

SPECIAL TOWN MEETING  
OCTOBER 10, 1989 7:00 P.M.

ARTICLE 1. To see if the Town will vote to amend Article 2, line item 38 of the May 5, 1989 Annual Town Meeting by transferring \$4,000.00 from the Cemetery Interest Perpetual Care Account to the Cemetery Expense Account rather than raise and appropriate such sum, or take any action relative thereto. (Sponsored by the Advisory Board)

ARTICLE 2. To see if the Town will vote to amend Article 26 of the May 5, 1989 Annual Town Meeting by transferring the sum of \$7,000.00 from the Stabilization Account rather than raise and appropriate such sum, or take any action relative thereto. (Sponsored by the Advisory Board)

ARTICLE 3. To see if the Town will vote to amend Article 27 of the May 5, 1989 Annual Town Meeting by transferring the sum of \$8,043.00 from the Stabilization Account rather than raise and appropriate such sum, or take any action relative thereto. (Sponsored by the Advisory Board)

ARTICLE 4. To see if the Town will vote to amend Article 31 of the May 5, 1989 Annual Town Meeting by transferring the sum of \$12,000.00 from the Stabilization Account rather than raise and appropriate such sum, or take any action relative thereto. (Sponsored by the Advisory Board)

ARTICLE 5. To see if the Town will vote to amend Article 2 of the May 5, 1989 Annual Town Meeting to conform with the limits of Proposition 2 1/2, or take any action relative thereto. (Sponsored by the Advisory Board)

Articles 1, 2, 3, 4, and 5 were unanimously passed over at the request of the Advisory Board.

ARTICLE 6. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to pay a prior year's bills for which no funds were available, or take any action relative thereto. (Sponsored by the Board of Selectmen) 9/10 vote required

The Town voted unanimously to transfer the sum of \$5,599.73 from Free Cash to pay prior year's bills for the Highway Dept.

ARTICLE 7. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to pay James Benoit for percolation tests done from 4/1/89 to 5/31/89, or take any action relative thereto. (Sponsored by the Board of Health) 9/10 vote required

Article 7 was defeated. It required a 9/10 vote to pass. Vote: 25 yes, 17 no.

ARTICLE 8. To see if the Town will vote to accept Chapter 308 of the Acts of 1985 which amend Chapter 40 of the Massachusetts General Laws to allow the town to withdraw from the Worcester County dog license system and to return all monies from licenses and fines to the town treasury, effective July 1, 1990, or take any action relative thereto. (Sponsored by the Town Clerk and the Dog Officer)

The Town voted unanimously to allow the town to withdraw from the Worcester County dog license system and to return all monies from licenses and fines to the town treasury effective July 1, 1990.

ARTICLE 9. To see if the Town will vote to amend Section 3 of the town's Personnel By-Law by adding a new item F to read, "Regular Part-time: an employee regularly scheduled to work less than twenty hours per week at least nine months per year and receiving an hourly rate.", or take any action relative thereto. (Sponsored by the Personnel Board)

The Town voted to amend Section 3 of the town's Personnel By-law by adding a new item F to read, "regular Part-time: an employee regularly scheduled to work less than twenty hours per week at least nine months per year and receiving an hourly rate.

ARTICLE 10. To see if the town will vote to amend Section 7 of the town's Personnel By-Law to read: "the Grade and Wage Schedule shall consist of the minimum and maximum wages, step rates and grades for positions and categories listed in this by-law.", or take any action relative thereto. (Sponsored by the Personnel Board)

The Town voted to amend Section 7 of the town's Personnel By-Law to read: "the Grade and Wage Schedule shall consist of the minimum and maximum wages, step rates and grades for positions and categories listed in this by-law.

ARTICLE 11. To see if the Town will vote to rescind Article #4 of the February 28, 1989 Special Town Meeting regarding drainage on Rice Corner Road, or take any action relative thereto. (Sponsored by the Board of Selectmen)

The Town voted to rescind Article #4 of the February 28, 1989 Special Town Meeting regarding drainage on Rice Corner Road. 15 opposed 33 defeated.

ARTICLE 12. To see if the Town will vote to amend Chapter 12 of the By-Laws of the Town of Brookfield by adding Section 3 which will read: "No person other than a licensed electrician shall do any electrical wiring in the town.", or take any action relative thereto. (Sponsored by the Wiring Inspector)

Article 12 was defeated by a majority vote.

