



Town of Hubbardston

Planning Board Meeting Minutes

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

Date: Wednesday, March 13th, 2019

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

Members Absent: N/A

Other Attendees: Christina Sutcliffe (Admin), See Attendance Sheet, Attachment #2 for members of public present

CALL TO ORDER (6:31 pm) "This meeting is being broadcast live and digitally recorded."

NOTE: Call to Order and Adjourn times are specific times of the meeting start and end times. Any times listed as "Time Stamp" within the minutes are those taken from the YouTube video of the meeting.

Orders of Business:

1. Streeter Road Petition Review

- a. Tom Robinson begins by introducing the topic and the scope and process of the meeting.
- b. Deb Reed of Streeter Road expresses concern and asks that Craig Boissoneau recuse himself from this meeting and vote based on his employment with the Department of Public Works, and the DPW's public remarks/actions on the Streeter Road matter. Ms. Reed suggests that Craig Boissoneau's employment would influence his decision.
 - Craig Boissoneau states that he feels his decision would be unbiased by his Director's opinions.
 - Deborah Philips (attorney representing the applicants of Streeter Road) responds by asking if Craig Boissoneau has had opportunity to discuss possible conflict of interest with counsel
 - Craig Boissoneau states that he does not feel conflicted nor that his decisions would be influenced by his Director's opinions

- Tom Robinson mentions that the board all took Conflict of Interest training and recommends that, per that training that Craig B “avoid conflict or the appearance of conflict” and recuse himself.
 - Craig Boissoneau queries the opinions of the rest of the board: Ken Daly and Bill Homans agree that Craig B should recuse himself. Alice Livdahl agrees based on the possible grounds for an appeal of the decision.
 - Craig Boissoneau agrees to recuse himself and takes a seat in the audience. To which move, Deb Phillips notes that Craig B must leave the room, and Tom Robinson asks Craig B to leave in order “to follow the right process steps.”
 - Craig Boissoneau suggests postponing this meeting so he might seek town counsel’s recommendation (Bill Homans **SECOND’S** suggestion) and Tom Robinson states he “can not consider postponing this meeting” based on the timing requirements of the Planning Board’s response.
 - Discussion ensues. Craig Boissoneau agrees to leave but states that he feels that he is “being discriminated against.”
(Time Stamp 29:15)
- c. Tom Robinson reads the petition for the applicants of Streeter Road.
- d. The Planning Board suggests the public speak first:
- Deborah Phillips begins by discussing the position of those she represents and the fact that Streeter Road is a private way between two public ways and that the residents do not feel it is fair for them to foot the bill for the upkeep of public use. Attorney Phillips then explains the process by which the petition will progress (and its history) and mentions that it is the stated position of everyone she represents to gift the easements for Streeter Road to the town. She then brings up the history of seven approved ANR’s approved by the Hubbardston Planning Board implying that the road must have been deemed “adequate” by the Planning Board. Finally she mentions that the board did vote to waive the requirements for Streeter Road previously so their voting now to do the same would be in keeping with tone of the board over time with regards to Streeter Road.
 - Alice Livdahl asks if there are other roads that extend off of Streeter Road because previous plans submitted regarding Streeter Road reserved easements for other roads. Deb Reeds states that no roads were ever constructed off of Streeter Road, that the current layout shows no other roads, and that the petition only covers Streeter Road. Vin Ritchie points out that the plan being reviewed is no longer valid as it was rejected by the Planning Board, has exceeded its timeline, and since the time of that plan other divisions of the road have incorporated those road easements into owned parcels.
(Time Stamp 51:00)
 - Deb Reed discusses the history of Streeter Road. Then discusses the taxes paid by the residents of Streeter Road and the comparative amount of money it would take to upkeep Streeter Road.

