



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

PLANNING BOARD MINUTES
Wednesday, January 4, 2012

PRESENT: Dan Leahy, Chairman
Sharon Mahoney
Kris Casucci
Celeste Leger
Bill Simpson, Jr.

Chair Dan Leahy opened the meeting at 6:35 p.m.
He informed the Board that Administrative Clerk Carrie Worthington is on an extended leave of absence.

There were no guests or members of the general public at the meeting. The Board entered into discussion after reading our copy of the opinion rendered by Kopelman and Paige, PC regarding the Conservation Commission's options to enforce compliance of a March 31, 2009 Enforcement Order concerning "The Glen" Subdivision, Clear Creek Lane, off Fiskdale Road (Route 148).

At the time the Subdivision Plan was approved, pursuant to the Tripartite Agreement, \$30,000.00 was held in reserve by the lender to secure the construction of the roadway. In January 2010 a review of the project by John Scannell, Consulting Engineer came back with a figure far exceeding the monies withheld by the Board.

After much discussion of the intent of Counsel's opinion, the Board unanimously decided that it would be in our best interest to recommend to the Conservation Commission that another Enforcement Order be issued to the current owners/developers prior to the conclusion of the 3 year statute of limitations. It is our understanding that the Wetlands Protection Act enforcement order set to expire on March 31, 2012, this will restart the 3 year period giving the Boards time to take further action. A letter will be drafted and sent with a copy of the Engineer's Report to the Conservation Commission and copies to the Board of Health, Board of Selectmen and Kopelman and Page, PC.

Board reviewed minutes of the October 5th, 2011 meeting with Sharon Mahoney making a motion to accept the minutes, Bill Simpson seconded; all in favor: Dan Leahy, Kris Casucci, Celeste Leger, Sharon Mahoney, and Bill Simpson. There were no opposing votes.

Board reviewed minutes of the December 7th, 2011 meeting with Sharon Mahoney making a motion to accept the minutes with corrections, Bill Simpson seconded; all in favor: Dan Leahy, Kris Casucci, Celeste Leger, Sharon Mahoney, and Bill Simpson. There were no opposing votes.

Bill Simpson informed the Board that while in a discussion with Town Clerk Mike Seery, the By-Law Committee has completed the revision of the General By-Laws and was moving to Zoning By-Laws. Sharon Mahoney suggested getting a copy of the Charge for the By-Law Committee to see if they were asked to review Planning Board material. Bill Simpson will continue to secure quotes for the cost of hiring someone to assist us with the task of reviewing the Zoning By-Laws and the Subdivision Rules and Regulations. It was also stated that Mike Seery may also know of online companies that may provide this service.

Meeting was adjourned at 7:56 p.m. Bill Simpson made the motion, seconded by Sharon Mahoney; Kris Casucci, Celeste Leger, Sharon Mahoney, Bill Simpson and Chair, Dan Leahy voted in favor. There were no opposing votes.

The next meeting of the Planning Board will take place on Wednesday, February 1, 2012 at 6:30 p.m. in the Town Hall.

Respectfully submitted,

Celeste A. Leger
Planning Board Secretary