**PLANNING BOARD MEETING- FEBRUARY 16, 2022**

The North Brookfield Planning Board met on Feb. 16,2022 @ 6:30pm in the Police Station Conference Room. In attendance for the board was Bill King, John Tripp, Michelle Petraitis, John Turner, James Grace, and Clerk, Kimberly Bent. Public attendees were Rich Lee, Jim Laney, Jason Dubois and Shelia Orsi. The meeting was called to order at 6:30pm by Chair Bill King.

**OLD BUSINESS:**

The Board opened discussion with owner and engineer for Lot 8A, Ryan Road. The Chair asked how the setback mistakes were made with this new house construction. Jim Laney who is the owner of property explained that the foundation was staked out by previous owner’s engineer, he was not sure who that was. The day the foundation was dug, Mr. Laney met with excavator/contractor then left. When he returned later that day the contractor explained he had to move the stakes due to elevation drop in the backyard, but it would still meet zoning requirements. John Tuner, who is also on the Conservation Commission, explained they did get an application from previous owner and the Conservation Commission issued an order of conditions for the project. The engineer, Jason Dubois was present and brought new plans showing the house and septic system/tank location with existing setbacks. The septic system appears to meet all state sanitary requirements, but the design has not received final approval from BOH.

The Chair explained that in the worst-case scenario, the Board could recommend to the ZBA that they deny this request and require that the foundation be moved to meet zoning setbacks. The main issues are that the side setback is not 25feet and the front setback is not 60feet. Mr. Lee from 10 Ryan Road, who abuts this property said he is willing to sell Mr. Laney some land, so the side setback can be in compliance. John Tripp had some concerns on how no one caught this and what precedence this would set for future house construction in town. A way to make the house with porch less nonconforming would be to remove the porch. The engineer explained that the roof to the porch is part of the main house truss system, and he would have to check on the feasibility of cutting the trusses and reframing them. There was discussion about front steps and house access, if the foundation was not moved. The Board voted the following recommendation to the ZBA:

John Tripp made motion, John Turner seconded and it was unanimously voted. (Michelle Petraitis abstained from the vote as she will be voting with ZBA on this matter.)

1- The porch shall be removed, so that the front setback becomes less nonconforming.

2- Abutter, Mr. Lee, agrees to sell land to make the sideline setback a minimum of 25 feet. Survey plan to be done, if the ZBA approves special permit/variance.

3- A letter from an engineer that the truss roof cantilevered for the porch can be cut out without adversely affecting the structure.

4- No support posts shall be permitted for the entry overhang, it must be free standing.

5- The ZBA has the option of requiring that the foundation be moved, so that all setbacks are met.

**MAIL:**

Town of North Brookfield Assessor’s office stating 7 Chase Road is not a buildable lot unless they get special permit/variance from ZBA.

Town of North Brookfield ZBA sent letter about hearing on Feb 28 on 326 North Main Street reverting back to a two-family home.

**NEW BUSINESS:**

Jason Dubois, PE presented ANR plan for 67 West Brookfield Road owned by Joshua Himmer surveyed by DC Engineering & Survey, Inc., 32 Cranberry Meadow Rd., Charlton. The Board received a letter from Mr. Himmer giving permission to DC Engineering & Survey, Inc. to draft plan for his property. His property would retain 6.005 acres with 711.12 feet of frontage where his home and barn currently exist. The remaining 22.3 acres of rear land is to be conveyed to Peter and Ann Marie Dziel of 81 West Brookfield Road, the abutter to the north. Michelle Petraitis made motion to approve the ANR plan presented, seconded by John Turner, and unanimously approved by all.

Chair King asked for a motion as follows: That the Planning Board Policies and Procedures be amended as follows: Item 10. That a signed landowner agreement letter be provided to the Planning Board if any plan seeking Board approval is submitted in the name of a person or entity who is not the owner. Michelle Petraitis made motion and J. Tripp seconded, and all members unanimously voted.

B. King brought to the Board’s attention that the Laird family, who did not make it to this meeting, is going to be splitting a lot on New Braintree Rd. The family wants to make a rear lot with frontage on New Braintree Rd. This rear lot will 5-6 acres with 50 feet of frontage leaving the rest of the land non-buildable. This plan will be provided at the March meeting.

John Tuner made a motion to approve minutes from January 19 meeting as emailed, seconded by James Grace, and unanimously approved by all. John Tripp abstained as he was not at the Jan. 19th meeting.

The Planning Board has concerns about Vibram’s plans for construction. This is a nonconforming property that will be more nonconforming with the proposed new construction of a new entry with elevator and upper level conference room. The Chair will contact Vibram’s lawyer so the Board can field inspect the proposal. The Board would like stakes and/or spray paint to mark the addition in order to get a visual on how this construction will affect the sidewalk side line setback. After field review with Vibram, the Board will discuss recommendation options to the ZBA at our March 16 meeting.

We will be using 1-3 LPA hours to update our Zoning Map. We will receive three, large copies, six 11” x 17” copies and it will be available as a PDF. This should only take a couple weeks.

Sheila Orsi stated that the TAP/LRRP reports will be summarized at a public meeting on April 2. She will let us know the details when they are finalized. Sheila then presented the board with the plans for the new sidewalks, Phrase 1 for the east side of North Main St. The budget for all of Phase 1 is $595,000 which includes a contingency for all price increases. The DDC has $400, 000 in grants at present, but they will be working on two other grants will cover the balance. Phase 1 will be broken into Phase 1A and Phase 1B, so bidding for contracting can be done while waiting for grants. This will be adding a sidewalk in front of the church with a handicap crosswalk across from library. The center of the street will have to move over to accommodate this. We will only lose one parking spot for the new sidewalk due to crosswalk which will be ADA accessible. John Tripp will take the plans to Jason at the Highway Dept.

John Tripp had some concerns about the bump out at the corner of School Street. He is concerned about the Vibram 18 wheelers being able to make the turn. Sheila assured the Board that these new sidewalks will not affect traffic turning.

John Turner gave an update on Master Plan. He contacted the State to see how the review of the Open Space Plan was going. Comments are expected in about a month. Some edits may be needed.

CMRPC quarterly meeting March 10 and Rural Caucus, Zoom call is March 24. Jim Grace will cover these meetings.

Drive-through operations public hearing will be at 7:15pm on March 16.

At 9:15pm Michelle Petraitis made motion to adjourn, seconded by James Grace and unanimously approved by all members

Minutes consist of three pages.

Minutes completed by Kimberly Bent, Clerk