

**Town of Brookfield
ZONING BOARD OF APPEALS
6 Central Street
Brookfield, MA 01506**

**MINUTES
May 29, 2013**

Present: William Neault
Nicholas Thomo
Charlie Wilson
Kenneth Cleveland
Beth Conant (Clerk)

Absent: David Holm

Guests: Bob Gauge, Net Lease Development
Diane Clowes
Don Clowes
Diane Greenwood
Bradford Kadelski
Rosemary Kadelski
John McCarthy
Tim Hubacz

Mr. Thomo opened the meeting at 6:08 p.m.

Mr. Neault motioned for the approval of Beth Conant as clerk. Seconded by Mr. Cleveland. All were in agreement.

At 6:09 p.m. Mr. Thomo reviewed the posting for the May 29, 2013 meeting of the ZBA.

At 6:11 p.m. Mr. Gage from Net Lease Development representing the Dollar General Store asked for a variance of 22 feet for the proposed store setback on Rte 9. The building would be setback 54 feet from the road instead of the zoning by-law of 75 feet. Mr. Gage stated the reason for the variance is due to budget constraints and that they would have to clear further back on the property.

The abutters Clowes', Greenwood and Kadelskis' raised major concerns regarding the wetlands which Mr. Gage stated would not be touched. Other concerns were delivery times, which Mr. Gage indicated that the trucks would only deliver during business hours which he stated to be from 8:00 a.m. to 9:00 p.m. Lighting of the parking lot, tree removal and the height of the building were also discussed.

The abutters also raised concerns regarding the back property line which would affect all of their views. Mr. Clowes asked if the Dollar General could plant arborvitae trees instead of putting up a fence along the back property line. Mr. Gage agreed to landscape the back property line five feet on center with 20 arborvitae trees.

Mr. Gage noted that he is working with the State Conservation Commission. Also that the Department of Transportation should be approving their permit within the next 2 weeks.

Mr. McCarthy pointed out that rte. 9 is zoned for business and he feels that this is a perfect spot for a store.

At 6:34 p.m. Mr. Thomo motioned to close the public hearing. Seconded by Mr. Cleveland.

At 6:35 p.m. Mr. Wilson motioned for the acceptance to grant a variance of 22 feet for a setback of the Dollar General on rte. 9. The motion was seconded by Mr. Cleveland. All agreed.

At 6:43 p.m. Mr. Hubacz requested a variance to build a 20'x 26' pool house/shed 5 feet from his property line on the north east boundary at 169 Rice Corner Road.

Mr. Thomo raised concerns regarding how large of a building this would be and how close to the property line it would stand.

Mr. Hubacz stated that his abutters were not concerned about the distance from their property line, but Mr. Thomo felt that it could potentially be an issue in years to come when neither property owner is living there.

At 7:05 Mr. Thomo made a motion to close the public hearing, seconded by Mr. Neault.

At 7:09 Mr. Wilson motioned to grant a variance to build a 16' x 20' pool house/shed not to encroach closer than 15 feet on Mr. Hubacz northeast boundary at 169 Rice Corner Road. Motion seconded by Mr. Thomo. All agreed.

At 7:20 Mr. Neault made a motion to adjourn the meeting. Seconded by Mr. Thomo.

Minutes submitted by Beth Conant

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