



## **Board of Selectmen**

**Ware Town Hall, Meeting Room, 126 Main Street**

**Regular Meeting Notice Agenda – Tuesday, November 19, 2019 at 7:00 p.m.**

### **Meeting Opened**

**Opening Remarks, Announcements, and Agenda review by Chair**

### **Consent Agenda**

### **Scheduled Appearances**

- **7:05 p.m., Public Hearing: ReEnergy Holdings, LLC – Application for License to Store Flammables or Combustible Liquids, 3,000 Gallons Diesel in Above Ground Storage Tank (AST)**
- **7:15 p.m., Tax Classification Hearing**
- **Complete Streets Policy : Becky Basch, PVPC**

### **Old Business**

### **New Business**

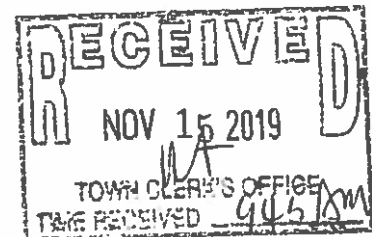
- **Consideration of Wood Policy**

### **Comments and Concerns of Citizens**

### **Town Manager Report**

### **Adjournment**

**Executive Session: M.G.L. c30A, Section 21 (a) #2 Negotiations – Department of Public Works**



Board of Selectmen: *John E. Carroll, Keith J. Kruckas, Tracy R. Opalinski, Nancy J. Talbot, Alan G. Whitney*  
Town Manager: *Stuart Beckley*  
sbeckley@townofware.com



# TOWN OF WARE

Town Hall, 126 Main Street  
Ware, Massachusetts 01082  
Tel. 413-967-9648

## PUBLIC HEARING NOTICE

The Board of Selectmen will conduct a Public Hearing on **Tuesday, November 19, 2019 at 7:15 p.m.**, in the Selectmen's Meeting Room, 126 Main Street, Ware, MA. The purpose of the Public Hearing is to conduct a Tax Classification: The Board of Selectmen will consider tax policy options including (1) whether to have a single or split tax rate and (2) whether to allow an open space discount, a residential exemption, and a small commercial exemption. The Board of Selectmen will receive comments from interested taxpayers at the hearing, or taxpayers may send written comments to Town Manager, 126 Main Street, Ware, MA 01082. **This notice shall also be posted on the Massachusetts Newspaper Publishers Association's (MNPA) website (<http://masspublicnotices.org>).**

All interested parties are invited to attend.

Alan G. Whitney  
Chairman  
Board of Selectmen  
November 8, 2019



FP-002A  
(Rev. 1.1.2015)

The Commonwealth of Massachusetts

City/Town of WARE

### Application For License

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates	
_____	LAT.
_____	LONG.
_____	License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 198 East St. Ware MA 01082  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: ReEnergy Holdings LLC

Address of Land Owner: 30 Century Hill Dr. Suite 101 Latham NY 12110

Use and Occupancy of Buildings and Structures: Construction + Demolition Debris and Scrap Metal Recycling

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

#### Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet gallon	CONTAINER UST, AST, IBC, drums
<u>Diesel Fuel</u>	<u>II</u>	<u>3000</u>	<u>gallon</u>	<u>AST</u>

Total quantity of all flammable liquids to be stored: \_\_\_\_\_

Total quantity of all combustible liquids to be stored: 3000

Total quantity of all flammable gases to be stored: \_\_\_\_\_

Total quantity of all flammable solids to be stored: \_\_\_\_\_

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: \_\_\_\_\_

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: \_\_\_\_\_

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: \_\_\_\_\_

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

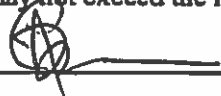
❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Christopher A. Lowe, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature  Date 28 NOV 2019 Name Christopher A. Lowe  
Re Energy Ware

**Fire Department Use Only**

I, \_\_\_\_\_, Head of the \_\_\_\_\_ Fire Department endorse this application with my

