



COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HUBBARDSTON

**SPECIAL TOWN MEETING**  
**STABILIZATION: \$440,899.76**

**MINUTES**

**October 24, 2017**  
**CAPITAL STABILIZATION: \$155,903.05**

Pursuant to the foregoing warrant, the voters of the Town of Hubbardston assembled at the Center School gymnasium to act on the articles in said warrant. Present were Moderator Edward Leonard; Board of Selectmen members Daniel Galante (Chair), Michael Stauder, Richard Haddad and Patrick Girouard; Town Clerk Joyce Green; Finance Committee members Susan Rayne(Chair), Timothy Hart, Shannon Erb and Joshua Lerner; Interim Town Administrator Brian Bullock; and representative for Town Counsel, Joel Bard. Counters appointed by the Moderator were Bella Kaldera and Suzanne Guinan.

A total of 237 registered voters were checked in by Marcia Howlett and Shonna Larson. A quorum of 50 voters was present throughout the meeting.

Moderator Leonard called the meeting to order at 7:03pm. The following actions were taken on the articles presented in the aforesaid warrant:

**ARTICLE 1. Motion, Daniel Galante**, that the Town vote to raise and appropriate the sum of \$2,700,000.00 (Two Million, Seven Hundred Thousand and 00/100 Dollars) by taxation and by borrowing, to construct a new Senior Center facility, including all costs incidental and related thereto; and that to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, and to issue bonds or notes of the Town in connection therewith; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; provided, however, that the appropriation taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bond or notes issued hereunder from the provisions of Proposition 2 ½, so called. (2/3 Vote Required) (Finance Committee recommends)

**Second: Michael Stauder**

**Vote: Motion Fails; Yes-127, No-91**

**Article 2. Motion, Daniel Galante**, that the Town vote to transfer from stabilization the sum of \$60,000 (Sixty Thousand and 00/100 Dollars) to be expended for infrastructure construction and improvements to Town roads pursuant to a grant from the Commonwealth of Massachusetts Department of Transportation "Complete Streets" grant program so called, provided, however, that the appropriation taken hereunder shall be expressly contingent upon receipt of the grant. (2/3 Vote Required)

**Second: Michael Stauder**

**Vote: Motion Carries; Yes-214, No-4**

**Article 3. Motion, Michael Stauder**, that the Town vote, pursuant to the provisions of G. L. c.44, §53E ½, to authorize a new revolving fund account for FY18 called "Hubbardston Special Events Fund" revolving account, as set forth below, and to transfer any and all funds on deposit in the Hubbardston 250<sup>th</sup> Anniversary Revolving Fund Account into the Hubbardston Special Events Fund account, such that said Hubbardston 250<sup>th</sup> Anniversary Revolving Fund shall be discontinued and to change the language of the authorization as follows: (**new language in bold** and deleted language struck through).

Fund	Authorization By	Revenue Source	Use of Fund	FY2018 Spending Limit
Hubbardston 250 <sup>th</sup> Anniversary <b>Hubbardston Special Events Fund</b>	250 <sup>th</sup> Anniversary Committee <b>Town Administrator</b>	Donations, sale of promotional items and other sources	Payment of the costs associated with the 250 <sup>th</sup> Anniversary Celebration of Hubbardston's Founding <del>organizing and hosting various special community celebratory events throughout the year.</del>	\$50,000

**Second: Daniel Galante**

**Vote: Motion Carries; Majority Affirmative Vote**

**Article 4. Motion, Vincent Ritchie**, that the Town vote to amend the Hubbardston General Bylaws Chapter XIX, Earth Removal, as follows (changes shown in **bold** and deleted language struck through):

**5. Existing and Pre-Existing Operations**

All earth removal operations in existence, **or which pre-existed**, in Hubbardston on the effective date of this bylaw shall be subject to the requirements stated herein according to the following:

- A. Existing operations with permits. All earth removal permits, issued either under the provisions of the Hubbardston General Bylaws or Zoning Bylaws prior to the effective date of this bylaw, shall remain in effect until their expiration date. Permit renewal for existing permits shall follow the procedures of this bylaw and be subject to all the terms and conditions contained herein.
- B. **Pre-Existing** operations without permits. Within thirty (30) days of the effective date of this bylaw, each existing operation without a permit shall meet with the Planning Board to discuss a process for development of a transition plan to bring the site into compliance. The Applicant shall, in consultation with the Planning Board, property owner (if not the applicant), operator and the Town's consultants, develop such transition plan to bring the operation into compliance with the bylaw to the greatest extent possible. The transition plan shall be developed and approved within ninety (90) days of the effective date of this bylaw.

