



TOWN OF WARE

Planning & Community Development
126 Main Street, Ware, Massachusetts 01082
(413) 967-9648 ext. 120

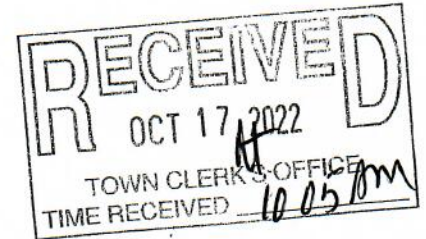
PLANNING BOARD

MEETING AGENDA

Location: Board of Selectmen's Meeting Room
Town Hall, 126 Main Street, Ware, MA 01082
Date & Time: Thursday, October 20th, 2022 @ 7:00 PM

Digital Participation:

Phone number: 929-205-6099
Meeting ID: 784 604 1861
Passcode: 01082



Instructions for call-in option: at or before 7pm call the phone number above and when prompted enter the Meeting ID number. The platform is Zoom Meetings. Join online: <https://zoom.us/join>

-
- Pledge of Allegiance
 - Administrative
 - Approval of minutes from September 15th, 2022
 - ANR's (Vote to determine that Planning Board approval is not required under the Subdivision Control Act)
 - ANR-2022-06 (Pine Street) [Continued from 9/15/2022 meeting]
 - ANR-2022-07 (Campbell Road)
 - ANR-2022-10 (North Street)
 - Public Hearings
 - 7:10 pm : SP-2015-04 Modification (Bird Hill Farm BNB)
 - Applicant is seeking to amend an existing special permit to allow for small events of 50 people and fewer on the premises. Property located at 145 Church Street, Ware, MA 01082. Recorded in the Hampshire County Registry of Deeds Book 11044, Page 169. Assessor's Parcel ID 30-0-30. Zoned: Rural Residential.
 - New Business
 - Discussion on the recommendation of plowing and sanding of private roads during the 2022-2023 Winter Season
 - Town Planner Update

The next Planning Board meeting will be held on November 3rd, 2022.



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, September 15, 2022

Board of Selectmen's Meeting Room, Town Hall

Planning Board Members in Attendance:

Rick Starodoj, Chairman
Ed Murphy, Vice-Chairman (Remote)
Kenneth Crosby (Remote)
Elizabeth Hancock, Alternate

Staff Members in Attendance:

Rob Watchilla, PCD Dept. Director
Kristen Jacobsen, PCD Dept. Admin

Members of the Public in Attendance:

Michael Parker, Attorney for Forty Pine LLC
Jeremy Chapman, Melink Solar Development (Remote)

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:01pm and led the Pledge of Allegiance.

ADMINISTRATIVE

Approval of Minutes

Motion made by E. Murphy to approve of the minutes from Thursday, September 1, 2022.
Seconded by K. Crosby. There was no additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye

All in favor. Approved 3/0/0.

ANR-2022-06 (Pine Street, Continued from 8/18/2022)

K. Crosby inquired where the access to the property was. Attorney M. Parker stated it was from an easement off route 9.

R. Watchilla asked what the reason was for redrawing the lot lines. Attorney M. Parker responded saying Gillespie Manufacturing would like to purchase the building and in order to do so they need a right of way to the property.

K. Crosby inquired about the amount of frontage needed to allow access to the property. R. Starodoj responded stating there was an existing roadway. K. Crosby continued by saying that it does not meet the current rules and regulations.

R. Starodoj stated that it does meet the requirements.

K. Crosby asked if altering the lot lines for properties that do not meet current zoning regulations would create an issue for the property owner in the future.

R. Watchilla stated that new parcels created in that district would require 200' of frontage. He went on to explain that K. Crosby was inquiring how much frontage the property would have.

Attorney M. Parker stated that because the property existed prior to 2013 there was no frontage requirement

K. Crosby asked for clarification, saying he understood the grandfathering however, if the lot lines were to change would that cause the property to lose its grandfathering.

R. Starodoj stated Ware Freight Yards and the old foundry have about 34' of frontage. K. Crosby responded, stating that was not a legal roadway under today's standards. R. Starodoj added that it doesn't matter by today's standards since it has been existing. K. Crosby asked that if it is changed would it need to be brought up to today's code. R. Starodoj responded that it would be physically impossible to do so. K. Crosby said he understood that but wondered if it was a ZBA issue. R. Starodoj and R. Watchilla stated it was not a ZBA issue.

R. Starodoj questioned if there was any way to split the 34' so that Ware Freight and 40 Pine, LLC each had 17' and if that may make more sense that way, they both have frontage. Attorney M. Parker stated he didn't know how that would be possible and that he'd rather give 40 Pine, LLC all the end of Pine Street. He then stated that the parcel requires no frontage whatsoever because of its location.

K. Crosby asked for clarification on how it could require no frontage. R. Starodoj answered that it is in the zoning bylaws in the dimensional tables for a parcel in that district. R. Watchilla went on to explain that if that parcel existed before 2013. K. Crosby asked about access to the parcel. R. Watchilla responded saying they rely on right of ways.

K. Crosby asked if they pass this would it create problems for the owner and what the attorney's opinion was. Attorney M. Parker responded by saying they are not trying to create a right of way over a 37' strip. What they are applying for is to have the 40 Pine parcel reduced in size by the parcel (under the word Mill Pond) they are also adding to that parcel a strip of unusable land. K. Crosby asked if they were removing the lot line. Attorney M. Parker replied that they are slicing off the parcel to the east of the 40 Pine property. K. Crosby asked if the parcel is sliced off how would they get access to the property. Attorney M. Parker stated the piece being sliced off is being added to the Ware Freight Yard parcel.

K. Crosby asked if by changing lot lines it becomes a zoning problem in places that it does not meet current zoning. Attorney M. Parker responded by stating there is no other way to interpret the zoning bylaw other than what they are doing. He continued by stating that the bylaw states that for all lots in existence prior to May 13, 2013, no frontage is required and that the lot would not lose its protections.

