

ARTICLE 4. Motion, Daniel Galante, to see if the Town will vote to (a) authorize the Select Board to acquire, by purchase, gift and/or eminent domain, the fee to and/or permanent and/or temporary easements, for public way purposes, including without limitation, for the construction, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining ways, guardrails, slopes, grading, rounding, construction, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Route 68 (Main Street/Gardner Road) Rehabilitation Project and for any and all purposes incidental or related thereto, in, on and under certain parcels of land located on or near Main Street and Gardner Road and approximately shown on plans entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Main Street & Gardner Road (Route 68) in the Town of Hubbardston Worcester County,” prepared by TEC Engineering Corp. on file with the Town Clerk, as said plans may be amended and/or incorporated into an easement plan, and land within 200 feet of said parcels; (b) transfer the care, custody, and control of a portion or portions of the Town-owned property or properties shown on the aforesaid plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Select Board for public way and utility purposes and further to dedicate said portions of the Town-owned properties to the foregoing purposes, and, if applicable, authorize the Select Board to submit petitions to the General Court to allow the foregoing under Article 97 of the Massachusetts Constitution or otherwise; (c) raise and appropriate, transfer from available funds, or transfer from Free Cash **\$30,000.00** to fund the foregoing project and any and all costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions, appraisals, and surveys; and, further (d) authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes; or take any other action relative thereto.

Submitted by: Select Board

Recommended by: Select Board & Finance Committee

Second: Kathryn Young

Motion Passes: Unanimous Affirmative Vote

CPA ARTICLES

ARTICLE 5. Motion, Kris Pareago, to see if the Town will vote to appropriate and transfer **\$33,142.00** from accrued Community Preservation Act Undesignated Reserve to fund the FY2022 annual debt service obligation for the Rainbow’s End playground improvement project as previously approved under Article 18 of the June 23, 2020 Annual Town Meeting; or take any other action relative thereto.

Submitted by: Community Preservation Committee

Recommended by: Community Preservation Committee, Select Board & Finance Committee

Second: Jeffrey Williams

Motion Passes: Unanimous Affirmative Vote

ARTICLE 6. Motion, Jeffrey Williams, to see if the Town will vote to appropriate \$100,000.00 to preserve and rehabilitate the exterior of the historic Evangelical Church of Hubbardston, by funding the removal of the old wood siding and replacement with plank composite system siding (including bell tower and door and window trim), including all costs incidental and related thereto, and to meet this appropriation by transferring **\$15,000.00** from accrued Community Preservation Act Historic Reserve funds, and **\$85,000.00** from accrued Community Preservation Act Undesignated Reserve funds. This grant is conditioned upon the church providing a structural engineering report to the Community Preservation Act Committee stating that the church building is structurally sound, upon the recording of a historic preservation restriction, and the signing of a grant agreement, all prior to the commencement of any work, or take any other actions relative thereto.

Submitted by Community Preservation Committee

Recommended by: Community Preservation Committee & Select Board

Finance Committee recommends passing over

Second: Kathryn Young

Discussion: Bella Kaldera spoke against the article questioning the number of times this article has been brought forward at Town Meeting and expressed tax payer money should not be used to pay for church repair. Susan Worth, advised although she is a member of the Community Preservation Committee, Open Space Committee and Historical Commission she was before town residents speaking as a resident. Susan spoke in favor of the article discussing the condition of the church, partnership and funding. Gary Kangas, Chair of the Historical Commission spoke in favor of the article and explained the history of the Church stating it was the 1st meeting house dating back to 1773. Alice Livdahl, spoke in favor of the article and explained the building was being restored as a historic building not as a church. Alice advised CPA funding has been used in the past in town to restore other buildings which are also used as churches. Alice noted this article has been reviewed by Town Council and explained how the towns investment is protected. Rosemary Southwick questioned historic preservation and modern-day material. Susan Worth responded to Rosemary’s concerns discussing historical building provisions by the U.S. Department of the Interior. Rosemary questioned lead paint and the cost of removal. Church Pastor, Mary Billotte advised the church was inspected by a State Certified Inspector in June 2020 in which high levels of lead were detected. Mary explained the old lead boards would be replaced with vinyl. Scott Bischoff, Pastor and resident of the church discussed why the product was chosen stating that it has been used and worked well on other churches.

