



TOWN OF WARE

Planning & Community Development

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Planning Board Minutes

October 5, 2016

Planning Board members present: Rick Starodoj (Chairman), Chris DiMarzio, Fred Urban, Joe Knight

Planning Board members absent: David P. Kopacz, Sr., John Chabot (Alternate)

Public: (as taken from the sign in sheet and observation)
Fred Smith

Chairman R. Starodoj called the meeting to order at 7:08 p.m.

1. Administrative
 - a. Approve minutes from September 7 & 21, 2016 – September 7 minutes were approved on 9/21. September 21 minutes were tabled.
 - b. Review notices from abutting towns - tabled
2. SP-2016-05, F.T. Smith Trucking & Excavating, Permit extension Earth removal at Greenwich Road – Conditions on the original permit call for annual extensions up to 10 times. The Board agreed that the 2010 Permit Extension Act, which automatically extended permit for 4 years, did not count toward the 10 extensions. The bylaw states that extension applications “shall follow the normal procedure” of a SP application.

There was discussion about the condition not allowing crushing and screening between May and September, which was to appease abutters. Any change to this would require a public hearing. **Motion** by C. DiMarzio to extend the permit for SP-2008-04 for one year, to expire on October 20, 2017, to conduct earth removal operations at the site as previously described, subject to the conditions set forth in the original Special Permit issued in July 28, 2009. Seconded by J. Knight. So voted unanimously.

3. APR Towing, Informal review of Site Plan – No representatives in attendance. The Board expected to provide informal guidance on the plan.
4. Pablo Santiago, Discussion about potential use, Owner, 35 West St – Mr. Santiago not in attendance. The Board expected to field any use questions he had about the property.
5. Seaboard Solar, Surety bond and project status, Draft Decommissioning Assurance Agreement, PILOT – Town Counsel advised that Nautilus Solar should provide a cost estimate for decommissioning, however the Board was satisfied with not having an estimate. J. Mosso indicated that the draft agreement specifically states Nautilus and their project LLC, “VH West Brookfield”, but that the current project owner is still Seaboard. The Board will not sign the agreement until the language is revised and is approved by Town Counsel and Town Manager. Would this get recorded at the Registry?
6. Other
 - a. There was brief discussion about recent fires and the cost of demolition. R. Starodoj suggested some kind of lien/clause/mechanism to hold owners accountable. What do other towns do; other bylaws?
 - b. There was brief discussion about attorney fees and applicant paying for document review.
 - c. There was brief discussion about the Director search. The search committee was not formally appointed by the Selectmen but help steer the search.
7. Bylaw Amendments - Articles placed on warrant for fall town meeting: proposed moratoriums on marijuana facilities. *[N.B. – due to the proposed moratoriums, the one company which had submitted its building application before the legal notice for the bylaw amendment was published, withdrew their permit and do not intend to build in Ware].*
8. Adjourn – **Motion** by C. DiMarzio to adjourn at 7:55 pm; seconded by F. Urban.

Documents reviewed at meeting:

SP-2016-05, F.T. Smith Trucking & Excavating
Seaboard Solar Daft Decommissioning Assurance Agreement

Documents received at meeting:

None

*Respectfully submitted by
Judi Mosso, Assistant to the Director*

Minutes Approved on: _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____