R. Watchilla responded stating that they are a grandfathered parcel, and they are taking steps to be in compliance as best they can so in this situation this is the best way, they can do it. Even though it does not

fully comply with what zoning states now they are technically a grandfathered use. In this situation it is impossible for them to have the frontage requirement.

R. Starodoj added that they were not making the situation worse. R. Watchilla agreed and stated it was bettering the situation.

K. Crosby asked if this was a concern for the ZBA. R. Starodoj replied it has nothing to do with the ZBA. R. Watchilla stated the ZBA only gets involved if they are proposing building something but, since they are purely looking at moving lot lines it was a concern of the Planning Boards.

K. Crosby stated that since they are changing lines on grandfathered parcels how would that not fall under current regulations. R. Starodoj responded by say because it would be impossible to meet those regulations.

K. Crosby asked that if because the parcel wasn't going to meet requirements if it should be a ZBA issue. R. Watchilla replied stating it was not a ZBA issue because they were not trying to build anything.

Attorney M. Parker stated this is a regulatory issue. The regulations allow this property to exist without any frontage. They are not relying on a grandfather status, they are saying the property is being permitted to exist by virtue of its status prior to May 13, 2013. R. Watchilla asked if they were technically creating a new lot line. Attorney M. Parker responded that there would certainly be a new lot line, but the regulation would be meaningless if you could not add or subtract a lot line.

Motion made by E. Murphy to approve ANR-2022-06. No board members seconded the motion. Attorney M. Parker asked that the discussion be tabled until the next meeting.

Motion made by E. Murphy to continue the discussion about ANR-2022-06 to October 6, 2022. K. Crosby seconded the motion. There was no additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye

All in favor. Approved 3/0/0.

ANR-2022-09 (Eddy Street)

R. Watchilla stated the existing lot line passes through the existing multifamily building on the parcel. They are redrawing the lines to conform to zoning standards. It is a preexisting nonconforming structure because of the age of the house itself, by moving the line it will become conforming and buildable lot. The lots will conform by frontage and by acreage.

K. Crosby asked if one of the buildings conforms to zoning. R. Watchilla answered that it does not conform to zoning because it is a preexisting nonconforming structure which has been in existence prior to 2012 as well as the garage.

K. Crosby inquired if changing the lot lines would create an issue. R. Watchilla responded that it will resolve an issue.

K. Crosby asked if there was any relief from setbacks for the other structure or was it prior to zoning. R. Starodoj stated everything depicted was there prior to zoning.

K. Crosby asked if moving the lot line would affect the grandfather clause on the property. R. Starodoj replied that could be figured out down the line.

R. Watchilla cited another ANR was passed in 2018 which had a similar issue. The home retained its grandfathered protections. If a lot is being made to conform to zoning standards more than it had previously, its generally accepted in the bylaw and the goal is to make a lot or building less nonconforming than it was previously.

K. Crosby added he believed that was stated in state laws as well.

Motion made by K. Crosby to approve **ANR-2022-09**. E. Murphy seconded the motion. There was no additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye

All in favor. Approved 3/0/0.

PUBLIC HEARING

SP-2022-08 – Melink Solar Development

R. Starodoj read the legal notice.

J. Chapman stated they are looking for an extension for their Special Permit. The reason for the extension is that they are stuck in a transmission distribution study with National Grid. They are coming out of the study in the October/November timeframe and the study was completed and approved by New England ISO in June of 2022. National Grid is not sharing the results until the distribution study has been completed, after which they will give the results of both studies and give the solution to any upgrades and the cost break out to move forward with the project. There is a proposed tariff however, since this project has been in development they do not need to wait for 20-75 (the tariff). Due to these circumstances, they would like to extend their Special Permit for 12-months.

R. Starodoj appointed E. Hancock as Stand-by

R. Watchilla stated the applicant submitted site plans, however, they hadn't changed.

R. Starodoj inquired if there was any projection of when National Grid would have improvements completed. J. Chapman replied saying there was an agreement struck GPU, Attorney General, National Grid, and the solar industry for these projects that have been in study for some time. From a timing perspective they can't have a solution that will take longer than 5-years.

E. Hancock inquired about the tariffs J. Chapman mentioned. J. Chapman replied that the 20-75 tariff is a solution to the challenges many states and public utilities are having. It addresses the equity issue in upgrading the grid.

Motion made by E. Murphy to approve the extension of **SP-2022-08**. E. Hancock seconded the motion. There was no additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye
E. Hancock	Aye

All in favor. Approved 4/0/0.

OLD BUSINESS

Review of Newly Proposed Subdivision Regulations Section 2.4.3 – 2.4.7

R. Watchilla read through the document and the following suggestions were made.

2.4.3

x) R. Starodoj suggested adding fiber optic to the list of utilities

y) R. Starodoj stated the borings should be made to a depth of 6' or to the maximum depth of the utilities.

z) R. Starodoj mentioned he would prefer to minimize piping due to the difficulty of cleaning storm drains. He would prefer the use of swales or gulley's.

R. Starodoj stated detentions ponds should be designed to be dry and without fencing. He added that once fencing is placed maintenance ceases.

R. Starodoj also suggested adding smart hydrants into the design specs one at the highest and one at the lowest points.

R. Watchilla and R. Starodoj spoke about limiting the amount of underground piping. R. Starodoj stated he had experienced many issues with it and in his experience, there is a better chance of storm water infiltrating into the ground from higher up. R. Watchilla added that he assumed they would need to adhere to the regulations set forth by the state in the storm water handbook. R. Starodoj stated to some extent leaching catch basins are encouraged. He stated that they work well for the first few years until maintenance ceases, and they become a solid plug. R. Watchilla said it may need to be looked at on a case-by-case basis. R. Starodoj agreed, stating that everything would need adjusting based on the use. Each leaching basin is an injection well and would individually require certain state permits and licenses.

