July 6, 2016

Minutes

HUBBARDSTON PLANNING BOARD
Slade Building

Meeting called to order at 6:33pm by Vincent Ritchie, Chair
Other members present: Thomas Bratko, Kendall Daly, Scott LeBlanc
Selectboard members present: Daniel Galante, Michael Stauder
and Interim Town Administrator, Raeanne Siegel
Staff: Janet Baczewski

The meeting minutes from April 13, 2016 were reviewed and there was a motion to accept.
Motion: Tom Bratko **Second: Kendall Daly** **All in favor.**

The meeting minutes from May 4, 2016 were reviewed and there was a motion to accept.
Motion: Tom Bratko **Second: Kendall Daly** **All in favor.**

Chairman, Vin Ritchie, discussed the reorganization of the Planning Board for the current year.
Vincent Ritchie was nominated to remain as Chair, and there was a motion to accept.
Motion: Tom Bratko **Second: Scott LeBlanc** **All in favor.**

There was a motion to nominate Tom Bratko as the Planning Board Clerk, and the motion was accepted.
Motion: Kendall Daly **Second: Scott LeBlanc** **All in favor.**

Chairman, Vin Ritchie, discussed the formation of subcommittees of the Planning Board for the current year.
The coordinators for the rewriting of the town's Master Plan are Kendall Daly and Tom Bratko.
The Maps and Street Listing subcommittee consists of Vin Ritchie and Tom Robinson.
Gravel Permits subcommittee consists of Tom Bratko and Scott LeBlanc.
The Affordable Housing subcommittee is made up of all the Planning Board members.
Mark Dymek will continue as Associate Member to the Planning Board.

At 7:00pm there was presentation by Steve Boucher and Steve Marsden, of New England Specialty Soils, regarding a proposal for a new business at the 45 acres of the former Marinelli Gravel Pits off Route 68. Their proposal is to put in commercial incubator spaces and 2 processing buildings. Their current business in Lancaster makes graded, washed sands, primarily for golf courses and ball fields. It is a mostly gravel processing operation, not necessarily mining. Their idea is to create a private access road through their property to the Marinelli's pit, and then, through the town pit, and move the business to Hubbardston. They would also like to do a commercial overlay district proposal. Tom Bratko mentioned he would like to see a subdivision of parcels (with private septic and water wells) made into buildable commercial lots for town tax purposes included in the commercial overlay proposal. NE Specialty Soils were looking for a decision by the Planning Board by the end of 2016. The Planning Board asked if they could return with a reclamation proposal.

Norman Brown came before the Planning Board to answer any outstanding questions regarding the soils intake project that was submitted to the Mass Dept. of Environmental Protection. Mr. Brown maintained that the project went to the DEP for review only (not for a decision), and that it would need town approval before a decision could be granted by the DEP. Chairman Vin Ritchie asked Mr. Brown to return to the Sept. 2016 Planning Board meeting to continue discussion of reclamation of his gravel pit on Pitcherville Road.

Mark Kataisto and his sister, Ann Smith, came before the Planning Board regarding reopening their clay pit, and renewing their earth removal permit. They indicated that the pit is 25% reclaimed. Their original plan had three phases, two of which are complete. They want to begin the third phase of earth removal and stated that there was 60,000 to 70,000 yards of clay left to be removed. Chairman, Vin Ritchie stated that since the Earth Removal ByLaws were voted in and approved in 2010, any prior permits are null and void. The Kataistos would have to apply for a new earth removal permit, under the new bylaws, to continue their operations.

Master Plan Discussion

Chairman, Vin Ritchie, stated that at the Town Meeting on June 7, 2016, the voters passed an amendment to obtain funding of $5,000, (instead of $10,000), for the updating and rewriting the town's Master Plan from 1988. The Planning Board received a quote from Dick Heaton, a partner of H & H Associates, LLC, to help facilitate the Master Plan for $125 per hour. He will work with key groups in the town, to address specific goals of the town, to create a Master Plan consistent with Mass. General Laws, Chapter 41, Section 81D. The town departments and committees will be writing the chapters to be included in the Master Plan to help offset the cost. The Planning Board will be doing a survey of the townspeople, and including their feedback into the Master Plan to help create the vision for the next 10 years.

Borrego Solar Project Update by Bill Murray

The following points were stated to Borrego Solar, in a letter dated July 7, 2016, by William Murray, of Places Associates, Inc., acting as project engineer for the Planning Board;

"As the primary point of contact for the Borrego Solar Project in Hubbardston I am afraid that I must forward the following communication from the Hubbardston Planning Board, as authorized by a vote of the four of the members of that Board (consisting of a quorum) last night, July 6, 2016:

1. Pursuant to the issued permit the Board has not received information required PRIOR TO INITIATION OF CONSTRUCTION to indicate compliance with the permit. The following items have not been received by the Board:
   a. Permit Condition 7.5 requires that a copy of the recorded driveway easement as part of any permit application for a building permit.
   b. Permit Condition 7.8 requires that the Petition shall provide proof of a long-term lease indicating control of the site.
   c. Permit Condition 7.16 requires that the limits of work/tree clearing be staked out prior to construction, see items 7.22-1, l,
   d. Permit Condition 7.18 requires that prior to the issuance of a building permit, the surety shall be posted with the Town in such form and amount as required by the Planning Board.
   e. Permit Condition 7.22, k requires that the Site Plan Approval shall not take effect until a copy of the decision has been recorded in the Registry of Deeds, a copy of which shall be provided to the Planning Board and Town Clerk.
   f. Permit Condition 7.22.1, requires prior to the issuance of a building permit that the Applicant shall fund an account to cover the cost of regular construction and close-out inspections by the Board and its consultants.... See also individual items I to vi.
2. At the direction of the Hubbardston Planning Board you are hereby notified that all construction on the site must cease immediately, with the specific exception of the installation of all required erosion and sedimentation control systems and barriers. Those controls and barriers shall be installed as required immediately to enable the stabilization of the site. Those shall be completed by the end of business on Friday, July 8th unless otherwise extended by the Board.
3. Borrego Solar is advised that the proof of the completion of the above items 1 a to f have to be provided in the manner required by the permit by the close of municipal business at 5 PM, Wednesday, July 13th Failure to do so by that date, shall result in the Board extending this Prohibition of work and seeking a cease and desist from the Building Inspector and seeking revocation of the issued Building Permit for these projects.
4. The Board also advises that remedies available to it per Permit Condition 7.22, i- are reserved.
5. Please also note that should Borrego not be able to comply with the above deadline for the provision of the materials, the next meeting of the Board is currently scheduled for September 7th, which would likely be the soonest date that this stop work would be able to be lifted, if not complied with as noted.

I. note that items 1 a. to f. may have been provided to the Building Inspector, and if so, proof of the provision of these items must be forwarded to the Hubbardston Planning Board (and this office acting as Agent) per requirement no. 3 above."

There was a motion by the Planning Board to accept the above conditions as stated by William Murray.
Motion: Tom Bratko **Second: Scott LeBlanc** **All in favor.**

10:00pm Motion to Adjourn was presented.
Motion: Kendall Daly **Second: Scott LeBlanc** **All in favor.**

Approved with Corrections, Vincent Ritchie, Chair

11/2/16
Date