



TOWN OF WARE

Planning & Community Development

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Planning Board

Meeting Minutes from

Wednesday, November 6, 2019

Select Board Room, Town Hall

Planning Board Members Present:

Rick Starodoj (Chairman), Fred Urban, Joshua Kusnierz, Joseph Knight and Jennifer Muche (Alternate)

Staff Present:

Rebekah DeCoursey, Director of Planning & Community Development; and Nicole Croteau, Assistant to the Director

Public in Attendance:

Tom Barnes, Claudia Kadra and Jim Kadra

Pledge of Allegiance

Chairman R. Starodoj called the meeting to order at 7:00 pm and the Board led the Pledge of Allegiance.

Administration

- Meeting Minutes

Approve minutes from October 16, 2019.

F. Urban made a motion to approve the minutes as presented. J. Knight seconded, no discussion. Approved 5-0.

- Solar Energy Facilities

R. DeCoursey presented the Board with a revised draft of the solar bylaw. She stated the AG office has not yet approved Article 12 (Solar Moratorium) from the March Town Meeting. The other Zoning Bylaws changed have been approved, and the updated version can be found on the website.

Wells – R. DeCoursey stated that one of the past concerns relating to drinking wells was that the homeowners should take it upon themselves to have their well water tested for a baseline, if future issues should arise. There was general discussion about water testing among the Board members.

Setbacks – R. DeCoursey proposed the setbacks for solar sites be 200-foot abutting area of wildlife protection (such as property owned by DFW) to help protect open space, conservation land and wildlife habitat. Board and audience asked how this would affect Chapter Land and future use. Could there be a restriction in deeds to have these new setback requirements? General discussion was among the Board members and majority were favorable to the 200-foot setback.

Zoning – Chairman expressed his opinion about possibly restricting large scale ground mounted solar arrays in RR – Rural Residential areas. The Board and audience expressed feelings that citizens move here for the natural beauty of the area/landscape and would agree that solar farms do not need to be

within RR. R. DeCoursey stated that findings are leaning to it being unreasonable by state standards to outright prohibit in RR.

Capping – Board and audience expressed that there should be a cap on solar; such as Megawatts or total number of solar arrays within Town. R. DeCoursey stated there are currently twelve sites – with 3 in the permit process, not yet approved. Chairman asked for a chart and/or a total number of megawatts these projects produce and how that number compares to the overall use of megawatts the Town needs/use. The Board felt there should be a cap once the totals of these projects is discussed.

Decommissioning – T. Barnes asked if there is a regulation for the decommissioning in the Bylaw. T. Barnes felt that companies upgrade rather than decommission sites. Applicants are required to submit a Decommissioning Report with the applicants to the Town.

Environmental – R. DeCoursey read Page 4, Letter E of the proposed bylaw and stated that no more than 50% of the lot can be developed. Example 100-acre lot can only have 50-acres developed. J. Kusnierz asked if the Bylaw can state use and regulations on chemicals such as pesticides and herbicides. R. DeCoursey stated the regulations on chemicals is usually within the Permit Conditions. J. Kusnierz asked if there could be statement that if these chemicals are needed, the Applicant was to submit a Pesticide/Herbicide Plan for approval to the PCD Department and/or to the Tree Warden. J. Knight asked if this would be for just solar sites or any other proposed “farm” site?

Annual Reports – R. DeCoursey stated that she would like to see an Annual Report submitted to the PCD Department by the first of the year stating site conditions. J. Knight felt this was a reasonable request to keep the sites “in check” with regulations. It would also address current standing of decommissioning bond.

Scenic Road Bylaw – R. DeCoursey stated additional time is needed to draft it and this Bylaw will be on the Spring Town Meeting agenda. She still proposes some of the Scenic Road Bylaws tie into the Solar Bylaw, and increasing the setback along any Scenic Roads to be 200’. Stonewalls and trees need to be within the right-of-way for the Scenic Road Bylaw to affect homeowners. Anything on private land, not the right-of-way, will not be affected.

Prime Farm Land – R. DeCoursey stated the Bylaw would regulate registered Prime Land for solar installation. Chairman express his concern; what happens if the owners can’t physically and/or financially operate a farm but rather have an opportunity to permit and install solar.

No further discussion. R. DeCoursey stated she would like to have one more working meeting on the changes prior to the Public Hearing and Town Meeting. The next working meeting will be on November 20, 2019.

[Continue on next page]

- Old Business

Babcock Tavern Road – The Board completed the site walk on Oct. 19, 2019 and the findings from the site walk are in conjunction of the original plans/discussion years ago. There is no Phase III at this time. Phase III will be for any future intents and will need to follow proper filing process.

To recap the project: Phase I was for area that has already been cleared, reclaimed and now is an active hayfield. Phase II, which is current and active earth removal, being the existing limits of the project as defined by the area which has been cleared of trees and currently having earth removed. This has been notated on a map by the Zoning Enforcement Officer for official records.

There is no Phase III. The Board is aware of concerns by abutter Ms. Hancock, but the property owner is working within their means of limits.

- Town Planner Updates

Moving Meeting Dates – PCD Department would like to televise public hearings and due to scheduling, this can only be done if meeting dates are moved to Thursday evenings. The Board agreed to move meeting dates to Thursday evenings starting the first of the 2020 calendar year.

- Adjourn

J. Kusnierz made the motion to adjourn, F. Urban seconded, no further discussion, All in Favor 5-0. Adjourned at 8:30 pm.

Next meeting is scheduled for November 20, 2019 at 7:00 pm.

Minutes from November 6, 2019
Respectfully submitted by,

Nicole Croteau
Assistant to the Director

Minutes Approved on:	<u>11/20/19</u>
Starodoj	<u>RuS</u>
Kusnierz	<u>[Signature]</u>
Urban	<u>[Signature]</u>
Murphy	<u>[Signature]</u>
Knight	<u>[Signature]</u>
Muche	<u>Jennifer Muche</u>