ARTICLE 13. To see if the town will vote to transfer a sum of money from the Recreation Commission Expense Account to the Recreation Commission Salary Account, or take any action relative thereto. (Sponsored by the Recreation Commission)

The Town voted to transfer a sum of \$500.00 from the Recreation Commission Expense Account to the Recreation Commission Salary Account

ARTICLE 14. To see if the Town will vote to authorize the Board of Health to appoint one or more of its members to serve on a regional recycling committee to determine alternative methods of solid waste disposal on a regional basis, or take any action relative thereto. (Sponsored by the Board of Health)

The Town voted to authorize the Board of Health to appoint one or more of its members to serve on a regional recycling committee to determine alternative methods of solid waste disposal on a regional basis.

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used as Brookfield's share of the preliminary costs of a regional recycling center and transfer station and to authorize the Board of Selectmen and the Board of Health to negotiate and enter into necessary contracts and agreements for the establishment of said regional committee, or take any action relative thereto. (Sponsored by the Board of Health)

The Town voted to transfer the sum of \$1000.00 from Free Cash to be used as Brookfield's share of the preliminary costs of a regional recycling center and transfer station and to authorize the board of Selectmen and the Board of Health to negotiate and enter into necessary contracts and agreements for the establishment of said regional committee.

ARTICLE 16. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to supplement the Landfill Account, or take any action relative thereto. (Sponsored by the Board of Health)

The Town voted to transfer the sum of \$5,005.00 from Free Cash to supplement the Landfill Account.

ARTICLE 17. To see if the Town will vote to amend the zoning by-law by adding to Section 2 the following definition: "Lot - an area of land in one ownership with definite boundaries, used or set aside and available for use as the site of one or more buildings and not divided by any public street or highway or by any railway.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding to section 2 the following definition: "lot-an area of land in one ownership with definite boundaries, used or set aside and available for use as the site of on or more buildings and not divided by any public street or highway or by any railway, unanimously.

ARTICLE 18. To see if the Town will vote to amend the zoning by-law by inserting the word "only" after the word allowed in Section 4.B.1.a., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by inserting the word "only" after the word allowed in Section 4.B.1.a. 51 yes 2 no.

ARTICLE 19. To see if the Town will vote to amend the zoning by-law by adding the phrase "non-residential" before the phrase "Principal Use" in Section 4.B.1.b., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding the phrase "non-residential" before the phrase "Principal Use" in Section 4.B.1.b. 45 yes 2 no.

ARTICLE 20. To see if the Town will vote to amend the zoning by-law by replacing the phrase "See Sections 6.B.7. and 8.C." in Section 4.B.2. with "See Sections 5.B.5. (and 8.B.).", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by replacing the phrase. "See Sections 6.B.7. and 8.C." in Section 4.B.2. with "See Section 5.B.5." 42 yes 4 no.

ARTICLE 21. To see if the Town will vote to amend the zoning by-law by deleting from Section 4.B.5. the term "and/or" and replacing it with the term "or"., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

Article 21 was ~~PASSED~~ unanimously.

ARTICLE 22. To see if the Town will vote to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park."

VOTE : 45 YES, 5 NO.

ARTICLE 23. To see if the Town will vote to amend the zoning by-law by adding the following section as "Section 8.F. Common Driveways:"

1. Private shared or common driveways shall be allowed, provided that no more than two (2) lots be principally served, that the length of such driveway, as measured between the front property line along the public street where it intersects with the centerline of the driveway to the point where the driveway diverges to serve the two individual lots, not exceed five hundred (500) feet, that the driveway lie entirely within the lots being served and that the grade of the driveway not exceed ten percent (10 %).
2. Evidence of reciprocal easements and deed restrictions governing the perpetual maintenance of such driveway, suitable for recording at the Worcester County Registry of Deeds, shall be provided to the Town.
3. Design and construction of such driveways shall be subject to the approval of the town's Highway Superintendent and shall conform to construction standards established by the Superintendent's office to assure a reasonable degree of safety and durability.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding "Section 8.F. Common Driveways:"

1. Private shared or common driveways shall be allowed, provided that no more than two (2) lots be principally served, that the length of such driveway, as measured between the front property line along the public street where it intersects with the centerline of the driveway to the point where the driveway diverges to serve the two individual lots, not exceed five hundred (500) feet, that the driveway lie entirely within the lots being served and that the grade of the driveway not exceed ten percent (10 %).
2. Evidence of reciprocal easements and deed restrictions governing the perpetual maintenance of such driveway, suitable for recording at the Worcester County Registry of Deeds, shall be provided to the Town.
3. Design and construction of such driveways shall be subject to the approval of the town's Highway Superintendent and shall conform to construction standards established by the Superintendent's office to assure a reasonable degree of safety and durability.

