



Hubbardston Massachusetts

Planning Board Minutes

Date: May 18, 2023

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

Members Present: Kristofer Munroe, Francois Steiger, Erica Dack, Peter Russell

Members Absent: Bill Homans, John DeMalia

1. Call to Order – 6:33 p.m.
2. Public Comments/Introduction to new Member
 - a. Peter Russell introduces himself and describes his background.
3. Minutes for approval
 - a. November 4, 2021 – On a motion by Member Steiger, seconded by Member Dack, minutes are approved unanimously (3 affirmative votes) with minor corrections.
 - b. April 5, 2023 - On a motion by Member Steiger, seconded by Member Dack, minutes are approved unanimously (3 affirmative votes) as presented.
4. New Business
 - a. Chair Munroe summarizes request from Damon Schmidt for discussion of bathroom facilities as a minor modification to the existing special permit. Since Damon is not present, the issue will be passed over for tonight.
 - b. ANR application, D2 Builders, Ragged Hill Road

Clerk Kresge presents plan that was submitted by applicant and indicates that it meets the list of criteria for endorsement by the Board. Board reviews the criteria. On a motion by Member Steiger, seconded by Member Dack, the Board agrees unanimously (three affirmative votes) to endorse the plan submitted.
 - c. ANR application, Winridge Holdings, Worcester Rd.

Mark Dymek presents plan. Board reviews the criteria. On a motion by Member Steiger, seconded by Member Dack, the Board agrees unanimously (three affirmative votes) to endorse the plan submitted.

5. Public Hearing

- a. The Hubbardston Planning Board is holding a public hearing regarding a Special Permit application for construction of a 145-foot communications tower, filed by Industrial Tower and Wireless, LLC. The property is located at Assessor's Map: 3 Lot: 189, behind 243 Gardner Road. Plans may be viewed at the Town Clerk's office during regular business hours, or viewed as a PDF file at this [link](#).

On a motion by Member Steiger, seconded by Member Russell, the hearing is opened with four affirmative votes.

Chair Munroe summarizes the review of the application materials submitted thus far, with respect to judging completeness of the application. Member Steiger asks to step through the list of items that were requested from the applicant. Applicant's representative Kevin Delaney presents revised plans that were submitted to the Board, and answers questions from the Board.

On a motion by Member Steiger, seconded by Member Dack, the Special Permit application is accepted as complete with four affirmative votes.

Shayna Galinat, consultant for Industrial Tower, begins presentation and introduces Kevin Delaney from Industrial Tower. Mr. Delaney presents a description of the proposed project in a Powerpoint presentation, and answers questions from the Board.

James Carpenter, 229 Gardner Road, indicates that there is lot of ledge in the area, which will probably be revealed during the borings for design of the tower foundation.

As a preliminary inquiry, Chair Munroe wants to poll Board members on potential waiver issues that might need to be voted on at a future meeting. He raises issue of granting a possible waiver for lattice tower construction vs. monopole style. No Board members see a problem with this.

Chair Munroe describes ambiguity between Article 18 and Article 4 of the Zoning Bylaws regarding allowable locations for wireless towers. With potential bylaw amendments coming up at Town Meeting that could affect this issue, and as a matter of fairness to the applicant now, he asks whether any Board member currently has a strong objection to potentially granting a waiver for location of a wireless tower outside of the wireless overlay district described in Article 18. No objection is raised by the Board.

Discussion of chain link fence vs. wooden stockade fence. No objection from Board to idea of granting a waiver for chain link fence.

Discussion of landscaping plan requirement. Ms. Galinat indicates that due to distance from road and dense vegetation, applicant's position is that landscaping is unnecessary. No objections to possible waiver from Board.

Discussion of tower height re-evaluation that is specified in Article 18 at the time of a new special permit hearing after 5 years. Applicant is concerned that this could jeopardize long-term commercial agreements with carriers. Board agrees that it would be unfair to change the allowed height, but the 5-year duration for a special permit will remain in place.

Discussion of tower lighting. Mr. Delaney indicates that they do not currently have any towers that are less than 200' tall where FAA has required lighting. Some of those towers are near airports.

Discussion of balloon test duration. Since the balloon test will be conducted before the next meeting, Chair Munroe calls for an official vote on a waiver of the 24-hour duration requirement. Mr. Delaney proposes a schedule of 6:30 a.m. to 1:30 p.m. Associate Member Russell presents a motion for waiver of the 24-hour requirement, replaced by a duration of 7 hours from 6:30 a.m. to 1:30 p.m. Seconded by Member Steiger, the waiver is approved unanimously with four affirmative votes. Industrial Tower will proceed with scheduling of a balloon test prior to the next continued hearing date.

Discussion of provisions for power outages. Member Steiger would like clarification at the next meeting on how backup power responsibilities are handled by the co-located carriers, versus battery backup provided by Industrial Tower.

Discussion of performance bond. Mr. Delaney provides an example of a bond provided by Industrial Tower for another project with a similar tower. Chair Munroe suggests that he review the bond format from the last wireless tower application in Hubbardston.

Discussion of technical review assistance. Places Associates will provide technical review services, and the results of their preliminary review will be provided to Industrial Tower before the next meeting.

On a motion by Member Steiger, seconded by Member Russell, the public hearing is continued to June 29, 2023 at 6:30 p.m. by unanimous approval with four affirmative votes.

6. Administrative Matters

- a. Invoice approval of advertising costs for zoning bylaw amendment hearings. On a motion by Member Steiger, seconded by Member Dack, payment of \$625.94 to vendor LocalIQ is approved unanimously with three affirmative votes.
- b. Discussion of legal review by Town Counsel of the solar bylaw amendments. Chair Munroe explains that any further language changes would need to be presented on the floor at Town Meeting, and steps through the comments from Town Counsel. The Board does not feel that it is necessary to present any changes at Town Meeting to address these comments.
- c. Master Plan update. Still in progress with Jonathan Vos.
- d. Agro-tourism bylaw is in progress with MRPC, draft is due in early June.

7. Matters Not Reasonably Anticipated by Chair

- a. On a motion by Chair Munroe, seconded by Member Steiger, Erica Dack is appointed as the Planning Board's representative to the Affordable Housing Committee by unanimous vote.
- b. Member Steiger inquires about the current status of Town enforcement action regarding 248 Gardner Road, with car repair operations, junk cars, illegal housing, etc. Chair Munroe indicates that enforcement actions are delegated to the Building Commissioner. The Building

Commissioner, Board of Health, and Town Administrator are involved in determining the best course of action to resolve these issues.

The meeting adjourned at 8:46 p.m.

Respectfully submitted,
Mark Kresge, Land Use Clerk