



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

6 Central Street
Brookfield, MA 01506

MINUTES

Wednesday, October 5, 2011

Present: Daniel Leahy, Chair
Sharon Mahoney
Kristen Casucci
Celeste Leger
William Simpson
Carrie Worthington, Clerk

Mr. Leahy opened the meeting at 6:30 p.m.

Mr. Leahy addressed the e-mail received from Sharon Mahoney regarding Donna & Robert Latino, 68 South Maple St., Brookfield.

Mr. Leahy wants to stick with present issues at hand.

The Latino's site plan was reviewed by the Planning Board members. Sharon Mahoney asked if this site plan matches what is on the property.

Mr. Leahy stated that every element of the site plan has not been accepted. The orientation of the storage buildings seem to be different from the site plan submitted.

The approval of this special permit decision will in no way be the approval of the activities on the property.

Donna & Robert Latino agreed to build a fence parallel to the storage buildings, 6' tall x 100' in length.

The screen to hide the storage buildings was discussed. The Planning Board members agreed *arborvitae* would be the best choice to use. The screen has to be no less than 5' tall and it is to be a full screen in 3 years with identical plantings.

Sharon Mahoney, Kristen Casucci, and Celeste Leger want to seek Town Counsel to review the special permit. Mr. Leahy asked, "Why do we need to seek Town Counsel?" Sharon Mahoney stated, "To make sure the language of the decision will hold up in legally." Mr. Leahy doesn't think the Planning

Board needs to waste money on this. Kristen Casucci stated Town Counsel will check for any loop holes so we have a stand in court if it came to that. Mr. Leahy stated the Planning Board only has so much money and doesn't really want to use it for Town Counsel regarding this matter. Sharon Mahoney and Celeste Leger suggested asking what Town Counsel will cost before disregarding it altogether. Mr. Leahy and William Simpson stated the board needs to get permission from the Selectmen before seeking Town Counsel. There is a form to fill out to submit to the Selectmen.

The Planning Board wants to insist in the future the Latino's submit a plan by a certified engineer as one of the "special conditions." The Planning Board will ask Town Counsel if this can be done.

The Planning Board will submit the special permit decision to Gary Simeone, Zoning Enforcement Officer, and Jeff Taylor, Building Inspector.

Jeff Taylor validated a building permit regarding the building which had been moved instead of razed. The Planning Board will speak with Jeff Taylor, Building Inspector, to verify the date of issuance so it can be documented in the planning board's files. William Simpson excused himself from the meeting to speak with Jeff Taylor. Mr. Simpson returned to the meeting and gave May 8, 2007 as the date of issuance for the building permit.

Special Permit Decision – Continuation – Robert & Donna Latino, 68 South Maple St., Brookfield - Auto Parts Retail Store.

The Planning Board began where they ended at the previous month's meeting. They had completed the findings section and began with the decisions section.

The Planning Board critiqued the fence, shrubs, specified dimensions, and maintenance.

Mr. Leahy asked if the board was in unison with the Latino's submitting a site plan from a registered land surveyor if they have any problems with the special permit decision. The Planning Board members agreed with him.

The Planning Board will hold a special meeting on October 19, 2011 at 6:30 p.m. at the Town Hall.

The Selectmen need to see the decision with all attachments.

William Simpson asked if the board should vote on an amount they are willing to pay for Town Counsel.

William Simpson made a motion to seek Town Counsel and the amount is not to exceed \$250. Kristen Casucci 2nd the motion. Sharon Mahoney; Daniel Leahy; William Simpson; Celeste Leger; and Kristen Casucci all voted in favor; no opposing vote.

Sharon Mahoney will e-mail the special permit decision to the Planning Board members, Gary Simeone, Zoning Enforcement Officer, Jeff Taylor, Building Inspector, and the Selectmen.

Sharon Mahoney volunteered to fill out the form to request Town Council and present it to the Selectmen for their approval.

Kristen Casucci made a motion to have Sharon Mahoney act on behalf of the Planning Board and be allowed to sign the form if requested. William Simpson 2nd the motion. Daniel Leahy; Sharon Mahoney; Celeste Leger; Kristen Casucci; and William Simpson all voted in favor; no opposing vote.

Old Business:

Mr. Leahy read aloud the extension letter to the Mundell's. The format of the letter was accepted but the book and page for both covenants are needed.

The W.B. Mason order was approved for name plates, rubber stamps, and ink.

Sharon Mahoney made a motion to adjourn the meeting. Celeste Leger 2nd the motion. Daniel Leahy; William Simpson; Kristen Casucci; Sharon Mahoney; and Celeste Leger all voted in favor; no opposing vote.

The meeting was adjourned at 8:52 p.m.

Our next meeting will be on Wednesday, November 2, 2011 at 6:30 p.m. at the Town Hall.

Respectfully submitted,

Carrie Worthington

Carrie Worthington
Administrative Clerk