Vote: 41 yes 17 no.

ARTICLE 24. To see if the Town will vote to amend the zoning by-law by changing Section 11.A. Enforcement by replacing the first two sentences of said Section with the following: "This by-law shall be enforced by the Building Inspector, or his agent, who shall be appointed by the Board of Selectmen. No building shall be built or altered and no use of land shall be begun or changed without a permit having been issued by the Building Inspector or his agent.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by changing Section 11.A. Enforcement by replacing the first two sentences of said Section with the following: "This by-law shall be enforced by the Building Inspector, or his agent, who shall be appointed by the Board of Selectmen. No building shall be built or altered and no use of land shall be begun or changed without a permit having been issued by the Building Inspector or his agent." 43 yes 4 no.

The Meeting was adjourned at 9:10 PM. 74 people attended the meeting on October 10, 1989.

And you are directed to serve this Warrant, by posting up attested copies thereof at the Town Hall and Post Office in said Town, fourteen days at least before the time of holding said meeting.

Given under our hands this 19th of September in the year of our Lord one thousand nine hundred and eighty-nine.

S/Richard W. Woodard  
Joseph F. Murray  
George W. Beeman  
Selectmen of Brookfield

A true Copy. Attest  
S/Harvey H. Bennett Constable

WORCESTER.....SS

Pursuant to the WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Brookfield by posting up attested copies of the same at the Town Hall on September 24, 1989 11:00 a.m.  
Post Office September 25, 1989 11:00 a.m.

A true Copy . Attest  
Linda M. Lincoln  
Town Clerk



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

JOHN W. McCORMACK STATE OFFICE BUILDING  
ONE ASHBURTON PLACE, BOSTON 02108-1698

JAMES M. SHANNON  
ATTORNEY GENERAL

Linda M. Lincoln  
Town Clerk  
P.O. Box 147 Quaboag Street  
Brookfield, MA 01506

January 12, 1990

Dear Ms. Lincoln:

I enclose the amendments to the zoning by-laws adopted under articles 17 through 24 of the warrant for the Brookfield Special Town Meeting held October 10, 1989, with the approval of the Attorney General endorsed thereon.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Anthony E. Penski".

Anthony E. Penski  
Assistant Attorney General  
617-727-2200 ext. 2082

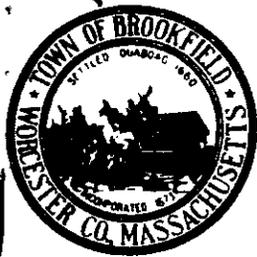
AEP:kma

January 12, 1990

Boston, Massachusetts

The foregoing amendments to the zoning by-laws adopted under articles 17 through 24 of the warrant for the Brookfield Special Town Meeting held October 10, 1989, are hereby approved.

  
ATTORNEY GENERAL



OFFICE OF THE  
**TOWN CLERK**

BROOKFIELD, MASSACHUSETTS 01506

This is to certify that the following articles were voted upon at a Special Town Meeting held in the Brookfield Town Hall on October 10, 1989:

ARTICLE 17. To see if the Town will vote to amend the zoning by-law by adding to Section 2 the following definition: "Lot - an area of land in one ownership with definite boundaries, used or set aside and available for use as the site of one or more buildings and not divided by any public street or highway or by any railway.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding to section 2 the following definition: "lot-an area of land in one ownership with definite boundaries, used or set aside and available for use as the site of on or more buildings and not divided by any public street or highway or by any railway, unanimously.

ARTICLE 18. To see if the Town will vote to amend the zoning by-law by inserting the word "only" after the word allowed in Section 4.B.1.a., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by inserting the word "only" after the word allowed in Section 4.B.1.a. 51 yes 2 no.

ARTICLE 19. To see if the Town will vote to amend the zoning by-law by adding the phrase "non-residential" before the phrase "Principal Use" in Section 4.B.1.b., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding the phrase "non-residential" before the phrase "Principal Use" in Section 4.B.1.b. 45 yes 2 no.

ARTICLE 20. To see if the Town will vote to amend the zoning by-law by replacing the phrase "See Sections 6.B.7. and 8.C." in Section 4.B.2. with "See Sections 5.B.5. (and 8.B.).", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by replacing the phrase. "See Sections 6.B.7. and 8.C." in Section 4.B.2. with "See Section 5.B.5." 42 yes 4 no.