R. Watchilla read through the section discussing detention ponds and storm drains. R. Starodoj stated he believed most had maintenance requirements. R. Watchilla asked if it was under the old sub-division laws or in the agreement of the Boards. R. Starodoj stated he believes it is in the subdivision covenants and approvals, but one would need to go through the files. R. Watchilla stated he did not recall seeing it in the original sub-division regulations from the 80's

bb) R. Starodoj stated any vertical curved road should also have the effective percentage between the starting point of the curve to the ending point of the curve.

2.4.4

R. Starodoj stated this section should include the water system

2.4.5

E. Hancock requested the addition of the Historic Commission to the list of review boards.

2.4.7

R. Starodoj recommended changing the verbiage from ‘an extension at the request of the applicant’ to ‘an extension mutually agreed upon by the town and the applicant’. He continued stating, either entity could request the extension as long as they both agree. R. Watchilla edited the section to read ‘or such further time as may be agreed upon by the board and the applicant.

R. Watchilla reached the end of the section to be reviewed during this meeting and asked the board if they had any final questions or thoughts.

E. Hancock suggested adding the Historic Commission to the list of notices sent to the town departments in section 2.4.6.

E. Hancock inquired if the stone walls/scenic road bylaws could be included under section 2.4.3- gg. R. Watchilla recommended leaving it out of that section and that it would kick in when necessary. E. Hancock added that she wondered if it should be added since the section contained information regarding the removal of trees. R. Starodoj stated if the subdivision was on a scenic road, then the bylaw would kick in. R. Watchilla clarified that only stone walls or trees along the existing public way are included in the Scenic Road Bylaw.

New Business

R. Watchilla stated that the owners of Colebrook and Wildflower. The owner of Colebrook responded to K. Jacobsen, and they are interested in pursuing road acceptance. The subdivision had attempted to do so in 2017 and an analysis was performed, and they had not submitted a maintenance plan for the catch basins. R. Watchilla added they will not be able to do so for this Town Meeting.

TOWN PLANNER UPDATE

- The Planning & Community Development Department is currently looking for an Intern
 - The Intern would be responsible for assisting the Director with various Planning Initiatives including the Open Space and Recreation Plan.
 - Local Universities including UMass Amherst will be reached out to.
- The Façade Improvement Program Application window is still open
 - Applications are due to the Pioneer Valley Planning Commission by October 1.
 - They can be found on the Town of Ware Planning & Community Development webpage under “Planning & Community Development News”.
- The Planning Board and Selectboard will be holding a Joint meeting on Tuesday, September 20th.
 - During a normally scheduled Selectboard meeting, both Boards will decide

between two applications for the Vacant seat (which will expire in April 2023).

- o More details will be provided as the meeting agenda becomes available.

ADJOURN

Motion made by E. Murphy to adjourn the meeting at 8:24pm. Seconded by K. Crosby. No additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye

All in favor. Approved 3/0/0.

NEXT PLANNING BOARD MEETING DATE:

Thursday, October 6th, at 7:00pm.

Minutes from Thursday, September 15th, 2022.

