

MINUTES
Town of Hubbardston Board of Appeals
Meeting Held July 8, 2019
Senior Center, 7A Main Street

Members Present: Chairman Scott Janssens, Gail Orciuch, William Homans, Al Afonso (arrived at 6:45pm) and Secretary Joyce Green.

Absent: Andy Baum

Others Present: Edward Blanchard, Barbara Hubbard, Robert Hubbard, Anita Quinn, Carol Pearsall, Brianna Whitney, Carol Whitney, Carol Hubbard-Kelley.

Meeting was called to order at 6:31pm on a motion by Bill Homans, seconded by Gail Orciuch and so voted 3-0.

General Business:

- Minutes approved from February 21, 2018 on motion by Bill Homans, seconded by Gail Orciuch. Vote 3-0 in favor.
- Minutes approved from March 1, 2018 on motion by Bill Homans, seconded by Gail Orciuch. Vote 3-0 in favor.
- Discussion on how to proceed if we do not have all the board members present this evening and 1 member recuses himself on the basis of being a Lions Club member. Scott pointed out Hubbardston Zoning Bylaw Article 10, Section 10.4 that states that a vote of 4 members is needed to modify or approve an application for a variance.

Appeal of the Ruling of the Building Commissioner at 7 Main St & 40 Main St
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7:00pm Motion to open public hearing for 7 Main Street made by Bill Homans, seconded by Gail Orciuch and so voted.

Chairman Janssens explained the procedure for a public hearing. He disclosed that he is a member of the Hubbardston Lions Club but that upon contacting the State Ethics Commission, he was advised that because he receives no salary from and is not an officer of the Lions Club, he could participate in the matter before the board this evening. Janssens said that the Chairman of the Board of Selectmen was of the opinion that Janssens should recuse himself. Janssens noted that a vote of 4 members is needed to approve an application and with one board member absent tonight, the remaining 4 would all have to vote in the affirmative to approve the application. Janssens asked if everyone was satisfied with his participation. One objection was heard from those present. Due to these circumstances, the option to continue to a date when all 5 members could be present was suggested.

Motion by Bill Homans, to continue the public hearing to another date when all 5 members could be present.

Second by Albert Afonso.

Vote: 4-0 unanimous in favor.

Secretary Joyce Green stated that a date and time must also be announced to those present. Green attempted to contact Andy Baum via text to determine his availability. After discussion and response from Baum, a **motion** was made by Bill Homans to continue to Monday, August 5 at 7pm; **seconded** by Gail Orciuch and **voted in favor 4-0.**

Edward Blanchard, representing the Lions Club, offered some clarification stating that the Lions Club is only involved because they are providing the funding for these 2 signs and donating them to the town. Some questions were asked of Mr. Blanchard regarding location and design of the signs and he showed photos of similar signs in other towns. Locations are 7 Main Street, near the town office mailboxes, and 40 Main Street, replacing the current signboard at Charlie Clark Corner.

Tom Larson, representing the Lions Club, further clarified that one sign would be used by the town for announcements such as upcoming Town Meeting, taxes due, etc. and the other sign would be for community events. The Lions Club voted to donate these to the town to keep townspeople informed.

At this point, Chairman Janssens halted discussion until the public hearing would be reconvened on August 5.

7:26pm Motion to open public hearing for 40 Main Street and to continue said hearing to August 5 at 7:05pm made by Bill Homans, seconded by Gail Orciuch and so voted 4-0 in favor.

Chairman Janssens thanked those in attendance and abutters left meeting.

Questions were raised by members of the board as to how to proceed. Janssens will attend Board of Selectmen meeting on July 29 to discuss his participation with them although it is up to Janssens to decide whether or not to participate. Albert Afonso asked if the town is breaking its own bylaw by using the current electronic sign board at the Rec Field for announcements.

During the course of discussion it was realized that member Homans is an abutter to 7 Main Street and will not be able to participate in the hearing, creating another issue. It was decided that we need to get an associate member appointed before August 5 so there are enough board members to take a vote.

Secretary Green realized that some of the abutters for 7 Main Street had not been notified of the hearing; there was a second page of abutters that had been missed. Green will send new abutter notices of the August 5 hearing to all abutters of 7 Main Street in order to be in compliance with the law.

7:45pm Motion to Adjourn made by Bill Homans, seconded by Gail Orciuch and so voted 4-0 in favor.

Respectfully Submitted,

Joyce Green, Secretary

Approved by



Date:

8/5/19

Board of Appeals Sign-In Sheet

Public Hearing

July 8, 2019

NAME (please print)

ADDRESS or TITLE

ED BLANCHARD

Barbara Hubbard
Mark Hubbard

Anita Quinn

Carol Pearsall

Brianna Whitney

Carol Whitney

Carol Hubbard-Kelley

23 E. COMET POND ROAD

1 BAKER RD. ALLOFT

1 Baker Rd. Cottrell

about 18 Elm St

6 High Street

178 Williamsville Rd

178 Williamsville Rd



Hubbardston

Massachusetts

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AGENDA-ZBA 7-8-2019

Date:

Monday, July 8, 2019 - 6:30pm
Senior Center, 7A Main St

Related Event:

[Zoning Board of Appeals](#)

6:30pm Call to order

General Business:

- Approve minutes
- Sign vouchers

7:00pm - Application from Hubbardston Lions Club to overrule the decision of the Bldg Commissioner for denial of a permit for an electronic message board with internal illumination for property located at 7 Main St, Assessors Map 8A, Parcel 11. Variance sought pursuant to MGL c40A, §10, and Hubbardston Zoning Bylaws Article 11.

7:05pm - Application from Hubbardston Lions Club to overrule the decision of the Bldg Commissioner for denial of a permit for an electronic message board with internal illumination for property located at 40 Main St, Assessors Map 5C, Parcel 87. Variance sought pursuant to MGL c40A, §10, and Hubbardston Zoning Bylaws Article 11.

Any other new business not reasonable anticipated by the chair.

Chair: Scott Janssens

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