



Joyce E. Green
Town Clerk

THE TOWN OF
HUBBARDSTON, MASSACHUSETTS

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Hours
Mon 2-8pm
Tu-Th 8am-4pm

NOTICE OF BYLAW APPROVAL BY ATTORNEY GENERAL

To All Concerned Residents of the Town of Hubbardston:

As of October 26, 2015, the Attorney General has approved the following Zoning Bylaws that were amended at Annual Town Meeting on June 2, 2015. These changes are effective as of June 2, 2015.

ARTICLE 18: WIRELESS COMMUNICATION FACILITY

WARRANT ARTICLE 27: The Town voted to **amend the Hubbardston Zoning Bylaws Article 18, WIRELESS COMMUNICATION FACILITY**, as follows:

Sect. 18.4.1 Structure Type

Subsection a) - Delete first sentence of subsection a), and add the words "**or FCC for any wireless communication tower**" to the second sentence so that Subsection a) shall read as follows: "If artificial lighting is required by the FAA or FCC for any wireless communication tower, it shall be constructed and installed in such a manner that lighting will be shielded from view from any point on the ground within the Town of Hubbardston."

Subsection b) - Amend the first sentence to read as follows: "New structures **may** be of the monopole or **lattice type, no greater than 150' in height**, designed for maximum co-location."

ARTICLE 4: USE REGULATION

WARRANT ARTICLE 28: The town voted to **amend the Hubbardston Zoning Bylaws Article 4, USE REGULATION**, as follows:

Section. 4.2. Uses Permitted by Special Permit in Residential Districts Subsection f) Radio, Television and Communication Transmission Towers

Add: "with a maximum height of 150'" so that subsection (f) reads as follows: **(f) Radio, Television and Communication Transmission Towers with a maximum height of 150'.**

ARTICLE 20: USE OF LARGE-SCALE SOLAR PHOTOVOLTAIC INSTALLATIONS

WARRANT ARTICLE 29: The Town voted to **amend the Hubbardston Zoning Bylaws Article 20, the USE OF LARGE – SCALE SOLAR PHOTOVOLTAIC INSTALLATIONS**, as follows:

Section 20.2.0 Definitions

Sect. 20.2.1 As of Right Siting – Delete existing Subsection 20.2.1 and replace with the following language: "**Sect. 20.2.1 Siting, Construction, Regulation, Development, Generating and Distribution of Large Scale Photovoltaic Installations. All installations shall be regulated by the Planning Board through Article 7 – Special Permits, Article 8 – Environmental and Community Impact Analysis, and Article 9 – Site Plan Approval of the Town of Hubbardston Zoning Bylaws.**"

Sect. 20.3.3.2 – Delete existing Subsection 20.3.3.2 and replace with the following language: "**The large Scale Solar Photovoltaic Installation Fee shall be \$2,000.00 which shall include the fees for the Special Permit and Site Plan Review applications.**"

Sect. 20.3.4.2 - Required Documents - Add a new item: **(g) Decommissioning Plan**

Sect. 20.3.12.3 – Financial Surety: amend to read as follows:

"Proponents of large-scale ground mounted solar photovoltaic projects shall **provide surety in the form of cash or certified bank check, held by and for the Town of Hubbardston in an interest bearing account** to cover the cost of removal in the event the Town must remove the installation and remediate the

landscape, in an amount and form determined to be reasonable by the **Planning Board**, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. **This surety will be due and payable at the issuance of the building permit. Proof of payment in the form of a receipt from the Town Treasurer will be shown to the Building Inspector before the permits are issued.** Such surety will not be required for municipally-or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. As a condition of approval, an applicant shall bind itself to grant the necessary license or easement to the Town to allow entry to remove the structure. The Town shall have the right, but not the obligation, to remove the facility."

ADD A NEW SECTION: **20.4.0 – Certificate to Generate**

"No solar facility may sell or distribute generated power until all conditions of the issued permit and requirements of this bylaw are approved and certified at a meeting of the Planning Board, and the "Certificate to Generate" is issued and recorded in the Worcester Registry of Deeds."

The full text of these Zoning Bylaws as amended is attached hereto.

A True Copy, Attest:

Joyce E. Green, Town Clerk

This notice is published in pamphlet form and is posted in 5 public places in the Town of Hubbardston according to M.G.L. Chapter 40, Section 32. Posted in Town Office, U.S. Post Office, Hubbardston Senior Center, Mr. Mike's, and Hubbardston Center School.

Date of Posting: _____

Posted By: _____
Town Clerk

(Town Seal)