



OFFICE OF
THE PLANNING BOARD
Brookfield, Massachusetts 01506

Planning Board Minutes
August 1, 2012
Brookfield Town Hall

Call to order by Dan Leahy

6:32 pm

Approval & Review of Past Minutes

Old business:

Clear Creek/The Glen Subdivision

- Kenton Chase; Sunrise Acquisitions
- Elizabeth A & Douglas E Miller; 3 Clear Creek Lane
- James L Fritz III & Jessica L Belanger; 4 Clear Creek Lane
- Jeffrey & Angela M Arsenault; 6 Clear Creek Lane
- N. Douglas Powers; 118 Fiskdale Rd – abutter

Jon Shocket – represents owner of property – manager of Solomon Fund

- Broker gave Mr. Shocket price for work needed
- As of 7.31.12, all conservation issues have been rectified
- Road in disrepair, they've been maintaining/plowing the road, but it needs to be repaired/rebuilt
- He does not want to put a top coat on the street until there is interest/purchase & sale on remaining lots to avoid damage to future top coat
- Guardrails have been scheduled, but are waiting for contract to be settled (with Richard Chaffe)
- Will email estimates with timetables/etc so that we can see what's going on
- Would like to get in touch with Town Counsel to go over bond/etc to guarantee work will be completed

Leahy: Subdivision has lapsed. Road cannot be accepted by the town until it's inspected. In reality at this time, there are 3 property owners, 3 empty lots and the "road" is a common driveway.

Mahoney: would like time table in writing on what's going on / Shocket will email info

Casucci: how long are they going to wait on repairing the road if empty lots do not sell/take a while to sell

Jeff Arsenault (6 Clear Creek Ln): has had no issues working with Solomon Funds since they took over

Ken Cleveland (Conservation Committee):

Douglas Powers (abutter):



**OFFICE OF
THE PLANNING BOARD
Brookfield, Massachusetts 01506**

Feb 3, 2010 meeting minutes: Shocket promised to put in guardrails as soon as weather got better, claimed many other things that have not happened. Beavers have built a dam that has destroyed 4.5 acres of his land. No one would touch the dam because it would take out the bridge. Powers spent many hours slowly draining the backed up water. He has many bills showing the money he has paid out of his own pocket. Shocket said he would find a beaver specialist to remove the beavers (which he partially paid for).

Powers would like to be paid for his work on removing the beavers. He feels the land was in pristine conditions prior to the subdivision being built.

He feels the design that the Planning Board approved has been changed. He said he understands the road location, drainage and retention plan have changed. He feels the Planning Board, Building Inspector and Conservation Commission did not maintain the order of conditions.

Erkkila: Powers has not shown that the Order of Condition was broken.

Powers: Grate over drain is collecting remains of beaver dam. He

Bill Neault (Consv Comm): Beaver dam was not part of the Order of Condition from the Conservation Commission.

Cleveland: Beavers were not an issue prior to Subdivision

Shocket: Conservation Comm told him beaver dam was an issue and they removed it per Cons Comm request

Powers: paid for beaver removal out of his own pocket because

Leahy: beavers/bears/etc are not part of a subdivision issue on PB

Powers: Shocket stated at a PB meeting that he would take care of the beavers. He expects Shocket to cut him a check to cover his 2 bills (\$720 from Ray Barnes / \$500 from Beaver Specialists)

Shocket: He will take copies of 2 bills and take them under advisement and get back to Mr. Powers.

Cleveland: Future plans need to be made for continued maintenance of beaver dam

Shocket: Will work on bond and getting plans in writing. Will continue working on guardrails with Chaffe.

Leahy: PB needs to check with counsel on what to do with subdivision being defunct, invited Shocket and property owners to future meetings



OFFICE OF
THE PLANNING BOARD
Brookfield, Massachusetts 01506

Arsenault: what's happening with \$30,000 that was set aside when the subdivision was set up

Shocket: would like to make sure the future bond is easily accessible when it needs to be paid out

Mahoney: will work with Town Counsel on future bond

Road needs to be in good condition for current property owners.

HOA was only in trust when it was created. HOA needs to be created while Shocket is still in the loop and funds should be collected to manage future issues.

Tripartite only includes town, bank and developer. Current bond is held by current property owner (Solomon Funds). Town Council should be brought in to check on initial bond's state. Subdivision needs to start from square one and will have Conditions of Approval.

Should HOA be created at the start of a subdivision to cover all of these issues (plowing, beavers, etc)?

Check on amount of initial funds, balance of account (plus or minus), and come up with figure for new amount to put in escrow.

Leahy recommends that road be core tested every 50' to see if it's structurally sound. Also check on retaining wall.

Original permit: driveway design has to be approved by highway department to build

TO DO: Check with Donna on ok to speak with Town Council
Can we postdate extension or does it need to start from square one?

New Business

- Solar and windmill by-law needs to be created
- Bil Simpson sent letter asking for backing of Right To Farm and asking for PB's update on guidelines to better mesh with RTF
- WAF needs to be filled out for Holm

Correspondence/Announcements

Adjournment – 8:37

Motion by Leahy

Second by Mahoney



**OFFICE OF
THE PLANNING BOARD
Brookfield, Massachusetts 01506**

All approved

Upcoming Meetings: