



# TOWN OF WARE

Planning & Community Development

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## Planning Board Minutes

May 6, 2015

- Planning Board members present:** Rick Starodoj (Chairman), Chris DiMarzio (7:02), David Kopacz, Fred Urban
- Planning Board members absent:** Joe Knight, John Chabot (Alternate)
- Staff present:** Karen Cullen, Director of Planning & Community Development
- Public:** Bob Lagrant, Mike Shea, David J. Callahan, Bruno A. Basile, Louis J. Despres, Jr., Louis Depres, Darryl Goudreau, Jeffrey Schaaf, and Paul Opalinski

Chairman Rick Starodoj called the meeting to order at 7:00 p.m.

### Administrative:

- Approve April 15, 2015 minutes –Motion by F. Urban to approve minutes as presented, seconded by D. Kopacz, passed 3/0/0.
- K. Cullen informed the Board that Cumberland Farms is inquiring as to how to handle compliance with condition # 1 of SPR-2014-001 regarding the required demolition of the house on the site, given that the ownership transfer is being held up by litigation between the State (MassHealth) and the current owner. The Board agreed that since it is litigation, then a letter from Cumberland Farms to the Board explaining the delay will be sufficient to address the concern.

ANR for Bob Lagrant – Boundary line adjustment between three parcels on Osborne Road. The Board reviewed the plan with Mr. Lagrant. Motion by C. DiMarzio to approve the ANR plan as submitted, and to direct K. Cullen to endorse the plans. Second by F. Urban, passed 4/0/0. K. Cullen endorsed the plans and returned the mylar and paper copies to Mr. Lagrant before he left the meeting.

### Update and Discussion – David Callahan, Greenwich Road Gravel Pit:

David Callahan and Mike Shea gave the Board an update on progress since they met with the Board in February:

- Two monitoring wells have been installed, locations shown on map submitted tonight
- MW1 has a ground elevation of 470', the bottom of the well is at 457', and no water was present.
- MW2 has a ground elevation of 450', a bottom elevation of 440', and again no water present.
- It was noted the final elevation will be 10 feet above the groundwater elevation.
- There have been no complaints about operations at the pit.

- Discussion on the amount of open area; it was acknowledged that the pit has more open area that allowed by the special permit (this was the case when the current owners purchased the property). They want to continue excavation on the first third of the pit to get it to final grade, then close it with appropriate topsoil and vegetative cover. The Board agreed to this concept.
- Discussion on the merging of this pit with the pit to the north owned by another entity: C. DiMarzio believes the pit on the abutting property is grandfathered and thus excavation can continue without approvals. For this property, the special permit would need to be amended and to do so the abutting owner would need to sign a document providing permission to have the 50' buffer strip condition removed to allow excavation to take place on both parcels with the end result being appropriate grading across the property boundary line.
- Discussion on reconciling the amount of material removed and the tipping fees submitted to the Town: they have been researching this issue and have noted there is 130,000 cy of material missing from the accounting, which translates into \$13,000 in tipping fees owed the Town. D. Callahan said they would be doing a new topo survey and when that is complete they can calculate the amount of material that has been removed, and using the records of removal they do have, can calculate the actual amount of fees owed. They would like to continue this discussion with the Board to see if there can be a mutual agreement for fees owed; the Board indicated willingness to work with them on the issue.
- It was noted that topsoil, which is stored on site and will be reused, is not part of the calculations for tipping fees.
- R. Starodoj requested that they return in the fall to provide another update.

#### SP-2015-01 – G&G Medical Products

R. Starodoj opened the public hearing at 7:31 and read the legal notice into the record; the request is for a special permit under §4.2.F.6 of the Zoning Bylaw to operate a light manufacturing facility in the Millyard district.

Bruno Basile, the project manager for the applicant, introduced the current owners and partners in this endeavor, Louis Depres and his son Lou, and made a presentation to the Board:

- Proposing to make the same products that have been made at the facility over the past 20 years
- Will add two new manufacturing lines over several years
- Bruno represents people in Hong Kong who have been active in this business in the Boston area for a long time, producing incontinence products – pads that are placed beneath a patient
- The firm (G&G Medical Products) currently has three factories in China, employing about 200 people.
- This proposal is to bring some of this manufacturing here to the States, and since Louis Depres has been manufacturing the product it made sense to locate here and purchase the assets of his company. Louis will stay on with the company.
- They expect to create 70 to 90 jobs over five years starting in 2016; most will be equipment operators and packers (wages between \$9 and \$13 an hour), with 1 or 2 administrative positions.
- Will begin with two shifts, likely four 10 hour days, and will grow as needed to include 24 hours a day for some manufacturing.