**8. Application and Public Hearing Process**

- D. The Planning Board shall issue a decision within ~~thirty (30)~~ **sixty (60)** days of the closing of the public hearing. An Earth Removal Permit shall be deemed approved upon a simple majority vote of the Planning Board.

**Second: Michael Stauder**

**Vote: Motion Carries; Majority Affirmative Vote**

**Article 5. Motion, Vincent Ritchie**, that the Town vote to amend the Hubbardston General Bylaws Chapter XVI – Streets and Sidewalks, Section 1 General Regulations, Subsection 1.2 by adding the following language *"A cash security of \$5000.00 shall be deposited with the Town of Hubbardston before the restoration. After 12 months, the Director of Public Works shall inspect the site of disturbance to determine if there has been any settling of the hole. The Director shall have the person/company who did the restoration return to make the corrections, use the money on deposit to do the work properly, or return the money if there has been no settling or need for repair."*

**Second: Daniel Galante**

**Vote: Motion Carries; Majority Affirmative Vote**

**Article 6. Motion, Daniel Galante**, that the Town vote to amend the Hubbardston Zoning Bylaw Article 2 "DEFINITIONS, Section 2.6 Aquifer Favorability Areas as follows (changes shown in **bold**):

"Those areas shown as "Potential Medium Yield Aquifer Area" on a map entitled "Aquifer Areas" prepared by IEP, Inc. dated 1988, which is hereby made a part of these zoning bylaws and shall be on file with the Town Clerk. **on the Hubbardston, MA, Aquifer Map as prepared by Places Associates, 256 Great Road, Littleton, MA, 01456. Dated September, 2017.**" (2/3 vote required)

**Second: Michael Stauder**

Planning Board Chairman Vincent Ritchie reported that the Planning Board supports and recommends adoption of this amendment.

**Vote: Motion Carries; Yes-172, No-4**

**Article 7. Motion, Michael Stauder,** that the Town vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall determine, permanent easements on the parcels of land shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Evergreen Road Over Mason Brook Bridge No. H-24-009 (1G5) in the Town of Hubbardston Worcester County," dated July 24, 2017, prepared by Dewberry Engineers, Inc., said plans on file with the Town Clerk, as said plans may be amended, for public way purposes, including, but not limited to, the construction, alteration, maintenance, improvement, repair and/or replacement of the Evergreen Road bridge; and, further to authorize the Board of Selectmen to seek authorization and approval of the General Court, which may include a petition brought pursuant to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts relative to Parcels "E-1-1," "E-1-2," "E-1-3," "E-2," "E-3" and "E-4," located upon land of the Commonwealth of Massachusetts, and shown on the aforesaid plans, as may be amended, and to exchange such Town-owned land and/or easements as may be necessary to acquire said permanent easements from the Commonwealth of Massachusetts, on such terms and conditions as the Board of Selectmen deems appropriate; and, further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein.

**Second: Daniel Galante**

**Vote: Motion Carries; Majority Affirmative Vote**

**Article 8. Motion, Daniel Galante,** that the Town vote to amend the Hubbardston Zoning Bylaws as per the following Citizens Petition:

"We, the Citizens of Hubbardston, submit this petition, and the following changes to the zoning bylaws regulating placement of large scale, industrial solar development.

**Old language 20.2.4 Designated Location:** ~~Large scale ground mounted solar photovoltaic installations may be sited as of right in all zoning districts in the Town of Hubbardston.~~

**New Language 20.2.4 Designated Location:** Ground mounted solar photovoltaic installations greater than or equal to 250kW DC are permitted only in commercial, industrial, or solar overlay districts. Ground mounted solar photovoltaic installations less than 250kW DC are permitted in all zoning districts in the Town of Hubbardston as of right."

**(2/3 Vote Required)**


**Second: Michael Stauder**

Planning Board Chairman Vincent Ritchie read the Planning Board's report on this article. The Planning Board does not support this article and recommends that it not be adopted.

**Vote: Motion Fails; Yes-30, No-128**

Seeing no further business before the meeting, the Moderator adjourned the meeting at 8:17pm.

Respectfully Submitted,

  
Joyce E. Green  
Town Clerk

(seal)