- Alice Livdahl asks Deb Reed if she and the residents are looking for the town to pave Streeter Road? Deb Reed responds that the road has been dirt “for its entire existence and we’d like it to stay that way,” to avoid the road becoming “an absolute racetrack” if it were paved. Deb Reed states that she would just like the road maintained, as it was by the town until 2002. Deborah Phillips states that “the residents want the town to take over the road. The residents are not trying to dictate how the town will maintain it in the future.”
- Deb Reed continues with information about the road including: the presence of a fire hydrant on the road (and importance of access to that hydrant); the fact that school buses (both Hubbardston and Westminster) are using Streeter Road as a turn around.
(Time Stamp 56:35)
- Tom Robinson asks if there are any other public comments.
- Deb Reed comments regarding Chapter 90 state funds available for Streeter Road upkeep.
- Alice Livdahl asks if, in reference to the easements, if the residents would be granting the full width of the layout of the road as shown on the drawings. Deb Phillips and Deb Reed respond that the layout as drawn is not final and that the drawing will be updated prior to the Selectmen’s vote (based on feedback from the residents of Streeter Road). Also, that the exact measurements of the easements will be discussed between counsels following the vote.
- Michelle Amati, a resident of Streeter Road for 23 years, states that it is hard knowing they have a responsibility to upkeep the road in front of her house for her neighbors but then no control over who drives on it (not permitted to block road to public). Asking the town to do what is too difficult for each resident of the road to maintain individually.
- John ? (tenant of Streeter Road) expresses concern regarding snow maintenance and ambulance access.
- Sharon Begley (owner of land abutting Streeter Road) mentions that the Szoc plan is incorrect, per her individually performed title search, with regards to their plot of land. Also states that she is not, at this time, gifting their property to the town with regards to easements of the road. Ed Ternosky (co-owner with Sharon Begley) states that they have no disagreement about the rest of the plan, just their section. In response Deborah Phillips reiterates that the maps can be fixed and that they were waiting to ensure there were no other disputes. Bill Homans asks of the two parties “before this goes further – is this something that can be worked out?” Deborah Phillips states “absolutely.” Tom Robinson states he is happy to facilitate the discussion but that they can not “redraw lines tonight.” Alice Livdahl asks if “they acknowledge that you own to the middle of the road as draw, would that solve this problem? Not in terms of the takings, not in terms of you dedicating any land beyond what’s already in the way but is that the gist of the issue?” Sharon Begley

states that she wishes to enlist her lawyer in response, but that there is no “buffer zone,” but that she would like to discuss the issues. Tom Robinson states he is happy to hear that they are willing to work together to resolve this. Donna Russel states that she feels that their trying to discuss this process and resolve this issue (as individuals) is frustrating and she feels that was what they hired an attorney for. Tom Robinson clarifies that the hiring of a representative is fine, he wasn’t insinuating otherwise, he was just encouraging timely resolution so that the matter could be settled. Deb Reed comments that they are willing to move the road line wherever it needs to go.

(Time Stamp 1:19:00)

- Deborah Phillips mentions that states, as a final note, the in-depth title work will be done after the vote if Streeter Road is approved to be made public (was not done before due to cost associated). Tom Robinson asks who absorbs the cost of that title search with regards to easement determinations. Deborah Phillips states it is the residents who will absorb that cost.
- Bill Homans asks the residents what they have incurred for costs over the years to maintain the road (so the public can know). Scott Jansens mentions a voluntary “road fund” paid by some of the residents each year (\$400) just for the rock to fill the road then each resident has to shovel it. Michelle Amati states that she and her husband state that doing it separately is inefficient and costly and they paid \$500 this year (then another \$500 after the rains). Deb Reed mentions that it was \$6400 last time they got a contractor together (since then the quotes have gone above \$10,000). Peter Russel mentions that Lovewell Pond budgets \$1000 a year, and that he (as a resident) spends \$500-\$600 per year personally plus personal equipment and time. Tom Robinson asks if they get discounts on their taxes for this and the answer is no.

(Time Stamp 1:29:40)

- Alice Livdahl recaps that it is the only private road that is a through road, and states that the road has safety issues and needs a guardrail and upgrades, but that she was persuaded by the fact the residents were not requesting pavement.
- Alice Livdahl recommends, in addition to waiting Chapter XVIII, Section 2.1 of the General Bylaws, also waiving the definition within the Zoning Bylaws (Definitions Section 2.29), with regards to a road.
- Vin Ritchie speaks on the importance of infrastructure maintenance while maintaining the character of the town, and that he approves of this waiver and encourages the board to approve this waiver so this petition can move forward.
- Tom Robinson expresses his personal opinion on Streeter Road and how the efforts of the residents are pushing the town in a positive direction – obeying this specific process.
- Bill Homans gives a little history of the origination of the road and applauds the residents and how much they’ve gone through with regards to the road.

