



TOWN OF WARE

Planning & Community Development

126 Main Street, Suite A, Ware, Massachusetts 01082
t. 413.967.9648 ext. 186 f. 413.967.9642

Planning Board

Meeting Minutes from
Wednesday, June 7, 2017

Board of Selectmen's Conference Room

Planning Board members present:	Rick Starodoj (Chairman), David P. Kopacz, Sr. (7:13 pm), Josh Kusnierz, Chris DiMarzio, Fred Urban
Planning Board members absent:	none
Staff present:	Rubén Flores-Marzán, Director of Planning & Community Development Judi Mosso, Assistant to the Director
Public:	none

Chairman R. Starodoj Called the meeting to order at 7:07 p.m. Some items were taken out of order.

1. Administrative

Approve minutes from May 3, 2017 – **Motion** by C. DiMarzio to accept the minutes as presented. Second by J. Kusnierz. So voted 4/0/0.

July 5 meeting – securing a quorum will be difficult. **Motion** by J. Kusnierz to cancel the July 5 meeting unless there is an emergency. Seconded by F. Urban. So voted 5/0/0.

Town Anti-Discriminatory Harassment Policy – policy distributed to Board members. D. Kopacz already signed it under his Conservation duties.

Review notices from abutting towns – Board members reviewed notices; Warren PB approved special permit and site plan for a medical marijuana treatment center at 70 Pulaksi Street (Warren).

2. Discussion & Updates

1. Misc

- i. Earth removal - The Board inquired about the Special Permit application for Palmer Paving's earth removal operation on Greenwich Road. J. Mosso will follow up.
- ii. Robbins Road solar array – RFP for solar array yielded 2 responses and one additional inquiry. No additional information at this time. There were questions about whether this would be a private or municipal project. If private, the Board would require a site plan review; at the least, the Board should have a general understanding of the project.

2. Consideration of rescinding Site Plan Review application for All Parts Racing (APR) – C. DiMarzio reported “phone tag” with the owner’s representatives. The Building Commissioner (as code enforcement officer) will be made aware that the owner is not in compliance with his permit; owner should be made to pay a fine or rescind the special permit. There was discussion of ownership and parcels. **Motion** by J. Kusnierz to request that the Zoning Enforcement Officer (i.e. Building Inspector) follow up with the owner and if there is no application submitted, the Planning Board shall consider revoking the Special Permit (SP-2016-02). Seconded by F. Urban. So voted 5/0/0.

(Update: Jack Cascio and Paul Harper have been in touch with J. Mosso and they intend to submit an application soon).

3. Subdivisions

- i. Coldbrook Drive – J. Kusnierz reviewed fencing in the codebook; wall has guardrail; lots of vegetation overgrowth. Board would like: to see the gaps closed up between the boulders along the western portion of Coldbrook Drive; light installation finalized, culverts vacuumed, Home Owners’ Association (HOA) clarified.

J. Mosso researched the HOA and found the following:

- it is to take effect the date the last parcel is sold
- each deed is subject to the AOA agreement

- HOA is established for maintenance of any and all retention/detention ponds
 - HOA duties include inspection and maintenance of all ponds
 - Town is not responsible for above
 - Town has access to the HOA account to use in the event that the HOA fails to act
- ii. Wildflower Drive – there was discussion about ownership; more detailed deed research needs to be conducted.
4. Renewable energy projects - Director handed out information about potential projects in town: large ground-mounted solar array project and battery energy storage facility. All departments will have the opportunity to comment after we receive an application.
5. Use Table – R. Flores-Marzán and the Board discussed possible changes to the Use Table which better reflect connected zones and uses; marijuana-related uses should not be combined on the Use Table. Medical dispensaries have been approved in Holyoke and Warren. Proposed bylaw language incorporates language from other towns; discussion of mid-range buffer zone (not too restrictive and not too liberal). Medical and recreational should be combined but *marijuana cultivation* should remain separate. Board will continue discussions throughout the summer.
6. Taco Bell – discussion about traffic flow. Developer should be made aware of any problems. R. Starodoj and R. Flores-Marzán agreed that the traffic flow is self-regulating.
3. Adjourn – Motion by J. Kusnierz to adjourn at 8:21 p.m., seconded by C. DiMarzio.

Documents reviewed:

- May 3, 2017 meeting minutes
- Town notices
- Draft Use Table revision

Documents received:

none

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

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