

Town House

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Joanne Fiore, Adm. Assistant

TOWN OF HAMPDEN MASSACHUSETTS

**Planning Board**

625 Main Street
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Tel: (413) 566-2151 Ext. 109

Robert Howarth, Chair
Richard R. Green, Co-Chair
John Matthews
Edward Loiko
Jason Barroso

MINUTES OF THE HAMPDEN PLANNING BOARD

Regular Board Meeting

August 14, 2019

Approved 09/11/19

Board Members: Judge Robert Howarth
Richard Green
John Matthews
Jason Barroso
Edward Loiko

Adm. Assistant: Joanne Fiore, Adm. Assistant

General:

Call to Order – Judge Howarth called the meeting to order at 6:10 PM.

Mail –

Bills – Payroll Signed

Invoice #071991078 from Tighe & Bond for the Highland Drive Subdivision - Peer Review has been approved for payment in the amount of \$1,185.00.

Minutes - Richard Green made a motion to approve the July 10, 2019 Regular Board Meeting Minutes subject to the change referencing “two plans were submitted” in Item #1. John Matthews seconded the motion. All in favor so approved (5-0).

Richard Green made a motion to approve the June 26, 2019 Regular Board Meeting Minutes. Edward Loiko seconded the motion. All in favor so approved (5-0).

Bob Howarth announced this meeting is being recorded.

1) Review of the 1982 Master Plan for the Town of Hampden

John Matthews stated the Master Plan is out of date (1982) and does not reflect what we have in town or project anything relevant for the future. There are some items that have not changed. John would like to know what the Selectmen’s goal and objective is for updating the plan. What do they plan to accomplish? Will they follow through with the objectives? Board members will attend the Board of Selectmen’s August 19, 2019 meeting.

Robert Howarth indicated the Planning Board does not have the time or facilities for a project like this. He stated if the Board of Selectmen want to form a committee and include a Planning Board member on it, that could be an option.

Jason Barroso indicated it is very involved developing a Master Plan. He was on the Planning Board for a local town, and they spent two years working on the plan. It took over \$125,000 to develop, and it was very large and very vague.

2) E-Mail dated 7/24/19 from John Flynn requesting an update on the following items: Kibbe Lane (and subdivision), Solar Bylaw Update and Bylaw Updates.

- Kibbe Lane (and subdivision) - Waiting for the developer to come before the Board
- Solar Bylaw Update - Donna Hatch stated the proposed bylaw will be put on the town website for public comments. They will indicate “comment by e-mail” to the Planning Board; and the comments will be forwarded to Donna Hatch.

The committee will review all comments and make any changes to the bylaw. An informational session is scheduled for August 20; on August 22, the committee will meet, compile comments, revise the document to submit to Town Counsel on August 23. Town Counsel committed to turning it around in 10 days. The Planning Board plans to hold Public Hearing on October 2. The notice will go the publisher on September 9 for publication on September 12th and 19th. Per Donna, the Solar Committee plans to meet on September 7 for the final revision.

Bob Howarth requested Donna Hatch copies of the proposed Solar Bylaw be available for Special Town Meeting.

- Bylaw updates - The Board indicated no additional bylaw changes will be submitted for Special Town Meeting.

3) George Courtemarche - Discussion regarding the growing of Hemp Plants for the extraction of CBD Oils or Pain Treatment

Mr. Courtemarche met with the board to discuss the possibility of growing hemp on his property which is 1.13 acres. He would like to know what the process is to be permitted. Richard Green asked if this was for personal use or for resale. Mr. Courtemarche stated for personal use only. John Matthews indicated this is handled through the MA Dept. of Agriculture and doesn't fall under the jurisdiction of the Planning Board. He also indicated the area must be fenced in. Ed Loiko referred Mr. Courtemarche to Vikki Hall of Ora Care located in Springfield. She was the first person to be licensed in the State of MA to grow hemp and would helpful in this process.

4) Discussion - Solar Bonds/Surety for approved Solar Facilities for Decommissioning or Abandonment of facilities - Review of Sample Letter to be mailed to Solar Companies

A draft letter was prepared to be sent to all Solar Facility applicants with special permits that have been approved after April 25, 2016 (this is the date the Decommissioning and Surety paragraphs were added to the Solar Bylaw. John would like a comment added indicating that after review of the site plans by town boards, the applicant must submit revised site plans.

A separate letter will be sent to Eversource and Park Avenue indicating if changes were made to the approved Site Plans due to court actions, the applicant must submit "as built" plans to both the Planning Board and the Building Inspector. If there were no changes made to the plans due to court actions, the applicant must submit a letter indicating so and submit to both the Board and the Building Inspector.

5) 0 Thresher Road

- August 5, 2019 letter from Clean Energy Collective requesting the Planning Board provide a letter indicating three of the four conditions on the Special Permit have been met. The Board has addressed each condition as noted below:

Condition #1 - Greg Cary of Clean Energy asked if the Board could state that "the Board has approved a Decommissioning Bond amount of \$150,000. The fully executed Bond shall be delivered to the Planning Board prior to the commencement of operations at the solar facility." Richard Green stated we should indicate Condition #1 has been partially met, and we have received the Decommissioning Plan and agreed on the amount. However, we have yet to formulate a mutual agreement with regards to financial surety.

Condition #2 - Completed

Condition #3 - A complete set of construction drawings (amended plans) with memo indicating changes will be sent to both to the Building Inspector and Tighe & Bond for their review. Upon completion of the project, the applicant must provide "as built" plans to the Building Inspector in order to obtain a Certificate of Completion.

Condition #4 - Not completed as amended plans or construction drawings need to be sent to Tighe & Bond.

- July 29, 2019 e-mail forwarded to Planning from the Board of Health indicating the request from Al Joyce for a second well at 0 Thresher Road (Lot 15-35-000); however, land has not been subdivided. Request for three additional lots on this parcel.

The Planning Board will request Mr. Joyce meet with the Planning Board to address this issue. John Matthews stated the Board needs to review the plan for open space, setbacks, and conformance to zoning bylaws.

6) August 8, 2019 e-mail from Donna Hatch - Review of Proposed Revisions to the Hampden Solar

Bylaws - Section 7.16

Donna Hatch has provided the draft of the proposed Solar Bylaw. John Matthews referenced Page 10 and will forward the name of the document (Interconnection Agreement) that must be signed before the Board approves any solar plans.

7) 2019 Employee Handbook

The Employee Handbook has been updated and the Receipt Form was signed and submitted to Town Administrator.

Other Business:

Having no further business, John Matthews made a motion to adjourn. Edward Loiko seconded to the motion. All in favor so adjourned at 7:25 PM.

cc: Assessor's Office
Building Dept.
Conservation Commission
Highway Dept.
Moderator
Selectmen
Zoning Board of Appeals
Office Files

Submitted by Joanne Fiore, Adm. Assistant