- Bill Homans makes the **MOTION** to “move that the Planning Board recommend to Town Meeting that the three conditions contained in the Hubbardston General Bylaws, Chapter XVIII, Section 2.1, “Conditions of Acceptance” be waived, so that Streeter Road could be accepted as a public way.” Tom Robinson provides a **FRIENDLY AMMENDMENT**: “Having considered the petition to lay out Streeter Road as a public way referred to us by the Select Board we move that the Planning Board vote under chapter 41, sections 81G and 81 I, to report that Streeter Road should be laid out as a public way and that conditions set forth in Section 2.1, of the Town’s General Bylaws are hereby waived for Streeter Road.” Bill Homans **ACCEPTS AMMENDMENT**. Alice Livdahl **SECONDS**. **ALL IN FAVOR**.
- Sharon Begley asks if the board just voted to accept an incorrect plan. Tom Robinson replies that his understanding is that the map is a reference and subject to change and re-reads the motion to clarify that the motion did not mention the maps. Tom Robinson then notes that the previous **MOTION** did not mention the chapter and asks for a vote to include “Chapter XVIII” before “Section 2.1” as a **FRIENDLY AMMENDMENT** to the previous **MOTION**. **ALL IN FAVOR**.
- Bill Homans makes a **MOTION** that “Having considered the petition to lay out Streeter Road as a public way referred to us by the Board of Selectmen I move that the Planning Board vote under chapter 41, sections 81G and 81 I, to report that Streeter Road should be laid out as a public way and that conditions set forth in Article 2, Section 2.29, “Street,” of the Town of Hubbardston’s Zoning Bylaws are hereby waived for Streeter Road.” Ken Daly **SECOND’S**. **ALL IN FAVOR**.
- Bill Homans makes a **MOTION** that the Planning Board “move that we send a letter report to the Select Board stating that the Planning Board has acted per our meeting of March 13, 2019, and recommend that the Select Board lay out Streeter Road for acceptance by the town as a public way.” Ken Daly **SECOND’S**. **ALL IN FAVOR**.

MOTION to ADJOURN (8:20 pm): Bill Homans

- **SECOND**: Ken Daly
- **ALL IN FAVOR**

Action Items:

- 1- A report is to be written by the admin detailing the three motions made by the Planning Board tonight.

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

These minutes were approved by vote of the board on June 26th, 2019.

Attachments:

1. Agenda
2. Attendance Sheet

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

Attachment #1: Meeting Agenda



Planning Board Agenda

Wednesday, March 13, 2019 6:30 PM
Main Street, Hubbardston, Slade Building

Planning Board meetings are broadcast live and digitally recorded

- Call to Order
- Streeter Road Petition Review
- Adjourn

Posted by the Chairman of the Planning Board

Attachment #2: Attendance Sheet (2 pages)



**Town of Hubbardston
Planning Board Meeting**

LOCATION Slade Building **DATE** 13-March-2019

Sign In - Please Print

Name	Address	Email
Steve Romano	13 Streeter Rd	sromano453@gmail.com
Kelly Romano	13 Streeter Rd	
Maria Tourismany	40 Streeter	
Vin Tourismany	40 Streeter	
Erik Amati	29 Streeter	
Michelle Amati	29 Streeter	
John Nason	32 Streeter Rd.	
Deb Reed	16 Streeter Rd	
Heather Philyan	625 Main St Fitchburg	
Ivo Slezak	39 Streeter Rd.	
Kim Baitto	34 Streeter Rd	
Mark Rayworth	31 Streeter Rd	
Vicki Merriam	14 Streeter Rd	
John Moretti	38 Streeter Rd	
Donna Russett	20 Streeter Rd	

Witcher 1 Ed Clark

Peter Russell 20 STREETER RD

Ken Canfield 33 Struter Rd.

Bruce Camar 14 STREETER RD

SHANON BEGLEY 41 GRIMES ROAD

Ed Ternosky 41 Grimes Rd

Ken Bradford 23 Streeter Rd.

Dick Linn 22 Struter

Chuck Renk 16 Streeter Rd

Scott + Cynthia Janssen 35 Streeter Rd