Respectfully submitted by,

Kristen Jacobsen
Administrative Assistant
Planning & Community Development

Minutes Approved on: _____

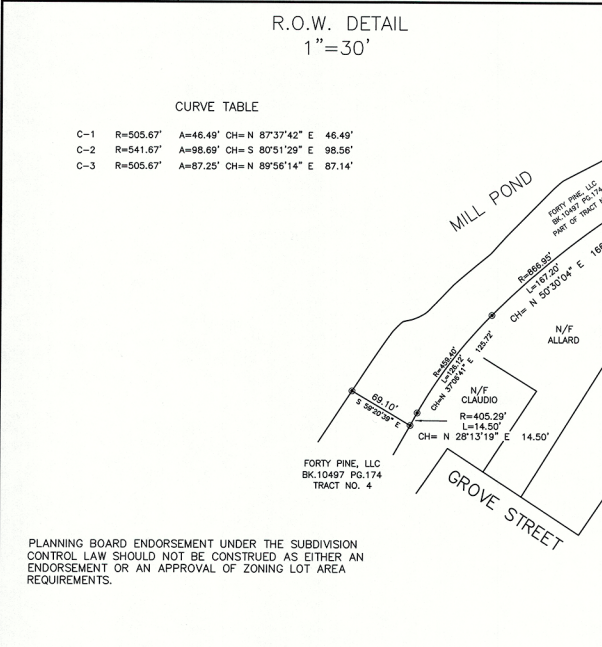
Starodoj _____

Murphy _____

Talbot _____

Crosby _____

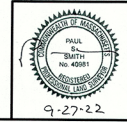
DiMarzio _____

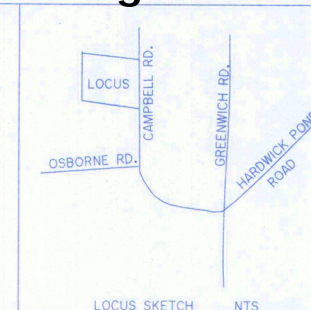
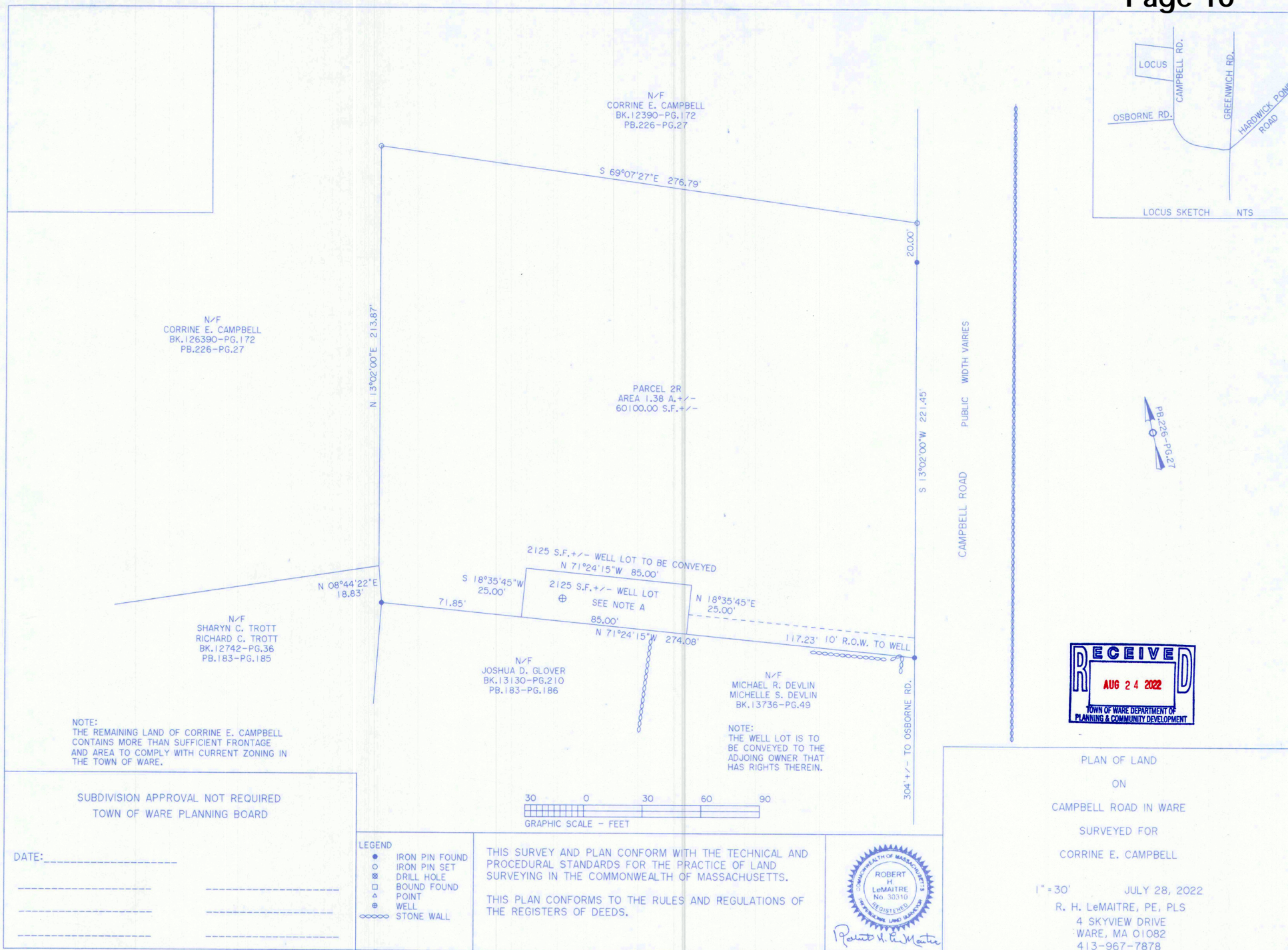


I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE
WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS

PAUL S. SMITH SEPTEMBER 27, 2022

	<p>APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED WARE PLANNING BOARD</p> <p>_____ _____ _____ _____</p> <p style="text-align: right;">_____ DATE</p>
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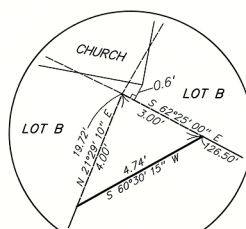




