



# TOWN OF WARE

Planning & Community Development  
126 Main Street, Ware, Massachusetts 01082  
t. 413.967.9648 ext. 120

Planning Board  
Meeting Minutes from  
**Thursday, October 7, 2021**  
Select Board Room, Town Hall

**Planning Board Members Present:**

Josh Kusnierz (Chairman), Rick Starodoj (Vice-Chairman), Ed Murphy (Remote), Ken Crosby, Joe Knight (Remote), Elizabeth Hancock (Alternate)

**Staff Present:**

Rob Watchilla, Director  
Stuart Beckley, Town Manager

**Public in Attendance:**

Phil Hamel, Michelle McGuigan, Shannon McGuigan

**PLEDGE OF ALLEGIANCE**

Chairman J. Kusnierz called the meeting to order at 7:00 pm and led the Board in the Pledge of Allegiance.

**ADMINISTRATIVE**

- Approval of Minutes from September 16<sup>th</sup>, 2021.

**Motion** by R. Starodoj to approve the meeting minutes from September 16<sup>th</sup>, 2021. Seconded by K. Crosby. Roll call vote:

Ken Crosby	Aye
Rick Starodoj	Aye
Joe Knight	Aye
Ed Murphy	Aye
Josh Kusnierz	Aye

All in favor. Approved 5/0/0.

- Release of Covenant (Maple Shade Development) for parcel # 6-11-33 known as 1 Bel Air Drive in Bel Air Estates

Michelle and Shannon McGuigan (Maple Shade Development) were requesting to release lot 6-11-33 from its current covenant with the Planning Board. R. Starodoj read a list of concerns he had which pertain to the current conditions of Bel Air Drive, a road that is privately owned. The brush has become overgrown and the surface of the road is unsatisfactory to be plowed/accepted by the Town. The Board proposed making a deal with the McGuigan's in which proceeds from the sale of lot 6-11-33 would be locked into fixing more of the road.

K. Crosby brought up the issue of the overgrown drainage basin at the bottom of the hill near the cul-de-sac on Bel Air Drive. The McGuigan's stated that the Town required that they put in that drainage basin, but that the Town also connected into their drainage systems within Bel Air Drive.

The Board suggested that it would vote to approve the release if a peer review is conducted at the site to help determine the real value of the road and the buildability of the remaining lots. K. Crosby proposed extending the finished road pavement down to the beginning of the cul-de-sac.

The Board recommended reaching out to the Conservation Commission to see what regulations they may have put in place for 6-11-33. They also requested a drainage analysis with calculations from the McGuigan's.

**Motion** by R. Starodoj to continue the discussion at the next Planning Board meeting on October 21<sup>st</sup>, 2021. Seconded by K. Crosby. Roll call vote:

Rick Starodoj	Aye
Josh Kusnierz	Aye
Ken Crosby	Aye
Ed Murphy	Aye
Joe Knight	Aye

All in favor. Approved 5/0/0.

#### **PUBLIC HEARINGS**

- **7:10 PM SP-2021-04: Bond Construction Corporation (Continued Discussion).**  
Applicant is seeking approval for an earth removal operation under section 4.8.5 of the Zoning Bylaw. The project is located at 219 Babcock Tavern Road. Assessor's Parcel 4-0-14. Property is owned by the Irene Kulas Life Estate. Zone: Rural Residential (RR).

The continued discussion was postponed to the next Planning Board meeting on Thursday, October 21<sup>st</sup>, 2021 at 7:10 pm.

## **OLD BUSINESS**

- Scenic Road Designation Update

R. Watchilla read over the recent changes made to the scenic road bylaw with the Planning Board. E. Hancock suggested that the decision criteria should be shortened to focusing solely on rural character, tree coverage, and stone walls. J. Kusnierz proposed an addition to section 4.1.7 to include "nutrient deficiency and decreasing biological activity" in regard to pollarding. R. Starodoj mentioned that a committee may need to be formed in order to finish the rest of the Scenic Road Bylaw. This topic will be brought up to the Board of Selectman at a future meeting.

## **NEW BUSINESS**

No official new business was put in the agenda.

J. Kusnierz briefly discussed the appeal (A-2021-01) before the Zoning Board of Appeals (ZBA). He stated that the Planning Board does not want to get involved and to let the ZBA handle it. No input or comments will be made by the Planning Board in regard to loam processing or screening.

R. Starodoj requested from R. Watchilla an update on major solar projects and the status of subdivision roads that are ready for acceptance to be presented at the next meeting on October 21<sup>st</sup>.

## **TOWN PLANNER UPDATE**

- Right to Farm Survey

R. Watchilla updated the Board on the status of the right to farm survey. It is still a work in progress and early on in the process of being mailed out to Chapter 61A landowners. An online component will be accessible via QR code to be filled out lieu of the paper survey. The Board suggested that a webpage with educational information on right to farm designation should be created. The Board proposed adding the question "would you serve on Ware's agricultural commission?" should be included in the survey.

- Update on Planning Assistant search

R. Watchilla updated the board on the status of the Planning Assistant search. So far two applicants have been interviewed with more interviews to occur the following week.

- Any other updates

No more updates.

Motion by R. Starodoj to adjourn the meeting at 8:42 pm. Seconded by E. Murphy. Roll call vote:

Josh Kusnierz	Aye
Rick Starodoj	Aye
Ken Crosby	Aye
Ed Murphy	Aye
Joe Knight	Aye

All in favor. Approved 5/0/0.

The next meeting is scheduled for Thursday, October 21<sup>st</sup>, 2021 at 7 pm.

Minutes from October 7<sup>th</sup>, 2021

Respectfully submitted by,

Robert Watchilla,  
Director,  
Planning & Community Development

<b>Minutes Approved on:</b> <u>10/21/21</u>	
Kusnierz	<u>J</u>
Starodoj	<u>RS</u>
Knight	_____
Murphy	_____
Crosby	<u>[Signature]</u>