



May 11, 2016

Minutes

HUBBARDSTON PLANNING BOARD
Slade Building

Meeting called to order at 6:31pm by Vincent Ritchie, Chair
Other members present: Thomas Bratko, Kendall Daly, Tom Robinson
Staff: Janet Baczewski

The meeting minutes from March 14, 2016 were reviewed and approved with corrections.

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

The meeting minutes from March 2, 2016 were signed by Vin Ritchie, Chair. These minutes were previously accepted with corrections, by the Planning Board on May 4, 2016.

The Planning Board reviewed a copy of a letter from Larry Brandt, Enforcement Officer, to Pitcherville Sand & Gravel indicating a Cease and Desist Order be placed on that gravel pit operation, requested by the Planning Board. The Planning Board indicated their dissatisfaction with the reasoning of the Cease & Desist letter. Mr Brandt's letter did not indicate the issue of Pitcherville Sand & Gravel not being in compliance with the General ByLaws, Chapter XIX, Earth Removal. The Planning Board will ask Mr. Brandt to revise the letter before being sent to Pitcherville Sand & Gravel. Vin Ritchie, Chair, will follow up with Mr. Brandt.

There was a general discussion of existing gravel pits in town. The Planning Board has been working with the gravel pit owners to ensure that they are all up to date with their permits and/or reclamation of previous gravel pit operations. Tom Bratko is researching the current owners, and status of their gravel pit operations, for his compilation of the annual report to the Selectboard.

The Kataisto gravel pit on Worcester Rd. and Pitcherville Sand and Gravel on Pitcherville Rd. have had site inspections done and reports have been filed with the Selectboard by Tom Bratko, Planning Board Appointed Clerk. Tom Robinson presented a photo report of the Falline gravel pit, which has been 90% reclaimed with green grass and topsoil. Falline engineer, Tom Christopher, requested an extension of the 2-year earth removal permit at a Planning Board meeting last fall, which was granted.

The Planning Board reviewed a letter from Atty. David Doneski, of Kopelman & Paige (town legal counsel), to the Selectboard, dated March 18, 2016, regarding the Proposed Importation and Deposit of Fill Material at Property of Pitcherville Sand and Gravel, Inc. The Planning Board wanted to review the letter at the time it was presented at the Selectboard meeting on March 21, 2016, but was denied the opportunity to comment during the meeting. Planning Board Chairman, Vin Ritchie, referenced parts of the attorney's letter and concluded by stating that the Planning Board has jurisdiction, and is the enforcement agent, and the authorized agency in considering the proposed Hubbardston Reclamation, LLC project for the Pitcherville Sand and Gravel property.

In a separate email dated March 22, 2016 from the Town Administrator to Kopelman and Paige, the following was stated; "Last night the Planning Board requested permission from the Selectmen to obtain the legal services of an outside counsel. The Selectmen did not approve that request for seeking legal assistance from another firm, ~~by~~ did authorize use of the services of K&P as needed as relates to the review and consideration of the Brown project proposal. As is standard, the Planning Board will initiate their request for legal services through the Town Administrator, or interim Town Administrator, and will then likely be given the authorization to communicate directly with the assigned attorney(s) moving forward, with the Town Administrator being cc'd on all emails and correspondence."

There was also a follow up email pertaining to this subject from the Interim Town Administrator to Atty. David Doneski dated May 6, 2016, as follows:

"I have received feedback from the Selectboard in regards to the Planning Board inviting you to attend a meeting next week to discuss the Brown pit. Per the Board of Selectmen, this meeting with town council is to not take place.

In addition, going forward, the board has directed me to inform you all that any and all communication with town council is to be through the Town Administrators office only."

The Planning Board is preparing for two Public Hearings on May 31st in regard to the Importation of Materials and the Regulation of Soils. Chairman, Vin Ritchie, read the hearing notices and reviewed the steps of a public hearing. The Planning Board will report the findings of the public hearings to the Selectboard afterward.

Vin Ritchie, Chairman, submitted a written motion to the Planning Board that a request for all the information regarding the proposed Hubbardston Reclamation LLC project be submitted to the Planning Board. The information request includes all emails to and from Kopelman and Paige and all emails to and from Norman Brown and his associates, by the previous Town Administrator and current Interim Town Administrator and Selectboard regarding the proposed earth infill project. The Planning Board felt this information was necessary to have for the scheduled public hearings and town meeting, and for any future decision about the proposed earth infill project.

Motion: Vincent Ritchie

Second: Kendall Daly

All in favor.

9:05pm Motion to Adjourn was presented.

Motion: Tom Bratko

Second: Kendall Daly

All in favor.

approved - 9-7-16

*Vincent X. Ritchie
Chair*