



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082
t. 413.967.9648 ext. 186 pcd@townofware.com

Planning Board

Meeting Minutes from

Wednesday, February 6, 2019

Board of Selectmen's Conference Room

Planning Board members present:

R. Starodoj, Chairman; J. Kusnierz, Vice
Chairman; Joe Knight, Clerk; F. Urban; E.
Murphy, Alternate

Planning Board members absent:

none

Staff present:

Judi Barnard-Mosso, Assistant to the Director of
Planning & Community Development

Public:

(as taken from observation and sign in sheet):
Stuart Beckley, Jerome (Jerry) Gagliarducci,
Tom, Reidy, Jennifer Muche, MEDIA: Emma
Monahan, Ware River News/Turley Publications,
Pete Engle, Anthony Parrinello, Patrik Jonsson,
Daniel Donahue, Kyle Moulton, Anna Marques,
Paul Opalinski, Tracy Opalinski, Terrance Smith

1. **Open meeting** – Chairman R. Starodoj called the meeting to order at 6:30 p.m.
Attendees said the Pledge of Allegiance.
2. **Executive Session** – Motion by J. Kusnierz to enter executive session under section
21A citing reason #3 (litigation). Seconded by F. Urban. Roll call vote:
R. Starodoj AYE
J. Kusnierz AYE
Joe Knight AYE
F. Urban AYE
So voted unanimously.

[See separate executive session minutes; confidential until no longer needed].

Regular session of the Ware Planning Board resumed at 7:13 p.m.

3. **Administrative** – these items were taken at the end of the meeting
 - a. **Approve minutes from January 16 and 24, 2019** – Motion by J. Kusnierz to accept both sets of meeting minutes as presented. Seconded by J. Knight. So voted 4/0/0.
 - b. **Discussion and possible recommendation to appoint Alternate member** – Town Manager appoints to Alternate; technically there is no opening for the Alternate as E. Murphy still fills this position; J. Muche is interested in serving as Alternate.
 - c. **February 20 meeting** – F. Urban is unavailable.
4. **Public hearing for Greenwich Road Realty (new owner J. Gagliarducci), Earth Removal; previous SP had expired** – F. Urban recused himself from the case. Hearing opened at 7:15 and legal notice was read into record. Chairman appointed Ed Murphy to the case. Brief discussion about the project. 1995 permit has since expired so this is a new permit request. Earth removal operations at this location have been ongoing since 1995. Applicant submitted aerial view of parcel entitled "Greenwich Rd image 9/12/2017". Possible conditions were discussed; public hearing closed at 7:25.

Motion by J. Kusnierz to accept the plan as presented and issue the special permit with the following conditions:

1. **Monitoring well at southeast corner of parcel shall be replaced; Board acknowledges that stock pile and crusher will be on site**
2. **Hours of operation (including crushing and screening) shall be:**
 - Monday through Friday: 7:30 am to 5:30 pm
 - Saturday: 8:00 am to 1:00 pm
 - No Sunday or Holiday operations allowed
3. **Set up a load count monitoring system and escrow account (per Town Counsel approval) of \$0.10 per cubic yard of material removed from site to be used for access road repairs only (Greenwich Road). Account to be reconciled every six (6) months. Permit and fee to be reconsidered each year.**
4. **Permit to be granted subject to Town Counsel review and approval of escrow fee and administration thereof.**

5. Drive access to pit to be paved with bituminous concrete, 60' wide at street, 24' wide on main drive, and 50' into the property with a non-viewing fence and gate back into property.
6. Use trucking routes to avoid side and residential streets such as Highland Street
7. The Planning Board will accept data from the Driver's Vehicle Inspection Reports ("slip sheets") as part of the annual report to the Board
8. Groundwater monitoring wells will continue to be monitored on a quarterly basis.

Seconded by J. Knight. Roll call vote:

R. Starodoj AYE

J. Kusnierz AYE

J. Knight AYE

F. Urban AYE

E. Murphy AYE

So voted unanimously.

