



# TOWN OF WARE

Planning & Community Development  
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## Planning Board

Meeting Minutes from  
**Thursday, November 19, 2020**  
Select Board Room, Town Hall

### Planning Board Members Present:

Rick Starodoj (Chairman), Josh Kusnierz (Remote),  
Ed Murphy III, Joe Knight (Remote), and Ken Crosby

### Staff Present:

Rebekah Cornell-PCD Director; Jack Carolan-PCD  
Assistant; Stuart Beckley-Town Manager

### Public in Attendance:

Peter Martowski, Steve Pikul (Bertin Engineering),  
Jeremy Chapman

### PLEDGE OF ALLEGIANCE

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

### ADMINISTRATIVE

- Approval of Minutes from November 5, 2020

R. Starodoj brought up a few points he would like to see addressed and added to the minutes from November 5.

**Motion** by K. Crosby to postpone the approval of minutes from November 5, 2020 to the next meeting. Seconded by E. Murphy. All in favor. Approved 5-0

### ANR 2020-12

Shady Path Road- Peter J. Martowski

R. Cornell presented the Board with the ANR application to increase the lot size of 21 Shady Path Road by acquiring 7,171 square feet of land from 11 Shady Path Road.

**Motion** by K. Crosby to approve ANR 2020-12 as presented. Seconded by E. Murphy. All in favor. Approved 5-0

## PUBLIC HEARING

- Zoning Bylaw Definition Amendments. The purpose of this hearing is to consider amendments to the Town of Ware Zoning Bylaw. Proposed changes to Article 2: Definitions adding the following new definitions: "freight & trucking terminal", "campground", "estate lot", "town line"; and updating the definition of "structure".

R. Starodoj read the legal notice out loud and opened the Public Hearing

R. Starodoj read the proposed definition for "Freight and Trucking Terminal" out loud. He commented that stating "any means of conveyance" would make more sense than specifically stating train, truck, or automobile. There was also a discussion on how freight should be defined. R. Starodoj mentioned including product, raw material, and finished/unfinished goods to be included with "freight". K. Crosby brought up that including "material" in the definition could raise issues because it could potentially mean gravel or other earthen materials. R. Starodoj also raised the issue of whether or not a time limit for how long products can be stored on the site should be included in the definition. A 30 day limit was considered to be included in the definition.

R. Starodoj read the proposed definition for "campground" out loud. All were in favor of the proposed definition with some discussion.

R. Starodoj read the proposed definition for "estate lot" out loud. There was a discussion on how to address "open space" in the definition.

R. Starodoj continued by reading the definition for "town line" out loud. The discussion revolved around whether or not the town line also acts as a property line. One of the purposes of this definition would be to prevent future houses from straddling multiple town lines.

R. Starodoj read the proposed update to the existing definition of "structure". R. Cornell mentioned how this definition has been discussed with the ZBA and they have provided input as well as input from the Building Inspector, A. Marques.

**Motion** by E. Murphy to close the Public Hearing. Seconded by K. Crosby. All in favor. Approved 5-0

**Motion** by E. Murphy to recommend to put forward the proposed Zoning Bylaw amendments to Town Meeting. Seconded by J. Kusnierz. All in favor. Approved 5-0

## **PUBLIC HEARING**

- Ware Solar III LLC (c/o Melink Solar Development) for Special Permit (SP-2019-07) and Site Plan Review (SPR-2019-06) for a 4.2MW ground-mounted solar energy facility approximately 14.5 acres on Greenwich Road, Location is Parcel 35-0-12, owned by F.T. Smith.

R. Starodoj read the legal notice and opened the Public Hearing.

S. Pikul of Bertin Engineering provided an update of where the project is at currently. J. Chapman also provided an update and discussed how they had worked with a turtle expert to determine which land would be considered a "take" and how they could replicate that land and put it into a conservation restriction. The applicant is still working on updating the site plans.

J. Chapman requested that the Public Hearing be continued to the January 21, 2021 meeting.

**Motion** E. Murphy to continue the Public Hearing for SP-2019-17 and SPR-2019-06 to the January 21, 2021 meeting at 7:20 pm. Seconded by K. Crosby. All in favor. Approved 5-0

## **TOWN PLANNER UPDATE**

R. Cornell updated the board on several grants that were recently awarded to the town. A PARC grant was awarded for roughly \$50,000 and will be used to address drainage issues at Grenville Park.

The second grant discussed was the West Street grant which will include a traffic study done by outside consultants and a SWOT Analysis which will be completed in-house by the PCD Department.

R. Cornell also updated the Board on the MassWorks grant for \$178,000 that the town was awarded which will be used to install new pedestrian level street lights along Main Street.

R. Cornell also mentioned that the Community Development Authority is discussing reallocation of FY19 funds and work alongside the Parking Committee to look into more street lights around downtown.

There was also an update on Country Bank in downtown which is opening up its parking lots on Bank Street as public parking.

## PUBLIC HEARING

- Ware Solar IV LLC (c/o Melink Solar Development) for Special Permit (SP-2019-06) and Site Plan Review (SPR-2019-05) for a 1.5 MW large ground-mounted solar energy facility encompassing approximately 6.2 acres. Location is Parcel 40-0-79 owned by Richard & Edward Couture.

R. Starodoj read the legal notice and opened the Public Hearing.

S. Pikul provided the Board with an update and summary on the proposed project. He also highlighted buffer plantings, battery storage, and invertors that are now included in the plans. He stated that they would like these plans to go before peer review.

R. Starodoj commented on the structures that encroach on the 100 ft. setbacks. R. Cornell also mentioned she was concerned over the fact that they were able to meet the 100 ft. setback requirement in their previous plans but are no longer able to with the revised plans.

R. Starodoj asked if there were any updates on the plantings that will be included. S. Pikul provided a brief update on how they have addressed the plantings. R. Starodoj noted that he wants to see quality and healthy plant specimens.

R. Cornell asked the Board if there were any special conditions that should be required. There was a brief discussion regarding issues that need to be addressed by the next hearing such as lighting and containment underneath the battery site. She will check with the fire department for input.

J. Kusnierz asked what size caliper of trees will be planted. J. Chapman asked if the Board had any recommendations. J. Kusnierz said that 2.5 to 3 inches is ideal. K. Crosby asked how far off of the root base are the trees measured to determine their diameter. J. Kusnierz said usually about 1.5 feet off the ground. There was also a brief discussion on how far apart the trees should be spaced. J. Kusnierz said that 10 ft. is ideal but would be ok with 15 ft.

**Motion** by E. Murphy to continue the Public Hearing to the January 21, 2021 meeting. Seconded by K. Crosby. All in favor. Approved 5-0

**Motion** by E. Murphy to adjourn the meeting at 8:14 pm. Seconded by K. Cosby. All in favor. Approved 5-0

The next meeting is scheduled for Thursday December 3, 2020 at 7 pm.

Minutes from November 19, 2020

Respectfully submitted by,

Jack Carolan- Department Assistant

***Minutes Approved on:*** \_\_\_\_\_

Starodoj \_\_\_\_\_

Kusnierz \_\_\_\_\_

Knight \_\_\_\_\_

Murphy \_\_\_\_\_

Crosby \_\_\_\_\_