



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, May 19th, 2022

Board of Selectmen's Meeting Room, Town Hall

Planning Board Members in Attendance:

Rick Starodoj
Nancy Talbot
Ed Murphy, III
Kenneth Crosby (remote)
Elizabeth Hancock, Alternate

Board Members Absent:

Joseph Knight

Staff Members in Attendance:

Rob Watchilla, PCD Dept. Director
Anna Marques, Building Commissioner / Zoning Enforcement Officer
Stuart Beckley, Town Manager (remote)
Laura White, Admin. Assistant to PCD Dept.

Members of the Public in Attendance:

Jodi Chartier
Claudia Kadra
John Soper
Richard Roznoy
Elio Qorri
Don Haes (remote)
Bev Adamsky (remote)
Carl Gehring
Dave Tivnan
Mark Correnti
Kip Divito
Doug Sheadi

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 6:59pm and led the Pledge of Allegiance.

ADMINISTRATIVE

Motion made by N. Talbot to approve the meeting minutes from April 28th. Seconded by E. Murphy.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 4/0/1.

ANR-2022-03: Bertin Engineering - FT Smith - Ware Solar III LLC

R. Watchilla gave a brief overview of the ANR (Approval Not Required) Application, stating the applicant is not creating a new parcel, they are submitting perimeter plans to initiate a 3-year zoning freeze.

E. Qorri stated the zoning freeze is being requested as the previous zoning freeze will be expiring.

Motion made by E. Murphy to approve ANR-2022-03 for Fred Smith and Ware Solar III LLC.
Seconded by N. Talbot.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 4/0/1.

PUBLIC HEARINGS

Permit Fee Schedule

N. Talbot read the Public Hearing Legal Notice.

R. Watchilla gave an overview of the current permit fee schedule and reviewed the actual costs to the Department for FY2021.

E. Hancock stated the Board had previously decided to continue using certified mail instead of postcards. R. Watchilla stated certified mail would increase the costs. N. Talbot stated only certain items require certified mail and postcards meet the standards set by Massachusetts.

R. Starodoj stated the permit fee should cover the labor cost, but the postage should be a separate fee.

C. Gehring, the agent for Verizon, stated he submits applications all over New England and, in most places, the applicant is responsible for all associated fees.

K. Crosby asked what the \$0.25 cost per minute was based on. R. Watchilla stated it was a guesstimate, but the Board could decide to raise or lower this, if they choose to. K. Crosby asked for clarification this number was based on the cost of labor. R. Watchilla confirmed it was. K. Crosby stated the cost of benefits the Town pays the employee should also be included in this fee, so the bill doesn't land on the Town's tax payers.

K. Crosby suggested having a flat rate for the permit fee, an additional cost per abutter, and the applicant should be responsible for the advertising cost.

The Board discussed separating the advertising fee from the permit fee.

Motion made by N. Talbot to continue this hearing at the June 2nd, 2022 Planning Board meeting. Seconded by E. Murphy.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 4/0/1.

Definitive Subdivision Plan Review

N. Talbot recused herself from the Public Hearing at 7:28pm, stating she is an abutter to the property.

R. Starodoj read the Public Hearing Legal Notice.

R. Watchilla read his summary report on the Definitive Subdivision Plan and comments from the Board of Health and the Conservation Commission, as well as the response to the comments from the applicant's engineer.

The Board discussed the septic tank and the right of way on the property.

During public comment, C. Kadra stated she received three (3) legal notices for this project, and all three had different parcel numbers. She presented the public notices she received, and the following were listed as parcel numbers for this subdivision:

- 22-0-12 & 22-12-1
- 27-0-12 & 22-0-1
- 22-12-1

The Correct parcel numbers for this subdivision are: 22-0-12 and 22-12-1. It appears the original application for the Preliminary Subdivision had the correct parcel numbers. However, the application for the Definitive Subdivision contained incorrect parcel numbers, which were used for the abutters' notices and the Legal Advertisement in the Ware River News.

The Board discussed whether the application must be resubmitted.

R. Starodoj suggested consulting with Town Council, as well as comparing the abutters for each parcel to see if any abutters were not notified.

