



TOWN OF WARE

Planning & Community Development
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Planning Board

Meeting Minutes from
Wednesday, April 3, 2019
Board of Selectmen's Conference Room

Planning Board members present: Rick Starodoj (Chairman), Fred Urban, Joe Knight, Edward Murphy, Joshua Kusnierz, Jennifer Muche

Staff present: Rebekah DeCoursey, Director of Planning & Community Development

Public: (as taken from the sign in sheet and observation)
Anna Marques, Building Inspector; William A. Moryl; Rick Lotuff; Mary Feeny

Chairman R. Starodoj Called the meeting to order at 7:04 pm and the Board said the Pledge of Allegiance

The Board welcomed Rebekah DeCoursey as the new Director of Planning & Community Development. Her first day was March 25th.

Approve minutes from March 20, 2019 – **Motion** by E. Murphy to accept the minutes as corrected. Second by J. Knight. So voted 4/0/2 (Abstain: F. Urban, J. Kusnierz)

Final Decision: Special Permit (SP-2019-03) and Site Plan Review (SPR-2019-03). Application of Cedar Roots, LLC & MRL, LLC.

Ms. Feeny had provided the Board with the requested letter for portions of the Site Plan Review they wished to have waived. The Board voted unanimously accept the waiver request. She also provided a copy of Ordinance or Law Coverage provided by MRL's insurance company.

The public hearing for this application was closed at the March 20th meeting but the Board did not make their final decision at that time. One of the concerns the Board had was specifically what would happen to the site if catastrophic damage occurred to the building (such as due to fire). The delayed time allowed the Planning and Community Development Department and the applicant to explore various options to work into the conditions of the Special Permit. Ms. Feeny explained to the Board that, as she understands it, the Ordinance or Law Coverage will address any need for repair of physical damage or cost of demolition so long as the town has an ordinance in law at the time of loss that addresses the need for this clean up. Ms. Marques stated that unsafe structures are certainly included town building code laws and Public Health most likely has similar ordinances.

Ms. Feeny also presented to the Board wording for a potential new condition of the Special Permit. She has discussed previously with the Town Manger that they would like to be able to allow multiple growers to cultivate cannabis at the site once up and running. She proposed that if each growing entity had a Host Community Agreement with the Town of Ware then they be allowed to operate under this Special Permit and thus not need to come to the Board for additional approval. The Board has no objections. Mr. Starodoj read all through the conditions of the Special Permit and were finalized as follows:

1. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to and all necessary permits be obtained;
2. Prior to construction and operation, the applicant will meet with the Department of Public Works to discuss any impacts on Town water and sewer infrastructure or any required monitoring points that may be needed in regard to waste water the cannabis cultivation site may have. The applicant will provide the Department of Planning and Community Development a written record of this meeting after it has occurred to be placed on file;
3. The applicant shall meet with the Planning Board in eight (8) months' time from the initial date of crop planting, approximately two months after the first crop harvest, to review the cannabis cultivation site to confirm that the findings of the Special Permit are being upheld;
4. The tenant(s) operating under this special permit and/or the owner shall have insurance to cover catastrophic damage to the building to secure and repair or demolish and clear in accordance with applicable local, state, and federal codes;
5. Deliveries shall be only between the hours of 8:00 am and 8:00 pm. Interior, non-public operations may be conducted 24/7/365;
6. Landscaping improvements shall be made in the area along South Street; and
7. Provided that prospective tenant(s) of the Landowner has entered into a Host Community Agreement with the Town of Ware for the operation of a marijuana cultivation and/or manufacturing business for any unit within the building known and numbered as 50 East Main street, Ware, MA 01082, said prospective tenant shall not be required to obtain a separate special permit for the proposed use and shall instead be entitled to operate under the terms and conditions of this special permit.

On a Motion by E. Murphy and seconded by J. Knight, the Board voted to grant the approval with conditions of Special Permit SP-2019-03 and Site Plan Review SPR-2019-03 as presented with the amendments, conditions and findings in concurrence with the Town of Ware Zoning Bylaws as presented and discussed at the public hearing of March 20, 2019.

Roll call vote passed unanimously:

R. Starodoj	aye
F. Urban	aye
J. Knight	aye
E. Murphy	aye
J. Muche	aye

Citizen’s Petition: Request for Change in Use in the Zoning Residential Business (RB) District to allow Self-service storage facility by right – William Moryl, Route 32, Palmer Road

Mr. Moryl was present and briefly explained the petition is to allow storage units in the RB District by right, where currently it is not allowed. The Board will schedule the public hearing for May 1, 2019.






Old Business

- Wildflower Street repair. Mr. Starodoj had told the lawyer from the bank that they would finalize the list of repairs needed at the meeting tonight. Ms. DeCourcey asked if they could wait until the next meeting to allow her to get caught up to speed on the project, review the files, and conduct a field visit. The chair stated he will inform the lawyer and they will approve the list at the April 17th meeting.
- The Board took a cut in their stipends several years ago and would like to discuss returning at least a portion of that cut back into their stipends. Mr. Starodoj went over some comparisons of years past of town stipends and noted that the Board of Assessors did not take a cut back when the Planning Board, ZBA, and Board of Selectmen did. The Board has been conducting steady and continuous support to the PCD department and this increase is well deserved.

New Business

- Ms. DeCourcey will draft the paperwork for her approval to sign ANR plans on behalf on the Board.
- A conversation with Cable Access has begun to work to get the Planning Board meetings televised. There is currently a time conflict with the School Committee meetings, but with recording upgrades coming in the near future, there may be a solution to this. The Board and Director are in favor of this to provide the public easy access to all meetings.
- The PCD Department received a letter from the Town of Palmer asking for support of a Palmer stop on the proposed high speed east-west rail line. This would provide increased economic development into Ware, and Ms. DeCourcey recommended the Board allow her to draft a letter of support. On a **motion** from J. Knight and seconded by J. Kusnierz, the Board voted in favor of a letter of support.
- Tree plantings along Main Street were discussed. When Main Street road construction is done, the Board will have more extensive conversations about locations for trees, species, or other options to optimize the downtown urban forest.
- The first Cannabis Committee meeting will be held next Wednesday, April 10th at 6pm in the Board of Selectmen meeting room.
- The tree farm should begin to be planted soon.

Adjourn – **Motion** by F. Urban to adjourn at 7:30 p.m., second E. Murphy. Unanimous.

Minutes Approved on:	4/17/18
Starodoj	
Kusnierz	
Urban	
Murphy	
Knight	

Respectfully submitted by Rebekah L. Decourcey,
Director of Planning & Community Development