



Town of Hubbardston

Planning Board Meeting Minutes

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

Date: Wednesday, January 2, 2019

Members Present: Thomas Robinson (Chair), Kendall Daly, Bill Homans, Alice Livdahl, Francois Steiger (Associate Member)

Members Absent: Craig Boissoneau

Other Attendees: Ron Wical, Christina Sutcliffe (Admin)

CALL TO ORDER (6:30 pm)

Orders of Business:

1. Chair suggests moving Mr. Wical up on the agenda (95 Williamsville Road Rock Removal) to #1 so that Mr. Wical can present and get on with his evening. Bill Homans makes a **MOTION** to "move it." Ken Daly **SECONDS**.
 - a. 95 Williamsville Road Rock Removal. Chairman provides background and pictures are provided of "before" (taken from Google Earth) as well as pictures provided by Mr. Wical of "during" rock removal.
 - b. Discussion is had regarding Scenic Road and Mass General Law regarding the removal of stones from the front and boundary lines.
 - c. Mr. Wical is invited to the table.
 - d. Chair states: "Oh, I forgot to say: 'This meeting is broadcast live and digitally recorded.'"
 - e. Mr. Wical gives his information regarding removal of the rock wall along the road and along each side of the property.
 - f. Discussion ensues regarding what would constitute restitution:
 - Owner, Brett Chapman, provides remedial Scenic Road Application with professional engineering plans "with dimensions and descriptions" detailing a complete restoration of the walls

- Enlist Bill Murray and get a quote on how much his involvement might cost to do a site visit, review plans, oversee project (and have, owner, cover this cost) "engineering and oversight"
 - Have owner, Brett Chapman, provide proof of ownership of surrounding properties
 - Give owner, Brett Chapman, a time line for appearing before the board to answer (30 days – Feb meeting)
- g. Board asks Mr. Wical if their proposed plan is acceptable to address his complaint. He states that it is.
- h. Tom Robinson makes a **MOTION** that "we do what we just said we would" which is detailed in item f, Bill **SECONDS, ALL IN FAVOR**
(Time Stamp 37:00)
2. Bill Homans makes a **MOTION** "to get back to the agenda"
3. Meeting Minutes - November 7, 2018
- a. Chair requests that the transcript created by the admin of the Sept 26, 2018 minutes be added to the website with the posted, approved minutes.
 - b. Following Chair request that the board wait until the following week's session to review the Nov 7th minutes, Bill Homans makes a **MOTION** to "postpone them until the next meeting"
4. True Green – 91 Williamsville Road
- a. Chair recaps situation and makes a **MOTION** that "Christina calls Noah Seigel and if, in a couple days, she doesn't get a response, she starts with a letter. Contact True Green and dunn them for their check." Bill Homans **SECONDS, ALL IN FAVOR.**
(Time Stamp 44:00)
5. Gravel Pit
- a. Marinelli – Discussion had about the illegal dumping piles
 - b. Bill Homans makes a **MOTION** "to have Christina to contact the Marinelli's to please ask for an update on the removal of the construction debris in the pits on Pitcherville Road."
 - c. Discussion ensues and agreement is had that registered mail would be best for the letter.
 - d. Alice Livdahl **SECOND's** the motion. **ALL IN FAVOR.**
6. 147 Williamsville Road – Discussion: The land on which the solar system is built is being reclassified from Chapter 61. During the process of it "coming out of" Chapter 61, the town is given "right of first refusal" to buy the land. The project developer of 147 Williamsville Road has requested that the Town Waive that right.
- a. Bill Homans makes a **MOTION** "that we draft a letter to the Selectmen approving the granting of the waiver."
 - b. Alice Livdahl makes a **FRIENDLY AMMENDMENT** that the letter state that the board "sees no reason why the waiver should not be granted by the Select Board."
 - c. Discussion ensues
 - d. Alice Livdahl **SECONDS. ALL IN FAVOR**
(Time Stamp 1:02:30)

7. Upcoming Planning Board Matters

- a. ANR to be presented to the board next week
- b. 240 Gardner Road ANR application – submitted complete that afternoon – board reviews against ANR list of requirements (attachment #3). The following are designated as requirements that will be conveyed to the applicant for the ANR to be complete (for re-review on the February meeting)
 - A copy of the plans of the solar farm – officially designated (not pencil)
 - An updated certificate of authority for Donald Lang
 - An updated check amount – one fee for each lot (pending confirmation)
 - An official plan that shows the entire existing property being divided
- c. Website update with regards to Scenic Road Application discussed

8. Matters Not Anticipated by the Chair

- a. Discussion of Affordable Housing Committee – member appointment and Housing Plan
 - Bill Homans makes a MOTION “to appoint Alice to the Affordable Housing Committee.” Ken Daly **SECONDS. ALL IN FAVOR**
 - Alice Livdahl makes a MOTION “that the Planning Board recommend Francois to also serve on the Affordable Housing Committee as a citizen member.” Bill Homans **SECONDS. ALL IN FAVOR**
 - There is discussion of a non-quorum meeting of the Affordable Housing Committee. (Time Stamp 1:40:00)

9. Roll call vote to enter Executive Session pursuant to G. L. c. 30A, Section 21 (a)(1): “To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.” Specifically, the Board will discuss an Open Meeting Law complaint dated December 6, 2018 filed against the Board pertaining to a November 1, 2018 letter and meeting of November 7, 2018. The Board does not intend to reconvene in Open Session and will move to adjourn from Executive Session.