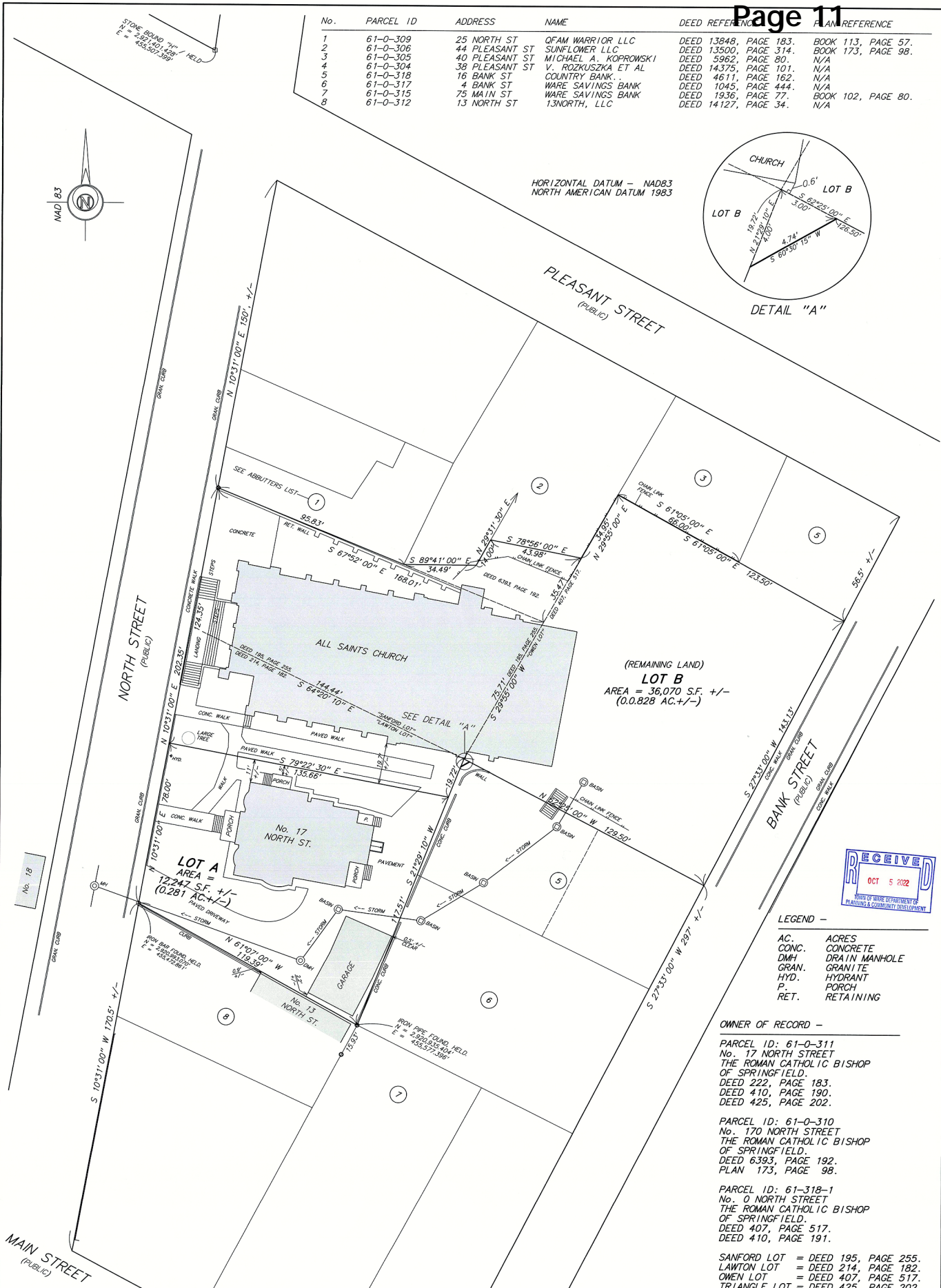
No.	PARCEL ID	ADDRESS	NAME	DEED REFERENCE	PLAN REFERENCE
1	61-0-309	25 NORTH ST	OFAM WARRIOR LLC	DEED 13848, PAGE 183.	BOOK 113, PAGE 57.
2	61-0-306	44 PLEASANT ST	SUNFLOWER LLC	DEED 13500, PAGE 314.	BOOK 173, PAGE 98.
3	61-0-305	40 PLEASANT ST	MICHAEL A. KOPROWSKI	DEED 5962, PAGE 80.	N/A
4	61-0-304	38 PLEASANT ST	V. ROZKUSZKA ET AL	DEED 14375, PAGE 101.	N/A
5	61-0-318	16 BANK ST	COUNTRY BANK.	DEED 4611, PAGE 162.	N/A
6	61-0-317	4 BANK ST	WARE SAVINGS BANK	DEED 1045, PAGE 444.	N/A
7	61-0-315	75 MAIN ST	WARE SAVINGS BANK	DEED 1936, PAGE 77.	BOOK 102, PAGE 80.
8	61-0-312	13 NORTH ST	13NORTH, LLC	DEED 14127, PAGE 34.	N/A

NAD 83

HORIZONTAL DATUM - NAD83
NORTH AMERICAN DATUM 1983



DETAIL "A"



- LEGEND -
- AC. ACRES
 - CONC. CONCRETE
 - DMH DRAIN MANHOLE
 - GRAN. GRANITE
 - HYD. HYDRANT
 - P. PORCH
 - RET. RETAINING

OWNER OF RECORD -

PARCEL ID: 61-0-311
No. 17 NORTH STREET
THE ROMAN CATHOLIC BISHOP
OF SPRINGFIELD.
DEED 222, PAGE 183.
DEED 410, PAGE 190.
DEED 425, PAGE 202.

PARCEL ID: 61-0-310
No. 170 NORTH STREET
THE ROMAN CATHOLIC BISHOP
OF SPRINGFIELD.
DEED 6393, PAGE 192.
PLAN 173, PAGE 98.

PARCEL ID: 61-318-1
No. 0 NORTH STREET
THE ROMAN CATHOLIC BISHOP
OF SPRINGFIELD.
DEED 407, PAGE 517.
DEED 410, PAGE 191.

SANFORD LOT = DEED 195, PAGE 255.
LAWTON LOT = DEED 214, PAGE 182.
OWEN LOT = DEED 407, PAGE 517.
TRIANGLE LOT = DEED 425, PAGE 202.

DATE: _____
NOTES / REVISIONS
NOTE CONTACT DIG-SAFE PRIOR TO ANY
EXCAVATIONS 1-888-344-7233
NOTE SUBJECT TO EASEMENTS, RESTRICTIONS
AND R.O.W.'S OF RECORD, IF ANY AND
APPLICABLE.
I CERTIFY THAT THIS PLAN WAS MADE IN
ACCORDANCE WITH THE MINIMUM RULES AND
REGULATIONS OF THE REGISTRAR OF DEEDS.
SIGNED *Edward J. Chapdelaine*
EDWARD J. CHAPDELAINE No. 38378.
SCALE 1" = 20'

PLANNING BOARD
WARE, MASS.
DATE: _____
APPROVAL UNDER THE SUBDIVISION CONTROL
LAW NOT REQUIRED.
No determination has been made as to the
buildability of any lot shown hereon this plan.
SIGNED _____

"SUBDIVISION APPROVAL NOT REQUIRED"

INDEXED
"PLAN OF LAND IN THE TOWN OF
WARE, MASSACHUSETTS
HAMPSHIRE COUNTY - PREPARED FOR
The Roman Catholic Bishop of Springfield
DURKEE, WHITE, TOWNE AND CHAPDELAINE
CIVIL ENGINEERS AND LAND SURVEYORS
556 FRONT STREET
CHICOPER, MASSACHUSETTS - 01013
PHONE (413) 592-5164
DRAWN BY: EJC
DRAWING No. _____



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082
t. 413.967.9648 ext.118 rwatchilla@townofware.com

Notice of Public Hearing Planning Board

LEGAL NOTICE

to be published in the *Ware River News*
issues 10/6/2022 and 10/13/2022

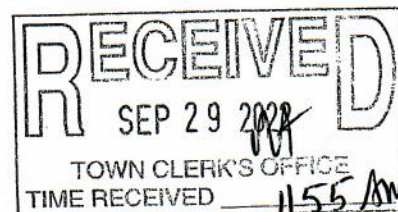
SP-2015-04 (Modification)