ARTICLE 21. To see if the Town will vote to amend the zoning by-law by deleting from Section 4.B.5. the term "and/or" and replacing it with the term "or"., or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

Article 21 was passed over unanimously.



OFFICE OF THE

# TOWN CLERK

BROOKFIELD, MASSACHUSETTS 01506

ARTICLE 22. To see if the Town will vote to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park."

ARTICLE 23. To see if the Town will vote to amend the zoning by-law by adding the following section as "Section 8.F. Common Driveways:"

1. Private shared or common driveways shall be allowed, provided that no more than two (2) lots be principally served, that the length of such driveway, as measured between the front property line along the public street where it intersects with the centerline of the driveway to the point where the driveway diverges to serve the two individual lots, not exceed five hundred (500) feet, that the driveway lie entirely within the lots being served and that the grade of the driveway not exceed ten percent (10 %).
2. Evidence of reciprocal easements and deed restrictions governing the perpetual maintenance of such driveway, suitable for recording at the Worcester County Registry of Deeds, shall be provided to the Town.
3. Design and construction of such driveways shall be subject to the approval of the town's Highway Superintendent and shall conform to construction standards established by the Superintendent's office to assure a reasonable degree of safety and durability.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by adding "Section 8.F. Common Driveways:"

1. Private shared or common driveways shall be allowed, provided that no more than two (2) lots be principally served, that the length of such driveway, as measured between the front property line along the public street where it intersects with the centerline of the driveway to the point where the driveway diverges to serve the two individual lots, not exceed five hundred (500) feet, that the driveway lie entirely within the lots being served and that the grade of the driveway not exceed ten percent (10 %).



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**TOWN CLERK**

BROOKFIELD, MASSACHUSETTS 01506

2. Evidence of reciprocal easements and deed restrictions governing the perpetual maintenance of such driveway, suitable for recording at the Worcester County Registry of Deeds, shall be provided to the Town.
3. Design and construction of such driveways shall be subject to the approval of the town's Highway Superintendent and shall conform to construction standards established by the Superintendent's office to assure a reasonable degree of safety and durability.

Vote: 41 yes 17 no.

ARTICLE 24. To see if the Town will vote to amend the zoning by-law by changing Section 11.A. Enforcement by replacing the first two sentences of said Section with the following: "This by-law shall be enforced by the Building Inspector, or his agent, who shall be appointed by the Board of Selectmen. No building shall be built or altered and no use of land shall be begun or changed without a permit having been issued by the Building Inspector or his agent.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-law by changing Section 11.A. Enforcement by replacing the first two sentences of said Section with the following: "This by-law shall be enforced by the Building Inspector, or his agent, who shall be appointed by the Board of Selectmen. No building shall be built or altered and no use of land shall be begun or changed without a permit having been issued by the Building Inspector or his agent." 43 yes 4 no.

*Linda M. Lincoln*

Attest: Linda M. Lincoln, Town Clerk



OFFICE OF THE  
**TOWN CLERK**

BROOKFIELD, MASSACHUSETTS 01506

This is to certify that Articles #21 and #22 were voted upon at a Special Town Meeting held in the Brookfield Town Hall on October 10, 1989:

**ARTICLE 21.** To see if the Town will vote to amend the zoning by-law by deleting from Section 4.B.5. the term "and/or" and replacing it with the term "or", or take any action relative thereto. (Sponsored by the Planning Board)  
2/3 vote required

The Town voted unanimously to amend the zoning by-law by deleting from Section 4.B.5. the term "and/or" and replacing it with the term "or".

**ARTICLE 22.** To see if the Town will vote to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park.", or take any action relative thereto. (Sponsored by the Planning Board) 2/3 vote required

The Town voted to amend the zoning by-laws by deleting Section 8.B.1. Mobile Home Parks in its entirety and replacing it with the term "(RESERVED)"; by changing the title of Section 8.B. to "Campers and Campgrounds"; by changing Section 4.B.2. to read: "Mobile homes, whether on single lots or in mobile home parks, are expressly prohibited in all zoning districts:" and by changing, in the Use Regulation Table that follows Section 4.D., the "SP" to "N" under the RR (Rural Residential) column for the row entitled 2.e. Mobile Home Park."

Vote: 45 Yes, 5 No.

Linda M. Lincoln  
Town Clerk

A true Copy . Attest