Approval  Disapproval

Signature of Head of the Fire Department

Date

Recommendations: \_\_\_\_\_

120'-15" ADS

493.65

RAIN MANHOLE  
RIM = 493.15  
INV. = 484.30 in  
INV. = 484.05 out

\* Proposed Location

2k gallon AST  
Deadman Blocks  
Three Sides

115'-15" ADS

205'-12" ADS

RAIN MANHOLE  
RIM = 493.15  
INV. = 486.50 in  
INV. = 486.50 out

PREVIOUS PROPOSED  
HOLDING TANK LOCATION

C+D Building

C-BASIN  
RIM = 490.15  
INV. = 486.40 in  
INV. = 486.35 out

494.50

CAT  
RIM  
INV

125'-12" ADS

491.4 X

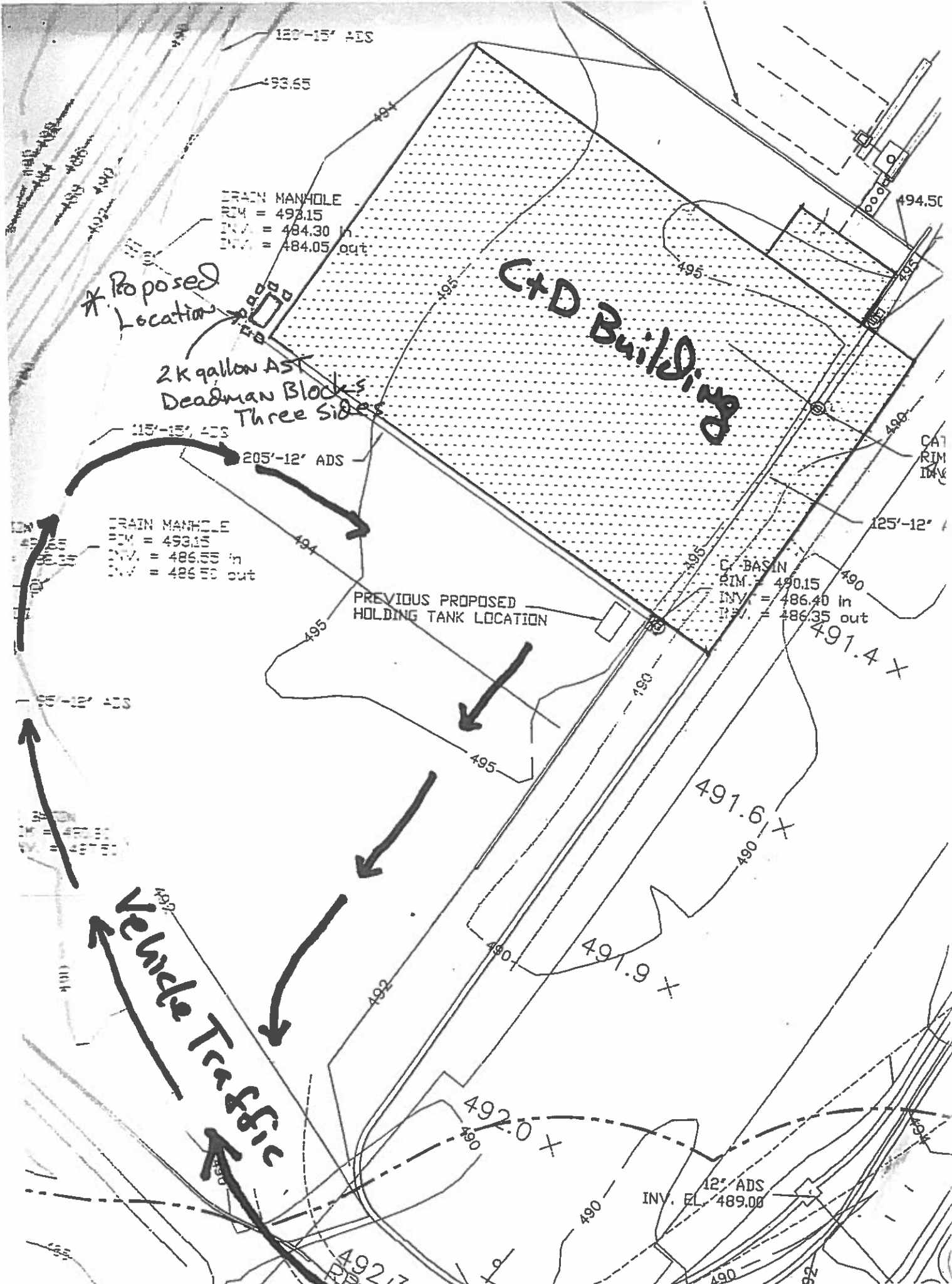
491.6 X

491.9 X

492.0 X

12" ADS  
INV. EL. 489.00

Vehicle Traffic





Director of  
Planning & Community Development  
126 Main Street  
Ware, Massachusetts 01082