NOTICE is hereby given that the Ware Planning Board, acting as the Special Permit Granting Authority, will hold a Public Hearing on **THURSDAY, October 20th, 2022 at 7:10 PM** on the application of Kenneth Chatel (Bird Hill Farm), for a Modification of an existing Special Permit (SP-2015-04) of an approved Bed and Breakfast under Sections 4.3.14 & 7.2, of the Zoning Bylaw, and pursuant to MGL Chapter 40A. The applicant is seeking permission to allow for small events of 50 people or fewer on the premises. Pursuant to Chapter 22 of the Acts of 2022, this hearing will be conducted in person and via remote means, in accordance with applicable law. This means that members of the Planning Board as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be held in the Selectmen's Meeting Room, 126 Main Street, Town Hall, Ware, MA. It is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of public. The meeting may be accessed remotely via zoom. Go to <https://zoom.us/join> or join by phone. Phone Number: 929-205-6099; Meeting ID: 784 604 1861; Password: 01082.

SITE LOCATION: 145 Church Street, Ware, MA. Said premises being further described in deeds recorded in the Hampshire County Registry of Deeds, Book 11044, Page 169. Property is also identified as Assessor's Parcel 30-0-30. Zoned: Rural Residential (RR).

A complete copy of the application can be found at the Town Clerk's office and on the Planning & Community Development Department website under Recent Filings. Anyone interested or wishing to be heard on the application should appear at the time and place designated.

WARE PLANNING BOARD
Richard Starodoj, Chairman





TOWN OF WARE
 Planning & Community Development
 126 Main Street, Ware, MA 01082
 t. 413.967.9648 ext. 120

PERMIT SUMMARY REPORT

To: Planning Board
 From: Robert A. Watchilla, Director of Planning & Community Development
 Date: October 20, 2022
 Permit: **Modification of Special Permit (SP-2015-04) for
 Kenneth Chatel – Bird Hill Farm (145 Church Street)**

The applicant is requesting a modification to an existing Special Permit (SP-2015-04) to allow for events of 50 people or fewer for an existing Bed and Breakfast at 145 Church Street. The following materials were submitted to the Planning & Community Development Office on August 17, 2022:

- **Request for Modification of Approval Application**
 - Applicant is listed as "Kenneth Chatel"
 - Company is listed as "Bird Hill Farm"
 - Owner is listed as the same as Applicant
 - Zoned as Rural Residential (RR)
 - Entire parcel is approximately 4.5 acres
 - Applicant mentioned that he intended on hosting "small events of 50 people or fewer".
- **Sketch of Parking Layout**
 - Adjacent to the roadway and principal structure
 - Shows 28 parking spots

Comments from Other Departments

- **Conservation Department**
 - The following statement was submitted to the PCD department from Conservation Agent John Prenosil:
 - *Will a new parking area be constructed? The existing parking area appears to be located within 100' of a wetland area west of Church Street. Any earthwork or expansion of the existing parking area may require a permit from the Conservation Commission. Rear portions of the parcel are located within NHESP Priority Habitat Polygon #1356. The polygon extends up to the rear of the existing building. Any new*

work within this Polygon may require coordination and sign-off from NHESP.

- **Department of Public Works**

- The following statement was submitted by DPW Director Geoff McAlmond:

- Bird Hill Farm has a Public Water Supply connection listed as 145 Upper Church Street, under Kenneth Chatel. There is no Public Sewer Connection to the property.

END OF REPORT

*Planning Board &
Zoning Board of Appeals*

*Robert A. Watchilla
Director of Planning &
Community Development*

Town of Ware

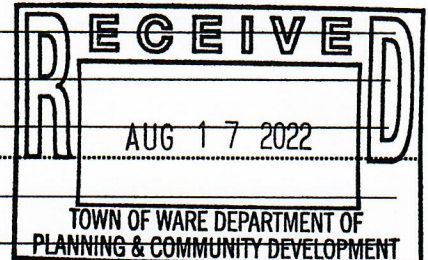
Planning & Community Development

Request for Modification of Approval Site Plan / Special Permit / Variance



126 Main Street
Ware, MA 01082
413.967.9648 ext. 120
www.townofware.com

Applicant

Name of Applicant (primary contact): Kenneth ChatelCompany: Bird Hill FarmAddress: 145 Church StreetPhone: _____ Cell: 413-277-8788Email Address: birdhillfarm.info@gmail.com

Owner

Name of Owner: Kenneth ChatelAddress: 145 Church StreetPhone: _____ Cell: 413-277-8788Email: birdhillfarm.info@gmail.com

Proposal

The undersigned herewith resubmits the accompanying additional plan, materials, information, etc., relative to the previously filed Site Plan Application No. _____ and/or Special Permit Application No. SP-2015-04 and/or Variance Application No. _____ for property located on/at 145 Church Street and decision recorded at the Hampshire Registry of Deeds, Deed Book 11044, Page 169, dated _____ and/or Plan Book _____, Page _____.

With this submission of this form, and any other materials requested by the Planning and Community Development Department, I am hereby requesting a modification of said permit, for good reason, as described here or on additional pages.

Small events of 50 people or fewer

Signature

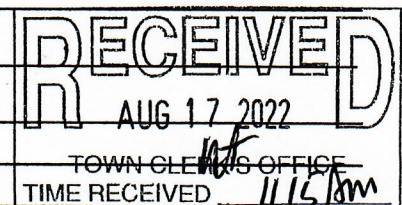
Original Owner's Signature (Blue Ink Only): Kenneth Chatel Date: 8/16/22Mailing Address: SAA Town/State/Zip: _____

Phone Number: _____ Email: _____

Office Use only

Meeting Date _____

Board's Decision _____



From: [Prenosil, John](#)
To: [Watchilla, Robert](#); [Beckley, Stuart](#); [Crete, Andrea](#); [Martinez, Jim](#); [Marques, Anna S.](#); [McAlmond, Geoffrey](#); [Crevier, Shawn](#)
Cc: [Jacobsen, Kristen](#); [Thacker, Kristen](#); [Croteau, Nicole](#); [Barlow, Betty](#)
Subject: Re: REQUEST FOR COMMENTS (Modification of an existing Special Permit) 145 Church St (Bird Hill Farm)
Date: Thursday, October 13, 2022 5:07:21 PM
Attachments: [Outlook-kbluaydg.png](#)

Hi Rob. I have a few questions and comments.

