

Town of Hubbardston
Planning Board

Meeting Minutes

Location: 7 Main Street, Slade Building, Hubbardston, MA 01452

Date: November 4, 2021

Members Present: Alice Livdahl (Chair), Francois Steiger, Kristopher Munroe, John DeMalia, Bill Homans and, Erica Dack

Members Absent:, None

Other Attendees: Mallory Seamon, Ms. Rudd, Jeff Bourque, Mark Dymek, William Murray, Alan Crane, MaryAnn DiPinto and, Damon Schmidt

Ms. Livdahl called to order: (6:30 pm) "This meeting is being broadcast live and digitally recorded."

Orders of Business:

Public Comments - None

Minutes Approval - None

Action Items

a. Scenic Road Bylaw request to remove trees at 6 Ragged Hill Road (Ruud). Bill Murray from Places Assoc. and Jeff Bourque, Tree Warden, attending

Ben representing the applicant indicated the plan has been submitted. Ms. Livdahl read Chapter 32 of the bylaws for the public's knowledge. Ms. Livdahl stated the applicant is looking to remove 3 Red oak trees from the Right-of-Way. Ms. Rudd stated the following reasons for the removal:

- The trees are leaning toward the house.
- There are dead branches.
- Roots are showing
- The trees are leaning at a greater than 15° angle.

Mr. Bourque stated red oaks are generally a strong tree. They have performed a tree audit and determined that the trees are low-medium risk of failure but because of their large stature they pose a medium-high risk.

Ms. Livdahl read the draft decision that was prepared by Mr. Murray. Ms. Livdahl noted the 2 notes made on the decision which are the opinion of Places Associates.

1. Middle and Eastern most trees can remain and require pruning if they remain. The Western most tree is the least healthy and should be removed.
2. Removing the three trees will not affect the scenic nature.

Mr. Homans made a motion to remove the three trees based on the opinions of the Tree Warden and Places Associates. Mr. Munroe seconded. Roll call vote, all in favor, motion carried (5-0).

c. ANR Plan — Halfrey Rd. (Halfrey) Mark Guerard, PE and Bill Murray from Places Assoc. attending.

Mr. Dymek presented the plan. The Board reviewed and discussed.

Mr. Homans made a motion to endorse the plan as presented. Mr. Munroe seconded. Roll call vote, all in favor, motion carried (5-0).

Next item on the agenda, Places Assoc. Invoice.

Mr. Homans made a motion to pay the invoice of \$168.75 out of the Planning Board funds. Mr. Munroe seconded. Roll call vote, all in favor, motion carried (5-0).

Next item on the agenda, Alan Crane- request to speak to the board re. clay pit reclamation.

Ms. Livdahl indicated the Board will hear the matter but will take no action tonight.

Ms. DiPinto submitted her Site Inspection report to the Board and explained the following:

- The hillside is covered with vegetation.
- The Site Inspection revealed a barren habitat is growing and 75-90% of the site has revegetated.
- The DCR would be concerned about bringing in fill as it would erode.

Mr. Murray stated the applicant would need to submit an amendment to the Reclamation Order.

b. Violation and Remediation for unauthorized tree/wall removal Healdville Rd. (Map 8 Lot 64B — Denis) Bill Murray from Places Assoc. and Jeff Bourque, Tree Warden, attending

Mr. Bourque indicated he would have suggested to the applicant to request the removal of 13 trees in case it was needed. Mr. Bourque stated he did not see a plan; he based his decision on the application.

Mr. Bourque stated the applicant needs to consider the stumps. Ms. Livdahl noted the wall must be restored.

Ms. Livdahl stated that a violation letter will be sent to the applicant and request their attendance at the next meeting November 18, 2021.

Mr. Homans made a motion to send the letter. Mr. Munroe seconded. Roll call vote, all in favor, motion carried (5-0).

d. Addition of Zoning Article to Annual Town Meeting agenda for 2021 concerning increase in penalties for violation of Zoning Bylaws, requested by Select Board, David Nixon, Interim Town Administrator attending.

Ms. Livdahl stated Mr. Nixon was not attending tonight's meeting.

The Board had a lengthy discussion on the lack of ability to enforce violations.
Ms. Livdahl will reach out to Mr. Nixon to discuss the need for Hearing and Enforcement Officers.

Next item on the agenda, Zoning Bylaw Revisions for Annual Town Meeting 2022

a. Article 22 – Commercial Marijuana Establishments

Mr. Munroe offered to put together a draft. Ms. Livdahl will call the Wellman Farms contact to see if they are willing to pay for a company to draft the bylaw and regulations.

b. Article 20—Use of Large-Scale Solar Photovoltaic Installations

c. New Article – Battery Energy Storage.

Mr. Steiger prepared and reviewed the changes to the draft with the Board. The main changes are as follows:

- The addition of a Tier 2, 600 kW or more only allowed in a Commercial Zone only.
- Adding an overlay district
- Adding a Megawatt upper limit.

Ms. Livdahl will send the draft to Mr. Murray for his review.

Next item on the agenda, New Business

a. 7:45 PM Damon Schmidt- request for preliminary presentation phase 2

Ms. Schmidt discussed with the Board the possibility of revisiting the water limit. Mr. Schmidt noted the well has been moved 400 feet toward the street.

Ms. Livdahl suggested Mr. Schmidt get his paperwork together and revisit the Board.

Next item on the agenda, Accessory dwellings.

Ms. Livdahl and the Board reviewed and discussed the draft she has prepared.
Ms. Livdahl will make changes discussed and the Board will revisit at another meeting.

Correspondence

Ms. Livdahl indicated a letter was received regarding the sale of the 147 Williamsville Road solar array and their concern about the bond.

Ms. Livdahl informed the Board the Master Plan is complete.

Ms. Livdahl indicated there are working dates available for Habitat for Humanity if anyone would like to donate time.

Adjourned: 9:09 pm