t. 413.967.9648 ext. 118

To: Board of Selectmen  
From: Rebekah L. DeCourcey, Director of Planning & Community Development  
Date: November 15, 2019  
RE: Complete Streets Policy

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At the meeting of the Planning Board on the evening of October 16, 2019 the Board voted 5-0 in support of recommending to the Board of Selectman to adopt the Complete Streets Policy, presented by Becky Basch from PVPV. At your upcoming meeting of the 19<sup>th</sup>, I have asked Ms. Basch to briefly present the draft Policy to you, and ask for your support in adopting this policy. The Complete Streets Steering Committee has spent the last few months reviewing the draft policy. The conversations helped identify points of concern throughout town and included making suggestions and changes to the policy that best suits the needs of the town.

A Complete Street is one that provides safe and accessible options for all travel modes - walking, biking, transit and vehicles – for people of all ages and abilities. Adopting the Complete Street Policy is Tier I of the program process that will open up the Town of Ware to funding opportunities of up to \$400,000. Tier II of the process involves creating a Complete Street Prioritization Plan. Tier II is currently in progress. This plan will include identifying areas that need sidewalk improvements, crosswalk signal improvements, areas needing bicycle lanes, as well as other projects that will help improve safe and accessible travel throughout town. Adopting this Complete Street Policy will be a great way for the Town of Ware to have funding assistance in improving out streetscapes.

I ask you to please review the policy before Tuesday night's meeting and bring any questions you may have. Ms. Basch will be in attendance to answer any questions you may have, as she has assisted many communities in our region with their Complete Streets Policies. Your support of this policy would be greatly appreciated and beneficial to the residents of Ware.

# TOWN OF WARE COMPLETE STREETS POLICY

Draft – September 26, 2019

Planning Board vote to recommend: October 16, 2019

Board of Selectmen vote to adopt: \_\_\_\_\_ (date)

## I. Vision and Intent

Under this Complete Streets Policy, the Town of Ware shall develop and provide an integrated transportation network that contributes to the safety, health, economic vitality and quality of life of all residents of Ware, especially the most vulnerable.

Non-automobile modes of transportation including bicycling, walking, and public transportation shall be included in the planning and development of all transportation projects in Ware. Motor vehicles will continue to serve personal needs, commerce, and emergency response with reduced pollution and traffic congestion. People of all ages, abilities and circumstances will be able to use a diversity of transportation modes for commuting, shopping, going to school, and recreating, and they will be able to meet their transportation needs safely, conveniently, reliably, affordably and efficiently.

The intent of the Complete Streets Policy is to create an equitable, balanced, and effective transportation system where every transportation user can travel safely and comfortably, and where sustainable transportation options are available to everyone. This integrated transportation system will support healthy and thriving residents, neighborhoods, businesses and cultural life. It will reduce congestion by providing safe travel choices which encourage non- motorized transportation options, and will increase the overall capacity of the transportation network by decreasing consumer transportation costs and carbon footprint.

## II. Core Commitment

The Town of Ware recognizes that all users of the streets deserve a safe and convenient environment as legitimate users of the streets. These users include but are not limited to pedestrians, bicyclists, motorists, commercial and emergency vehicles, transit buses and vans and the people who use them, and users of wheelchairs and other power driven mobility devices.

Ware agrees that projects of all phases including planning, new construction, reconstruction, or maintenance, are potential opportunities to apply the Complete Streets design principals. The town will extend the design, construction, maintenance and operations of the streets to the extent possible to provide a street network of facilities for people of all ages and abilities. Ware's Department of Public Works Highway Division will refer to planning documents including the Ware Bike and Pedestrian Network Plan or Complete Streets Prioritization Plan where applicable; or will use best judgement regarding the feasibility of applying Complete Streets principles for routine roadway maintenance, such as repaving and restriping.