- This is a competitive industry, but they believe their products are superior and thus will be successful.
- They propose to sell both finished products ready for market as well as materials to other manufacturers for use in their products. They plan to be and remain diversified, looking for new ways to use the materials and market new products.
- There will be no outside storage at the site.
- Mr. Basile outlined plans for improvements at the site, listed in priority order:
  - Elevator upgrades to meet codes will be first, as the elevator is crucial to the operation
  - Window replacement with some portion of each window opening bricked in, starting in the area on the first floor where current manufacturing lines are located
  - Roof needs repair or replacement
  - Looking into putting solar panels on roof
  - Demolition of the deteriorated structures on the site
  - Noted that the timeframe for getting this work completed will be dependent on how successful the manufacturing operations are; they cannot afford to do it all at once at the beginning of the project.

Discussion on loading area and site circulation:

- Expect 8-10 trucks/week (2/day) at full production; Louis had 10-15 per week at full operation
- They will have flexibility on when trucks arrive and leave
- 53 foot tractor-trailer trucks, can hold 26-28 pallets
- Louis and abutter Darryl Goudreau had figured out a workable traffic pattern to allow both parking and truck maneuvering to co-exist successfully

Discussion on deteriorated buildings – currently no plans to build new structures where existing ones are, most likely use will be parking and possibly loading if it is feasible to move the loading dock to the rear of the building.

C. DiMarzio noted that if there is nothing in the permit to address construction of new buildings, than any new structures would have to comply with the setback requirements in the zoning bylaw, which would essentially prohibit new construction without a variance.

R. Starodoj noted that although the Planning Board may not require demolition of the buildings at any particular time, other departments may, through the codes they enforce.

R. Starodoj opened the hearing to the public:

- Abutter Darryl Goudreau spoke and said that he and Louis Despres have been working together for the last 10 years and other than an occasional car that is parked outside of the marked areas, there has not been an issue with trucks maneuvering through the lot. He said is happy to see more activity in the building and the plans to make improvements to the building and site.

R. Starodoj reviewed the draft findings with the Board and modifications were made. The Board found that the proposal is in compliance with the required findings; see decision for reasoning as supported by the hearing.

Discussion on conditions:

- Given that §6.1.1.I allows a lower number of parking spaces to be provided on site in the MY district than is required in §6.1.1.A, and given that the site appears to have 44 parking spaces at this time which are laid out to accommodate truck traffic to the loading dock, and given that the maximum number of employees at the site at any given time is expected to be around 35, the Planning Board hereby sets the required number of parking spaces to be provided on site at 35.
  - Discussed including language related to additional parking to be added in the rear of the building when the demolition is done; Board decided to not include that.
  - Discussed number of parking spaces to require; Board decided on 35 based on the maximum number of employees on the largest shift to be no more than 40 and the availability of on-street parking in the area that can absorb some of the parking if needed.
- That this special permit allows for the demolition of the deteriorated structures on the site at any time, and furthermore allows the construction of new structures within the footprint of said structures as they exist at the time of this special permit by amendment to this special permit. The intent of this condition is to allow new construction at any time after demolition to encroach setbacks as required in the Zoning Bylaw, in order to effectuate the cleanup of the site without the owner giving up potential rights to rebuild a nonconforming structure.
  - Discussed how to provide the flexibility for future use of the areas currently occupied by deteriorated structures that will be demolished and removed at some point; Board understands that the new owner currently has no plans for new buildings but would like to provide the potential for that, and not have the deteriorated buildings need to remain in order to preserve the right to reconstruct on the same footprint.
- That failure to comply with all applicable statutes and regulations shall be deemed cause to modify or revoke this Special Permit.
  - Board decided to use this broader language rather than specifying the fire department as suggested in the draft decision.

Motion by C. DiMarzio: in light of the findings and with respect to the conditions set forth tonight, I make a motion to approve SP-2015-01 for G&G Medical Products; seconded by F. Urban. Role call vote 4/0/0 in favor of the motion.

R. Starodoj closed the public hearing at 8:35 pm.

Adjourn – **Motion** by C. DiMarzio to adjourn at 8:45 pm; seconded by F. Urban; passed 4/0/0.

<b>Minutes Approved on:</b> _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____

*Prepared by Karen Cullen  
Director of Planning & Community Development*