

Town of Hubbardston

Planning Board

Meeting Minutes

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

Date: September 7, 2022

Members Present: Kristofer Munroe, Alice Livdahl, Francois Steiger, John DeMalia (remote, 6:57 pm) and Erica Dack.

Members Absent: Bill Homans

Other Attendees: Francis Parisi, Tom Johnson, Bill Murray, Damon Schmidt, Whitney Friberg, Jennifer Burney, Cheryl Ryan Chan, Justin Piranha, Mr. Stahl, Edward Blanchard, Ms. Lovewell, and ---.

Mr. Munroe called to order: (5:30 pm) "This meeting is being broadcast live and digitally recorded."

Public Comments - None

Minutes Approval - None

New Business

Mr. Munroe stated he had spoken with Mr. Murray and agreed these items are minor changes.

A. Request for minor change 69 Gardner Road RE: Greenhouse

Mr. Schmidt explained the greenhouse water is allotted 35,000 gallons per week. This second greenhouse is the same as the first.

Mr. Schmidt reviewed the specifications with the Board, they are as follows:

- The structure is a hoophouse
- No lighting
- The grow starts February and completes in May.
- the structure is 36x96'
- The plants are the "Automatic" variety.
- They are still working on the irrigation.

Mr. Steiger asked about the zoning. D. Schmidt stated it is Residential/Agricultural.

Mr. Steiger asked if there was any electricity. Mr. Schmidt stated there is electric and propane and the inspections have been completed.

Ms. Livdahl asked if the seedlings/plants were low odor. Mr. Schmidt stated yes.

Mr. Schmidt explained to the Board that "Automatic" indicates the plants automatically come due, it does not require the lighting.

Ms. Livdahl made a motion to approve a modification to the Special Permit granted to Royal Sun Farm to operate an outdoor grow Marijuana establishment at 69 Gardner Road, as a minor engineering change, to allow the addition of a temporary 34' x 96' agricultural cold frame greenhouse type structure that has a roof made of plastic, does not have a concrete slab foundation, and does not require a building permit to put up, to be located as shown on the "Temporary Site Plan" submitted by Bobek Engineering, to include gas and electricity. Mr. Steiger seconded the motion. Roll call vote.

Ms. Livdahl - yes

Mr. Munroe - yes

Mr. Steiger - yes

Ms. Dack - yes

B. Request for minor change 69 Gardner Road RE: Water usage

Mr. Schmidt explained the greenhouse water is 35,000 gallons per week and would like this to be changed to 5,000 gallons per day with a 10,000 gallon cap.

Mr. Munroe tabled this discussion to another meeting.

C. Joint meeting with EDC to discuss Solar Bylaw Grant

Ms. Friberg called the EDC meeting to order at 6:03 pm.

Members present K. Munroe, W. Friberg, and Cheryl Ryan Chan. Katie Young absent.

Ms. Burney of MRPC opened the discussion by noting the large-scale bylaw was created 2010 and amended 2015 and 2018. This bylaw included ground and roof mount solar.

Ms. Burney gave the following statistic for Hubbardston:

- There are 6 solar arrays consisting of 113.6 acres.
- Arrays average occupancy for a parcel for 15 plus years.
- \$92,000 was received in revenue.

Ms. Burney shared the following general information:

- Community solar has increased on capped landfills and gravel pits.
- 6-7 acres are required per Megawatt.

Ms. Burney indicated the survey for use of town land reflected the interest in a park/playground, solar, housing and protection of open space.

Ms. Burney reviewed her next step in this process as the following:

- Reviewing Athol, Bolton, and Southboro bylaws.
- Identifying potential properties and possible land use conflicts.
- Draft a bylaw.

Mr. Steiger urged J. Burney to use the research he and A. Livdahl compiled.

D. Joint Meeting with the EDC to discuss Town Center Overlay Project with MRPC

Ms. Burney reviewed the needs the survey revealed as:

- Active walkable town center
- Range of services
- Affordable housing
- Beautification
- Historic character preservation
- Expansion for commercial and job growth.

Ms. Burney explained the zoning principles as the overlay district is a special zoning district and using design guidelines.

Ms. Burney noted Hubbardston was mentioned as 1 of 1000 places to visit by Great Places. Ms. Burney indicated her zoning case studies were Barre, Princeton, Westminster, Rutland, and Sterling. Ms. Burney noted some standards to be aware of are 25 foot natural vegetation buffer and chain business having architectural requirements.

Ms. Burney stated her next step is to:

1. Produce a draft bylaw.
2. Do a visual survey
3. Survey presentation
4. Public engagement
5. Get feedback.

Ms. Friberg asked if any of the case study towns were Right to Farm. Ms. Burney will look into that.

Mr. Munroe would like to see this more recreational and open space forward. W. Friberg asked about towns with restrictions. C. Chan would like to look at peer communities with similar demographics.

Mr. Munroe made a motion to adjourn the EDC meeting at 6:57 pm. W. Friberg seconded.

Continued Public Hearing

a. Town of Hubbardston Planning Board and Zoning Board of Appeals -PUBLIC HEARING NOTICE is hereby given that the Hubbardston Planning Board and Zoning Board of Appeals (ZBA) will hold a Joint public hearing on Thursday July 21, 2022 at 6:30 pm to consider the application for a Special Permit for Planning Board to construct a cell tower in Hubbardston MA, and the application for Zoning Board of Appeals for requested variance from Hubbardston Zoning ByLaw 5.3 e.2 Access Drive. Applicant is Vertex Towers, LLC. The Proposed Cell Tower is to be located at address 14 Main St Hubbardston map and parcel number 08-A-041, with access to that parcel via 7 Brigham St 08-A-051 and 9 Brigham St 08-A-049. The hearing will be held at Town Hall, 7 Main St., Hubbardston MA 01452 Slade Building.