Complete Streets design recommendations shall be incorporated into all publicly and privately funded projects when deemed practical. Infrastructure and street design projects that need approval from the Town of Ware as well as state and federally funded projects include but are not limited to Chapter 90 funding, City improvement grants, State Transportation Improvement Program (TIP) Grants, MassWorks Infrastructure Program, Community Development Block Grants, Capital funding and other state and federal funds for street and infrastructure design shall all comply with Ware's Complete Streets Policy. Private and related street design shall also comply with Ware's Complete Streets principles. The Complete Streets principles can also extend to state owned highways within Ware's boundaries to include design, construction and maintenance of said roads, when deemed practical and with the approval of the decision makers including the Board of Selectmen and the Town Manager.

**Exceptions:**

Ware's Complete Streets Committee includes: the Town Manager or designee, Public Works Director or designee, Director of Planning and Community Development, Director of Public Health, Public Safety official, Council on Aging Director, Superintendent of Schools or designee, and Parks Manager or designee. This Committee, or as determined by the Town Manager, may exclude projects from review, where documentation and data indicate that any of the following apply;

- Roadways where specific users are prohibited by law, such as interstate freeways or pedestrian malls. An effort will be made, in these cases, for accommodations elsewhere.
- Where cost or impacts of accommodation is excessively disproportionate to the need or probable use or probable future use.
- The existing right-of-way or adjacent land is constrained in a manner that inhibits the addition of transit, bicycle, or pedestrian movements. In this case, the Town shall consider alternatives such as lane reduction, lane narrowing, on-street parking



relocation, shoulders, signage, traffic calming or enforcement.

- Other town policies, regulations, or requirements that contradict or preclude the implementation of the Complete Streets Policy.

### III. Best Practices

Ware's Complete Streets Policy focuses on the development of a connected, combined network that serves all road users. Complete Streets will be integrated into policies, planning, and design for all types of public and private projects that included new construction, reconstruction, rehabilitation, repair and maintenance of the transportation network within the Town of Ware.

Implementation of the Complete Streets Policy will be carried out with cooperation from all Town of Ware Departments, private developers, and state, regional, and federal agencies to the greatest extent possible. Ware understands that Complete Streets may be reached through single elements within a particular project or through a series of smaller improvements or maintenance activities over a period of time. The latest design guidance, standards, and recommendations available will be used in the implementation of Complete Streets, including the most up to date versions of:

- American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets (latest edition)
- The Mass DOT Project Development and Design Guide (2006 or most recent)
- The Mass DOT Municipal Resource Guide for Bikeability (2019)
- The Mass DOT Municipal Resource Guide for Walkability (2018)
- The Small Town and Rural Multimodal Network Guide (FHWA 2016)
- Pioneer Valley Planning Commission's Healthy Design Toolkit
- The U.S. Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD)
- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Documents and Plans created for the Town of Ware, including but not limited to:
  - 2016 Ware Master Plan
  - Ware Bike and Pedestrian Network Plan (when final – in development Fall 2019)
  - Design documents for Main Street Reconstruction
  - Ware Open Space and Recreation Plan

- o Ware's Pavement Management Plan

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context sensitive approach to process and design includes a range of goals by considering stakeholder and community values on a level plane with the project need. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

#### IV. Implementation

Ware shall make the Complete Streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work with other departments, agencies and jurisdictions to achieve the Complete Streets goals.

The Complete Streets Policy shall be carried out by the Complete Streets committee to cooperatively implement the Complete Streets initiative. The committee shall elect a chair, vice chair and clerk to organize and run meetings. Major responsibilities of the Complete Streets Committee will be to:

1. Maintain a comprehensive inventory of pedestrian, bicycle, and transit facilities that will be used to prioritize projects to eliminate gaps in the sidewalk, pathway and bicycle network, and to promote safe and comfortable routes for utilization of public transit.
2. Make recommendations for revisions to all appropriate zoning and subdivision codes, ordinances, procedures, rules, regulations, guidelines, programs and templates to integrate Complete Streets principles in all street projects.
3. Recommend regular changes for insuring the implementation of the Complete Streets Policy and where necessary, alter existing practices that may act as impediments to implementation.
4. Request feedback from and inform the public to insure that the community perspectives are considered and enacted, as appropriate.
5. Work to integrate Complete Streets principles into all new planning documents, as deemed practical, (master plans, open space, and recreation plans) laws, rules, regulations, programs and templates.

