



# TOWN OF WARE

Planning & Community Development  
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## Planning Board

Meeting Minutes from  
Wednesday, December 18, 2019  
Select Board Room, Town Hall

Planning Board Members Present: Rick Starodoj (Chairman), Fred Urban, Ed Murphy,  
Joseph Knight and Jennifer Muche (Alternate)

Staff Present: Rebekah DeCoursey, Director of Planning &  
Community Development

Public in Attendance: Tom Barnes, Claudia Kudra, Jodi Chartier, Anna  
Marques, Stuart Beckley

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### PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:07 pm and the Board led the Pledge of Allegiance.

### ADMINISTRATION

#### Approval of Meeting Minutes

November 20, 2019 J. Knight made a motion to approve the minutes with revisions, Seconded by F. Urban. No Discussion, All in Favor 5-0.

December 4, 2019 Minutes – F. Urban made a motion to approve the minutes with the revisions, seconded by J. Knight. No Discussion, All in Favor 5-0.

### DISCUSSION

#### Solar Bylaw - Updates

General discussion was held on certain topics relating to solar bylaws.

- a) Suggested: Land must be withdrawn from Chapter prior to applying for permit.  
Resolution: To have the Conditions listed in the Permit Decision that the land owner is to follow the proper procedures to remove permitted land from Chapter.
  
- b) Suggested: A large scale solar array shall not be approved for siting on more than one lot, as recorded at any Massachusetts Registry of Deeds.  
Resolution: This may need to be part of a larger discussion. Agreed, as written solar projects cannot cross property lines.

- c) Suggested: No more than twenty (20) total large scale solar arrays may be permitted within the Town of Ware.  
 Current Status: Town has 9 approved and 3 before the Planning Board for approval and talking with 2 new developers.  
 Resolution: Permitted no more than sixteen (16) total large scale solar arrays with the Town of Ware.
- d) Suggested: Put a time to be constructed / built within the Permit decision.  
 Resolution: Once approved, the applicant has 3 years to complete construction and be connected to the grid or the applicant forfeits the permit to build solar arrays.
- e) Suggested: 1) Along property lines abutting land owned by the Department of Fish & Wildlife, Department of Conservation & Recreation, a Land Trust or similar entity, or that is under a Conservation Restriction large ground-mounted solar energy facilities shall have a setback of two-hundred (200') feet. This may also include land in Chapter 61, 61A or 61B, particularly if such land is in chapter for the conservation of open space and protection of wildlife habitat. 2) Any large ground-mounted solar energy facilities property along a designated Scenic Road shall have a setback of two-hundred 200'. The Planning Board may require additional buffering along such roads that is consistent with the rural New England character of said roads. 3) Buffer. The site plan shall provide a buffer of one-hundred (100') feet between the solar array and all properties in residential use, including houses across a street.  
 Discussion: C. Kadra suggested to add existing for previously designated as Chapter land.
- f) Suggested: Fire Chief will review and approve all site plans for Large-Scale Solar arrays to be sure slope of access roads, width of access roads, emergency staging area, and any other emergency protocols needed to accommodate emergency vehicles are addresses.  
 Resolution: Battery storage is still evolving in the industry and R. DeCoursey felt this should be under the direction of the Fire Chief and NFPA regulations. The Board agreed.
- g) Suggested: The bottom of the fence line needs to have a 6-inch gap for the wildlife.  
 Resolution: The Board agreed this needs to be a standard design regulation; included as condition of Special Permit or Site Plan Review.

General Discussion: Chairman suggested to update the solar comparison chart for the citizens to view if they have inquired about certain design criteria relating to solar. Chairman also stated that these Bylaws will not only apply to the solar design but to other developments in the future so need to take into consideration all aspects. Chairman continued on to state that the Applicant should be fully aware of the permitting decision conditions since they are the ones ultimately liable for all financial / decommissioning process if the operator decides to abandon