Mr. Munroe opened the Public Hearing at 7:00 pm to first allow for public comment.

Ms. Lovewell indicated she submitted her home evaluation and pictures. Mr. Munroe stated the items were received. Ms. Lovewell expressed concerns over radiation.

Mr. Blanchard asked if the site plan can be approved before the special permit. Mr. Munroe stated yes, it is permissible and they are two separate applications. Mr. Piranha concurred. Mr. Blanchard noted the ZBA denied the variance and asked if the Board will wait for the appeal and inquired about the bond. Mr. Munroe stated this would be discussed later in the meeting.

Mr. Parisi responded to Ms. Lovewell's concerns:

1. Realtor letter, values anecdotal, not a criteria for a special permit.
2. Visibility - bylaw does not state the tower be invisible and the applicant has mitigated the visual impact.
3. Radiation, they comply with FCC and have no adverse impact.
4. The ZBA denial will be appealed.

Mr. Blanchard asked about an independent environmental impact study. Mr. Parisi stated that is a requirement of the Planning Board. Mr. Murray indicated a NEPA filling will be supplied, a full NEPA was not required.

Ms. Livdahl made a motion to close the public hearing. F. Steiger seconded. Roll call vote.

Ms. Livdahl - yes

Mr. Munroe - yes

Mr. Steiger - yes

Mr. DeMalie - yes

Ms. Dack - yes

Mr. Munroe handed out the draft of the Special Permit to the Board. Mr. Parisi noted he needs the general special permit and the special permit indicated in the wireless bylaw, these are the same permit with multiple criteria.

The Board reviewed the sections of the application and supplements of the special permit and verified or corrected the following items:

- One special permit for approval.
- The applicant is Vertex Towers, LLC and remove co-applicants
- The Documents list was reviewed and additions made from the recommendation of the Town Council.
- The decommissioning bond has been submitted by Mr. Parisi and noted as supplement #3

The Board reviewed the sections of the application and supplements for the telecommunication tower with the correction and clarifications:

- Some items need renumbering
- Plan documents reviewed, dated 3/18/22 and revised 7/12/22.
- Photos of the balloon test.
- Applicable Zoning bylaws., Article 4 added
- Summary of Facts.
- Article 18 reviewed and suggested wording from the Town Council added.
- “Access or Farm lane” changed to driveway.
- Drainage concerns have not been reviewed by Places Associates yet. Mr. Parisi would agree to have Places review after receiving a reasonable quote.
- The Public Hearing dates were corrected to July 21, August 25 and September 9, 2022.

The Board reviewed the issues and waivers with the correction and clarifications:

- TOWAIR database was used to verify no light on tower needed, not a letter from FCC.
- Lattice tower is now industry standard
- Fencing/screening, 6 foot chain link fence with 3 strands of barbed wire on top.
- Access, Variance not granted by the ZBA. Mr. Murray noted access off Main Street is not reasonable access due to the combination of shape of the lot, topography and other environmental constraints.
- The Town Clerk received the Variance request May 10, 2022. Stamped the denial August 29, 2022.
- The word “utility” and “no public access” to be removed.

The Board reviewed Article 7, Special Permit Criteria with the correction and clarifications:

- Add post construction
- Add the monitor of emergency equipment in locked containers.
- Any onsite generators and fuel supply shall comply with all NFPA standards
- Radiation - A. Livdahl read the FCC's description and explanation of radiation. The Board will file with the application
- Concerns over visual effects were expressed by the public and it was taken into consideration by the Board .

The Chair called for a recess and reconvened at 9:32 pm

- Degradation - The cell tower will be limited to the clearing shown on the site plan and improving an existing driveway, for this reason and others stated above the Planning Board concludes the tower shall not cause degradation of the environment.

The Board reviewed Article 8, Environmental Impact with the correction and clarifications:

- Strike out the word cost

The Board reviewed Article 9, Site Plan Approval.

The Board reviewed Article 18, Wireless Communications Facility with the correction and clarifications:

- The Board waived the 24 hour balloon test. The test ran from 9 am - 2 pm.

The Board reviewed Conditions on the Special Permit with the correction and clarifications:

- Change heading to read "The approval of this Special Permit and Site Plan".
- Drainage calculations must be reviewed by Places Associates and approved by the Planning Board.

Ms. Livdahl discussed the access easement being extinguished once the tower was decommissioned. Mr. Parisi stated it was in the deeds.

The Board and Mr. Parisi had discussion regarding sign-offs of the project with the Building Commissioner and the Planning Board.

Mr. Parisi noted he is meeting with the ZBA September 20, 2022.

The Board drafted a letter that reads "The Planning Board and Vertex Towers, LLC hereby agree to extend the hearing on the Cell Tower proposal from Wednesday, September 21, 2022, 6:30 pm at the Slade Building.

Ms. Livdahl made a motion to continue the public hearing to September 21, 2022. Mr. Steiger seconded the motion. Roll call vote.

Ms. Livdahl - yes

Mr. Munroe - yes

Mr. Steiger - yes

Mr. DeMalia - yes

Ms. Dack - yes

Adjourned: 10:--- pm