The Town will utilize inter-department coordination to promote the most responsible and

efficient use of resources for activities within the public way.

Ware will train pertinent Town staff and decision makers on Complete Streets principles and best practices for implementing policy through workshops or other appropriate means.

Ware will evaluate projects, as appropriate, within the Capital Improvement Plan to encourage implementation of this policy and will seek out other appropriate sources of funding and grants for the implementation of the Complete Streets policies.

## V. Performance Measures

The Complete Streets Committee will develop performance measures to periodically assess the rate, success, and effectiveness of the Complete Streets policy. The group will determine the frequency of assessment and utilize the appropriate standards for analyzing the success of this policy. Some metrics may include:

- Number of new bicycle facilities
- Linear feet of new pedestrian accommodation
- Number of retrofitted facilities or amenities
- Number of intersection improvements made to Improve Level of Service (LOS) and safety for vehicles, pedestrians, and bicyclists
- Rate of children walking or bicycling to school
- Number of trips by mode (bicycle, pedestrian, public transit)

This policy encourages the evaluation and regular reporting of progress on the implementation and maintenance of Complete Streets. The Committee will consider providing an annual report to the Planning Board and Board of Selectmen on transportation projects undertaken within the prior year and planned within the coming year and the extent to which these projects meet the objectives of this policy.

TOWN OF WARE

Board of Selectmen Meeting

Date:

Resolution #:

Purpose: To support the adoption of a Complete Streets Policy

Board of Selectmen Meeting Agenda for November 19, 2019

RESOLUTION NO.: \_\_\_\_\_

## Town of Ware Wood Policy

The following policy is to be used when

- Public shade Trees have been identified for removal by the Tree warden/Highway supervisor.
- Brought down by acts of nature/ weather.
- Defined under M.G.L Chapter 87 section 1, as all trees within public ways or on boundaries thereof.

Any planned tree removal shall take place under the authority of the

- DPW highway supervisor /his designee; or
- Tree warden; or
- Professional tree company contracted by the town; or
- Utility or similar public service company. (e.g. National Grid)

Any town trees that have been identified to be cut down by the DPW or outside contractors may be left to the direct abutter upon request after being notified. Trees will be identified by an orange ribbon and a notice to abutter shall be a removal notification sheet left on tree or at abutter's residence by the tree warden or highway supervisor. Abutter shall have first right, refusal of wood. Wood will be left along roadside as long as it does not create any safety hazard to the public or abutter. Wood left shall be a suitable size for homeowners. If abutter has not made an "honest" attempt to remove/cut wood left for more than 7 days, the DPW reserves the right, if wood left poses a safety concern, to remove wood without notifying abutter. There is no guarantee type of wood or condition (e.g. dead, rotten, or contains ants etc.) The DPW shall be responsible for removal of small limbs and tree tops (brush), unless homeowner requests these items to remain. This policy also applies to wood chips produced at tree removal sight.

If abutter rejects the wood, wood will be removed by the DPW.. Remaining wood will be of various sizes and lengths. 1 ten wheel dump truck will be available by utilizing a wood distribution list . wood will be distributed evenly utilizing a wood distribution list. Those requesting excess wood for personal use will be placed on the wood distribution list and this list is prioritized by alternating residents with employees. The Wood distribution list is controlled by and reviewed by DPW highway supervisor.

When available, wood will be delivered by means of town vehicles to Ware locations within reason. A waiver form shall be signed by all recipients. There is a \$30.00 delivery fee. Non-resident employees may use private vehicles to pick up a share of wood.

There is no limit on wood that residents and employees may receive in one year.

The purpose of this policy to help and minimize the disposal cost associated with tree maintenance to the town. If wood is unclaimed, it may be sent to local saw mill at the cost to

the town to be used for town use (e.g. building projects, repair to town owned properties, or co-op programs, etc. If the wood can't be used due to type and condition, then it will be disposed of at a wood waste company or town staging site.

This policy includes and applies to existing wood and wood chips.