Q: Will a new parking area be constructed?

The existing parking area appears to be located within 100' of a wetland area west of Church Street. Any earthwork or expansion of the existing parking area may require a permit from the Conservation Commission.

Rear portions of the parcel are located within NHESP Priority Habitat Polygon #1356. The polygon extends up to the rear of the existing building. Any new work within this Polygon may require coordination and sign-off from NHESP.

Thank you.

John

John M. Prenosil
Conservation Agent
Town of Ware | 126 Main Street | Ware, MA 01082
413.967.9648 x113
[Ware Conservation Commission](#)



From: Watchilla, Robert <rwatchilla@townofware.com>
Sent: Thursday, September 29, 2022 11:31 AM
To: Beckley, Stuart <sbeckley@townofware.com>; Crete, Andrea <acrete@townofware.com>;
Martinez, Jim <jmartinez@townofware.com>; Marques, Anna S. <amarques@townofware.com>;

McAlmond, Geoffrey <gmcalmond@townofware.com>; Crevier, Shawn <CrsH@townofware.com>; Prenosil, John <jprenosil@townofware.com>

Cc: Jacobsen, Kristen <kjacobsen@townofware.com>; Thacker, Kristen <kthacker@townofware.com>; Croteau, Nicole <ncroteau@townofware.com>; Barlow, Betty <BBarlow@townofware.com>

Subject: REQUEST FOR COMMENTS (Modification of an existing Special Permit) 145 Church St (Bird Hill Farm)

Hey all,

My department has recently received a request for a modification of an existing special permit (SP-2015-04) from the owner of Bird Hill Farm (Kenneth Chatel) at 145 Church Street. The applicant wishes to host and allow for events of 50 people or fewer on the premises which is a current Home-Based Bed and Breakfast. I have included the following materials for everyone's review:

- Application
- SP-2015-04 Decision Document
- Legal Ad
- Aerial photographs

If any of your department have comments on the above application, please send them to me prior to **Tuesday, October 18 at 3pm**. If anyone has any questions or concerns, please let me know.

Best,
Rob

Robert Watchilla
Director of Planning & Community Development
Town of Ware
126 Main St.
Ware, MA 01082
413-967-9648 ext. 118

