

February 3, 2016

Minutes

HUBBARDSTON PLANNING BOARD
Slade Building



Meeting called to order at 6:37 pm.

Members present: Vincent Ritchie (Chair), Mark Dymek, Thomas Robinson, MaryAnn DiPinto,
Thomas Bratko, Kendall Daly

Staff: Janet Baczewski

Minutes: Minutes from the January 6, 2016 meeting were reviewed, and there was a motion to approve with corrections. **Motion: MaryAnn DiPinto** **Second: Thomas Bratko** **All In Favor.**

Temporary Driveway Permit: A proposal by Tim Kilhart, DPW Director, to allow the use of a temporary driveway permit application was reviewed. Also, proposed was the idea to allow the DPW to contract a cash bond that the applicant would pay prior to the installation of the permanent driveway. Vin Ritchie, Chair, suggested that the current general by-law be enhanced.

The DPW asked the Planning Board to approve the use of the temporary driveway permit application. A motion was presented to accept the temporary driveway permit application and allow the DPW to move forward with the necessary steps to get the proper methodology in collecting and remitting the cash bonds.

Motion: Tom Bratko **Second: MaryAnn DiPinto** **All In Favor.**

Discussion of the results from prior public hearing for 107 Gardner Rd:

Vin Ritchie stated that auto repair as a primary business at the 107 Gardner Road property would be allowed under current zoning laws. It would be grandfathered as an extension of the non-conforming use for that property. Addition of a dumpster business would be a change to the non-conforming use of that property. Therefore, the Planning Board voted to deny the special permit, citing zoning by-laws Article 4 – Use Regulation; Section 4.8 (Prohibited Uses) and Section 4.9 (Existing Uses Continued (Grandfathering)).

A motion was made by the Planning Board to deny the special permit application, regarding the proposed uses of 107 Gardner Road, which were presented previously by Russell & Christina Soderman.

Motion: Tom Bratko **Second: Tom Robinson** **All In Favor.**

Fletcher Gravel Pit on Pitcherville Road: Jim Fletcher, representing the Fletcher Trust #1 gravel operation on the south side of Pitcherville Road, came before the Planning Board to continue discussion on the Cease and Desist Order regarding earth removal. Planning Board alternate, Mark Dymek, recused himself from the discussion, since he is an abutter to the Pitcherville property. Chair, Vin Ritchie, stated the earth removal by-law for the town of Hubbardston was changed in 2010 to a general by-law, so grandfathering of the earth removal operation does not apply in this case. The Planning Board would require a new earth removal permit for any future endeavors by the Fletchers. The Fletchers were under the impression that they were operating under the small scale earth removal operation by-law (under 1000 yards per year). They stated that they have about 25,000 yards of gravel left to be removed, and they plan to reclaim the land with loam once all the gravel is removed.

Also present, was Steve Mullaney, engineer for the Fletchers. Mr. Mullaney gave a presentation with several maps outlining the natural habitats surrounding the gravel pit. He stated that the National Heritage Endangered Species Program (NHESP), a state agency, has been involved in their discussion. The Fletchers have requested information from that agency regarding the natural habitats of endangered species in that area. Chair, Vin Ritchie, requested a report of their plans for the gravel pit. The Fletchers responded that they would keep the Planning Board posted on their plans for the Pitcherville property, when they hear back from the environmental agencies.

Rate of Development By-Law, Article 6 Zoning By-Laws

The expiration date for the Rate of Development Zoning By-Law, as listed, in Section 6.8 Periodic Review and Expiration was January 18, 2015. The Planning Board made a motion to reinstate Article 6 Rate of Development with a new expiration date of 1/1/2025 listed in Section 6.8, and submit to Board of Selectman to be placed on the town warrant. A public hearing on this Article will take place in May 2016.

Motion: Tom Robinson Second: Tom Bratko All in favor.

Communication from Board of Selectman

RE: Norman Brown’s Reclamation of Earth Removal Pit on Pitcherville Rd:

Planning Board member, Tom Robinson, made several points about the lack of communication between the Board of Selectman and the Planning Board regarding the discussions of Norman Brown’s gravel pit on Pitcherville Road. He stated that he would like to see the following items from the Board of Selectman, regarding Norman Brown’s project:

- Any letters to and from town counsel
- Timeline on items of discussion
- Correspondence regarding search for a Licensed Site Professional (LSP)

A motion to request a meeting with the Board of Selectman regarding these subjects was presented.

Motion: Tom Robinson Second: Tom Bratko All in favor.

At 10:00pm, Motion to adjourn was presented.

Motion: Kendall Daly Second: Tom Robinson All in favor.

Approved: _____ Date: _____