gov database of Massachusetts General Laws, but said the Planning Board's own guidelines, adopted in July 2006, stated that after a decision had been voted on and a document drawn up, a signed copy of the decision was to be filed with the Town Clerk and a copy sent "forthwith" to the applicant. She also said that she had called Mr. Hammond and spoken with him directly the day before the decision was to be made on his Special Permit, advising him that unless he granted an extension the Board would be acting on his application the next night, and asked if he would be attending. Mr. Hammond said he would not be granting an extension and that he would not be attending the meeting the next night.

Mr. Clarke noted that Mr. David Teachout of Bertin Engineering had granted the previous 90 - day extension to the Board and for that reason had also been aware of the deadline, and yet had not been present for the deliberation or the decision, that as he saw it, it was a courtesy to send a copy of the decision in the first place, and that it was not the Board's responsibility to notify every applicant of every step of the progress of each application beyond what was laid out in state law.

The Board directed Ms. Mahoney to respond with a letter advising Mr. Ellis that his client was "well aware" from a telephone call from Ms. Mahoney on Oct. 5 that a decision was to be made and filed with the Town Clerk on his application by October 6, and would after that time be available for review at the Town Hall, and that he or his representative could have called the Town Clerk the day after or come to the Town Hall himself to review the decision.

"The Glen" subdivision, Route 148:

The Board asked Ms. Mahoney to send a letter to the Solomon Fund based on previous letter advising them of the deadline as before, and to inquire as to any progress made on the project.

New Business

Re: O'Clair Business Permit

Mr. O'Clair has applied for a business license for his auto yard for 2011, according to an email from Donna Neylon, but to the Board's knowledge he has not fulfilled any of the Order of Conditions set forth in the April 2009 Special Permit Decision, nor has he contacted any town official other than Ms. Neylon about the status of his site. Building Inspector Jeff Taylor suggested that we put a copy of the O'Clair decision in ZEO Gary Simeone's mailbox for his reference.

Mr. Mark Hammond, Lincoln Street Extension

Ms. Neylon also had informed the Board via email that Mr. Hammond had applied for a business license for an auto repair business at 6 Lincoln Street Extension. Discussion ensued. The property is zoned in a Business District, and consists from a street level inspection to be a cinderblock three-bay garage and office with parking spaces in front. The property is located

next to the rear parking lot entrance of the Brookfield Elementary School. The Board asked Ms. Mahoney to ask Mrs. Neylon to keep the Board informed of any new developments regarding the property.

Clifford Fontaine moved that the meeting be adjourned. Sharon Mahoney seconded. Mr. Fontaine, Ms. Mahoney, Mr. Clarke and Ms. Casucci voted in favor.
The meeting was adjourned at 8:53 pm.

The next regularly scheduled meeting of the Board will take place on Wednesday, December 1, 2010 at 6:30 p.m. in the Town Hall Banquet Room.

Respectfully Submitted,

Sharon Mahoney
Secretary to the Planning Board

Minutes approved: _____