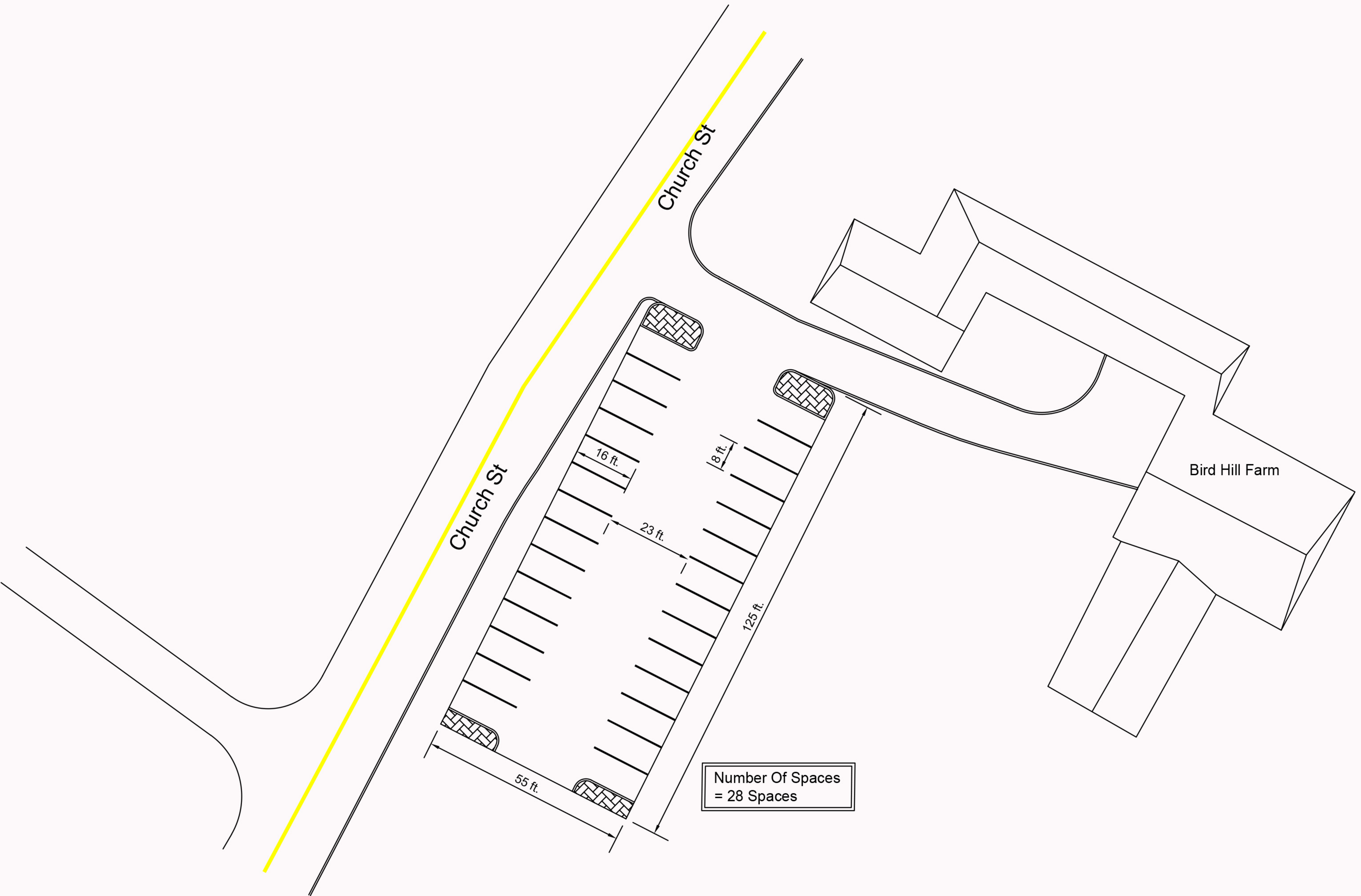


From: [McAlmond, Geoffrey](#)
To: [Marques, Anna S.](#); [Gagnon, Chris](#); [Mooney, Jay](#); [Watchilla, Robert](#)
Subject: Bird Hill Farm
Date: Tuesday, October 4, 2022 1:42:56 PM

All,

Bird Hill Farm has a Public Water Supply connection listed as 145 Upper Church St, under Kenneth Chatel. There is no Public Sewer Connection to the property.

Geoff McAlmond
DPW Director
Town of Ware





TOWN OF WARE
 Planning & Community Development
 126 Main Street, Ware, MA 01082
 t. 413.967.9648 ext. 120

MEMORANDUM

To: Planning Board
 From: Robert A. Watchilla, Director of Planning & Community Development
 Date: October 20, 2022
 Subject: Summary of Plowing and Sanding Unfinished Subdivision Roads – **Winter 2022/23**

This memo is to serve as a point of discussion with our DPW Director for winter 2022-2023 recommendations to the Select Board for plowing and sanding of unfinished subdivisions.

BELAIR DRIVE (Belair Estates):

- It appears that no repairs have been made to this road for some time
- Road condition has gotten worse since last year
- Owner used concrete on exposed manholes to smooth the road
- **We recommend that Belair Drive NOT be plowed nor sanded this winter**

COLDBROOK DRIVE (Pennybrook Estates):

- The road is in good condition
- Detention Basin slightly overgrown
- **We recommend that Coldbrook Drive be plowed and sanded by the Town this winter.**

HIGH MEADOW LANE

- The road serves as someone's driveway and has not been plowed in the past
- **We recommend that High Meadow Lane NOT plowed and sanded by the Town this winter.**

HILLSIDE TERRACE:

- Hillside Terrace is a Town Owned Road that was accepted on May 11, 2005.
- It was in error that this road was included initially on this list
- **DPW will plow and sand this road since it is Town Owned**

KING GEORGE DRIVE

- The DPW has plowed this private road in the past
- Road is still in good condition but is starting to show signs of deterioration

- Mrs. Robidoux has recently shown interest that she intends to move forward with road acceptance.
- **We recommend that King George Drive be plowed and sanded this winter.**

LEE ROAD

- The DPW has plowed this private road in the past
- There are two easements placed on Lee Road for the purposes of plowing, drainage and general road maintenance
- **We recommend that Lee Road be plowed and sanded this winter.**

WALTER DRIVE (Edgewood Estates):

- The basecoat continues to deteriorate but still in good condition
- Mr. Pelski has shown interest in pursuing road acceptance
- There appear to be no problems for either the Town or the owner if the Town plowed and sanded this winter
- **We recommend that Walter Drive be plowed and sanded by the Town this winter**

WILDFLOWER DRIVE & BRIAR CIRCLE (Isabella Ridge):

- Attempted to reach out to Berkshire Bank but have not received any feedback from them
- Sidewalks contain a good amount of overgrowth
- Road condition is still good overall
- **We recommend that Walter Drive be plowed and sanded by the Town this winter**

WILLISTON DRIVE

- Only the eastern section of Williston Drive has been accepted by the Town (see photo)
- The DPW has historically plowed and sanded the entire length of this road so that the trucks could turn around easily
- Roads are showing early signs of deterioration
- **We recommend that the entirety of Williston Drive be plowed and sanded this winter.**



SUMMARY

The Planning Board recommends the approval the expenditure of Town funds and to direct the DPW to manage sanding and snow and ice removal on the private section of Walter Drive and on the private roads Coldbrook Drive, King George Drive, Lee Road and Williston Drive during the winter of 2021-2022 (FY 2022). We also recommend that the Board take action to explicitly not perform any snow removal or sanding, on Belair Drive until this roadway is repaired to the satisfaction of the DPW and the Planning Board.

Town Planner Update: October 20th, 2022

- **The Planning & Community Development Department has hired a part-time intern**
 - She is set to start on Tuesday, October 25
 - The intern's main task is to assist the department with updating our Open Space and Recreation Plan
- **The Façade Improvement Program Application window has officially closed**
 - Applications will be reviewed over the coming weeks
 - The Design Review Committee had a meeting on October 19 to discuss the review process moving forward
- **The Town has received its Notice to Proceed from MassDOT**
 - The Town was awarded \$43,000 in equipment funding from the Shared Streets and Spaces Program
 - We have until December of 2023 to spend all of the funds awarded
 - First phase would be to purchase 16 pedestrian blinker signs to put at 8 unmarked crosswalks along West Street (most immediate need)
 - Working with the DPW director to find the best type of signage
- **The Town has received three price quotes for the LED Sign on main street**
 - The sign would be funded by a \$30,000 grant from the REDO program
 - Discussions on final design choice are in progress
 - Downtown Improvement Committee with work on picking an appropriate location for the sign
- **The PVPC Land Use department held its first "Battery Storage Zoning" Discussion on October 4th**
 - Initial discussions took place with PVPC Planning Staff
 - They should be developing draft language in the coming weeks
 - We are expected to meet 4-5 more times with the Towns of Belchertown and Monson included in the mix.