Motion Passes: Majority Affirmative Vote

ARTICLE 7. Motion, William “Bill” Shea, to see if the Town will vote to appropriate and transfer **\$15,000.00** from accrued Community Preservation Act Historic Reserve to fund the restoration of monuments and cannons on the historic park, or take any other action relative thereto.

Submitted by: Community Preservation Committee

Recommended by: Select Board & Finance Committee

Second: Heather Munroe

Motion, William “Bill” Shea, to pass over article 7.

Second: Heather Munroe

Discussion: Bill Shea, Hubbardston Vietnam Veteran Committee Chair discussed the make-up of the Committee as well as the goals of the committee. Bill explained the original goal of \$40,000.00 and was happy to announce the current donations total approximately \$38,900.00. Due to the generosity of donations, he asked that the article be passed over as the money is no longer needed. Bill advised that a bid has been awarded to construct the monument for a total of \$21,100.00 and explained details of the stone. René Lafayette and Daniel Galante both commended Bill Shea and the committee for their hard work and dedication to the project.

Motion Passes: Unanimous Affirmative Vote

PLANNING BOARD ARTICLE

ARTICLE 8. Motion, Kris Pareago, to see if the Town will vote to amend Article 22 **Commercial Marijuana Establishments**, Section 22.4 of the Town of Hubbardston Zoning Bylaws by adding the underlined text as follows:

22.4 General Zoning Districts for Marijuana Establishment and Restrictions Applicable to all Zones Districts

Marijuana Establishments as described in MGL 94G and 935 CMR 500.00 shall be allowed in the following districts after the applicant has been approved by the Cannabis Control Commission.

22.4.1 Marijuana Establishment allowed by Special Permit in Residential District:

Outdoor Marijuana cultivation establishments licensed for Tier 1 (up to 5,000 sf).

22.4.2 Marijuana Establishment allowed by Special Permit in Residential District:

Outdoor Marijuana cultivation establishments licensed for Tier 2 (between 5,001 and 10,000 sf).

22.4.3 Marijuana Establishment allowed by Special Permit in the Town Center District:

Outdoor Marijuana cultivation establishments licensed for Tier 1 (up to 5,000 sf).

22.4.4 Marijuana Establishment allowed by Special Permit in the Commercial District:

All Marijuana Establishments as defined by MGL 94G.

22.4.5 Setbacks and Lot Size Limit applicable to all Marijuana Establishments in all Districts.

Setbacks: All Marijuana Establishments shall be set back one hundred (100) feet from streets and abutting property lines including all fences and grow areas. The area within the setback shall be maintained as a buffer zone and, if forested, must remain so, and if not, shall be landscaped to create an effective buffer to screen all elements of the Marijuana Establishment (including grow areas) from public and private view. Any greater setback requirements in these bylaws shall remain applicable.

Minimum Lot Size: A minimum lot size of five (5) acres is required for any Marijuana Establishment.

Or take any other action relative thereto.

Submitted by: Planning Board

Recommended by: Planning Board & Select Board

Second: Kathryn Young

Discussion: Alice Livdahl, Planning Board Chair provided report as per the provision of MGL Chapter 40A, Section 5. Alice advised the proposed changes are underlined above and include changes to setbacks and lot sizes. Laura Foley questioned if the changes are retroactive and expressed that she felt the lot size change seemed excessive for a potential store. Kristofer Munroe stated the proposed changes do not address the commercial district in town and spoke of the goal of the proposal. Kristofer advised a public hearing was held by the Planning Board on September 16, 2021 with a unanimous in favor vote of the proposed changes. Rosie Milano stated she felt as if the proposed changes were unfairly targeted expressing rules did not apply to animals or other vegetation in town. Donna Russell spoke in favor of the proposed changes and discussed the potential smell of growing marijuana in town, the federal legality of marijuana as well as the side effects of the product. Alice Livdahl replied to Laura and Donna advising the new changes would not apply retroactively and spoke of the odor. Jim Ellis questioned if these changes would apply to indoor facilities. Alice advised the changes only apply to outdoor as the town does not permit indoor grow facilities.

2/3 Vote Required

Vote: Motion Passes; Yes-73, No-10

Having completed the business of the evening, the Chair declared Town Meeting adjourned at 7:58pm.

Respectfully Submitted,



Laurie J. Reed
Town Clerk

(Town Seal)