5. Public hearing for Curaleaf Massachusetts, Inc., licensed marijuana establishment – Chairman opened the hearing at 7:30 and J. Knight read the legal notice into record. Chairman appointed Ed Murphy to the case. There was discussion about the project; Host Community Agreement was approved by the Board of Selectmen. Discussion about parking, traffic, and pedestrian traffic. Chairman read letter from abutters at 104 West Street. Applicant provided responses to abutter concerns. Hours of operation are proposed to be Monday through Saturday 9-8 p.m. and Sundays 10-5. Brief discussion about product. The public hearing closed at 8:20 p.m.

Motion by J. Kusnierz to accept the site plan as presented with the following conditions:

- i. Propane storage tank shall be installed underground
- ii. The Board reserves the right to further modify the site plan for motor vehicle and pedestrian traffic, including a traffic study, six (6) months following the opening of the establishment

Seconded by J. Knight. Roll call vote:

R. Starodoj AYE

J. Kusnierz AYE

J. Knight AYE

F. Urban AYE

E. Murphy AYE

So voted unanimously.

Motion by E. Murphy to grant the special permit with the following conditions:

- i. Propane storage tank shall be installed underground
- ii. The Board reserves the right to further modify the site plan for motor vehicle and pedestrian traffic, including a traffic study, six (6) months following the opening of the establishment

Seconded by J. Kusnierz. Roll call vote:

R. Starodoj AYE
J. Kusnierz AYE
J. Knight AYE
F. Urban AYE
E. Murphy AYE

So voted unanimously.

A. Parrinello praised J. Mosso for her professionalism, knowledge and personal caring touch during the entire permitting process. He stated that she was an invaluable asset to the Town and should be recognized for her work.

6. Final punch list for Wildflower Drive (DPW input) – awaiting for input from DPW Director. Someone suggested omitting all sidewalks but PB generally disagreed.
7. Discussion re rezoning parcel 11-0-22 on West Warren Road (to allow hotel/outdoor recreation), J. Fryer – Mr. Fryer was not in attendance. He e.mailed, asking to be removed from the agenda.
8. Kyle Moulton, construct barn at upper portion of 221 North Street (informal discussion) – discussion about parcel, primary use, secondary use and the possible need for an ANR; parcel may be in common ownership now but may not be in the future; is this an expansion of the building or an accessory structure. Ultimately, the decision for what type of permitting, if, any is up to the Building Inspector.
9. ANR-2019-01, John Soper, 45 Greenwich Plains Road – ANR plan was reviewed; brief discussion. Motion by J. Knight to approve the ANR as presented. Seconded by J. Kusnierz. So voted 4/0/0.
10. Discussion with Building Inspector re fencing – this item was tabled.

11. Updates

- a. Bylaw amendments - no further update; will await vote at special town meeting.
- b. Scenic Road bylaw – strike from agenda until J. Kusnierz can gather more information.
- c. Local Cannabis Committee – J. Kusnierz has volunteered to be the PB representative on this committee. T. Smith stated that these types of committees are beneficial so that people’s time is used more efficiently.

12. Adjourn – Motion by J. Knight to adjourn at 9:28 p.m. Seconded by J. Kusnierz.

Documents reviewed:

- January 16, 2019 minutes
- January 24, 2019 minutes
- Alternate letter of interest from J. Muche
- Special permit application for Greenwich Road Realty (J. Gagliarducci)
- Special permit and site plan for Curaleaf Massachusetts, Inc.
- ANR-2019-01, John Soper, 45 Greenwich Plains Road

Documents received:

- aerial view of parcel entitled "Greenwich Rd image 9/12/2017"

Minutes Approved on:	<u>March 6, 2019</u>
Starodoj	<u>[Signature]</u>
Kusnierz	<u>[Signature]</u>
Knight	<u>[Signature]</u>
Urban	<u>[Signature]</u>

Respectfully submitted by
Judith P. B. Mosso, MPA
Assistant to the Director