- a. Bill Homans **SECONDS**
- b. **ALL IN FAVOR:** “Alice Livdahl – aye, Bill Homans – aye, Ken Daly – aye, Tom Robinson – aye”

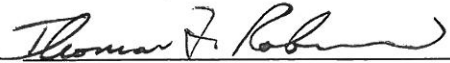
Action Items:

- 1- Planning Board Admin to contact Brett Chapman with Board's decision with regards to the 95 Williamsville Road and associated rock removal.
- 2- Admin to add 95 Williamsville Road to our next agenda
- 3- Admin to contact Noah Seigel and follow up with letter requesting monies required for Compliance Assessment by Places Associates.
- 4- Admin will follow up with 240 Gardner Road applicant to convey the board's requirements for the ANR completion (to be re-reviewed at the February board meeting)
- 5- Admin to write a letter to the Select Board notifying them of the appointments voted on tonight for the Affordable Housing Committee

Minutes Recorded by: Christina Sutcliffe (Planning Board Administrative Assistant)

These minutes were approved by vote of the board on 3-April-2019

These completed minutes were confirmed by:

 on April 11, 2019
Thomas Robinson, Chair Date

Attachments:

1. Agenda
2. Attendance Sheet
3. ANR List of Requirements

NOTE: Attachments are digitally inserted representations of available files. For original documents, see Planning Board Office.

Attachment #1: Meeting Agenda



Planning Board Agenda

Wednesday, January 2, 2018 6:30 PM
Main Street, Hubbardston, Slade Building

Planning Board meetings are broadcast live and digitally recorded

- Call to Order
- Meeting Minutes – November 7th
- True Green
- Gravel Pit Report
- 147 Williamsville Road
- Admin report on Upcoming Planning Board Matters (Applications In-Process)
 - ANR – 240 Gardner Road
 - ~~Scenic Road Application - Lot 4C Healdville Road (Moved to Jan 9th)~~
- 95 Williamsville Road Rock Removal
- Public roll call vote to enter Executive Session pursuant to G. L. c. 30A, Section 21 (a)(1): "To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual." Specifically, the Board will discuss an Open Meeting Law complaint dated December 6, 2018 filed against the Board pertaining to a November 1, 2018 letter and meeting of November 7, 2018.
- The Board does not intend to reconvene in open session.
- Adjourn

Updated 27-Dec-2018 at 1:39 pm

Posted by Chairman of the Planning Board

Attachment #2: Attendance Sheet



Town of Hubbardston
Planning Board Meeting

LOCATION State Building DATE 02 - JAN - 2018

Sign In - Please Print

Name	Address	Email
Ken Neal	96 Williamsville Rd	Jw Neal & Hotmail

Attachment #3: ANR List of Requirements

Plan Believed Not To Require Approval

4.01 Submission

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law, may submit **his plan in triplicate** with **Application Form A**, along with a submittal fee of \$175.00, to the Town of Hubbardston Planning Board, accompanied by the necessary evidence to show that the plan does not require approval.

The plan shall be submitted by delivery to the Planning Board office (preferably 5 days (5) days prior to a meeting of the Board) or by certified mail, postage prepaid, to the Board. In addition, written notice of such submission using **Application Form A** shall be given by the applicant to the town Clerk by delivery and, the Town Clerk shall, if requested, give a written receipt to the person who delivered such notice.

4.02 Requirement of Plan

A plan not requiring approval shall be prepared by a registered land surveyor and shall be clearly and legibly drawn to the requirements of the Recording Rules adopted by Registry of Deeds in Massachusetts. If multiple sheets are used, an index sheet showing the entire plan shall accompany them. A plan not requiring approval shall contain the following information.

1. Property boundaries, north point, date and scale.
2. Name of the record owner, name of the registered land surveyor and the Worcester Registry of Deeds book and page reference of conveyance to record owner.
3. Area of each lot.
4. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, monuments or references necessary to establish these line on the ground.
5. Where practical, boundary lines of contiguous and adjacent land and names of the owners thereof, as determined from the most recent tax list.
6. Location of all permanent monuments properly identified.
7. Location, names and present width of non-public (private) ways abutting the property.
8. Suitable space to record the endorsement of the Board the Approval is not required and the signatures of the members of the Board.
9. Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
10. In the case of the creation of a new lot, the remaining land area and frontage of the land in the ownership of the applicant shall be shown.
11. Location of all existing buildings including setback and side and rear yard designations.
12. Location and area of any wetlands on the lots being created by the plan (including the lot being created by the remaining land). In lieu of delineating the wetlands on the remaining land, the applicant may provide written certification from the Surveyor or Professional Engineer who prepared the plan that the remaining parcel of land contains the minimum required upland area required under the Zoning By-Laws.
13. ANR Approval does not constitute compliance with zoning requirements for building purposes.