R. Roznoy requested a waiver of the application fees. The Board agreed not to charge the applicant again.

Motion made by E. Murphy to close the Public Hearing at 8:02pm. Seconded by K. Crosby.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Abstained
K. Crosby	Aye
E. Hancock	Aye
J. Knight	Absent

Approved. Four in favor, one abstention, one absent.

The Board took a two-minute recess.

SP-2022-06: Verizon Wireless

R. Starodoj read the Public Hearing Legal Notice.

R. Starodoj invited N. Talbot to join the meeting again and appointed E. Hancock as a voting member of the Board at 8:08pm.

R. Watchilla read his summary report on the Special Permit application and comments from the Fire Department and Police Department, as well as a follow-up letter from the Fire Department after the applicant responded to their questions and concerns.

C. Gehring introduced himself to the Board and gave a detailed explanation of the Special Permit application. He stated the reason for moving the Verizon Wireless cell phone tower from Mary Lane Hospital to behind the Big Y was the lease is not being renewed where the tower is currently located. The current lease expires in August of this year.

K. Crosby asked if there was any way to camouflage the tower. C. Gehring stated they could paint the tower brown, which would make it stand out less. However, the proposed tower is galvanized grey.

R. Watchilla asked why the applicant is requesting a waiver for a removal bond. C. Gehring stated the applicant does not believe this bond is necessary, as they already have a contractual obligation to the land owner that, if they leave the property for any reason, they are responsible for the removal of the tower and the equipment on the site.

E. Hancock asked if Mr. Gehring had a copy of the contract with the property owner. C. Gehring stated that he was not obligated to disclose the contract, as it is on private property.

R. Starodoj stated every other applicant in Town has paid this bond, as it is part of the Bylaw. C. Gehring requested the Board make it a condition of the Special Permit that the applicant provide a stamped engineer's estimate of removal, to be reviewed by the Director of Planning and Community Development, in order to calculate the removal bond.

A. Marques asked what would be involved in cleaning up the site prior to construction, as there is construction debris near the leased property. C. Gehring stated they plan to clean up the leased area only.

A. Marques asked if they would consider staying at the current site on Mary Lane Hospital, if the site was not demolished. C. Gehring stated they have not found a way this would be possible.

N. Talbot asked what kind of fencing would be put around it. C. Gehring stated he believes it would be eight foot (8') chain-link fence.

E. Hancock asked if there would be any surveillance on the property. C. Gehring stated there would not be, however, it is part of a commercial area where trucks are coming in and out, and there would be routine maintenance checks being done as well. K. Divito added there is also a silent alarm on all their equipment.

There was no public comment.

R. Watchilla read the Findings and Conditions of the Special Permit.
The Board agreed not to change the color of the tower.

The Board agreed to add the condition the hours of operation of the generator, and any routine maintenance, should be done during normal business hours (Monday - Friday 8:00am - 5:00pm), except in the case of emergencies.

The Board also agreed to add the condition that the applicant shall provide an engineer's stamped estimate for removal costs to be reviewed every five (5) years, and adjusted as necessary. This estimate will be reviewed by the Director of Planning and Community Development.

The Board agreed to all Findings and Conditions of the Special Permit.

R. Starodoj suggested continuing the Public Hearing at the next meeting in order to allow for more research to be done.

Motion made by N. Talbot continue the Public Hearing for SP-2022-06 on June 2nd, 2022 at 8:00pm. Seconded by E. Murphy.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye
E. Hancock	Aye
J. Knight	Absent

All in favor. Approved 5/0/1.

TOWN PLANNER UPDATE

Ware Rail Trail Phase II Project

R. Watchilla informed the Board H.M. Nunes & Sons Construction has finished Phase II of the project. The project was completed in just two (2) days.

Bank Street / Park Avenue Reconstruction Project

R. Watchilla informed the Board the paving process has begun on Bank Street and the initial sewer work has begun on Park Avenue.

Subdivision Regulations

R. Watchilla informed the Board he has finished updating formatting the new Subdivision Regulations rough draft. The Board will review this section by section at future meetings.

Annual Town Meeting

R. Watchilla stated the Annual Town Meeting is scheduled for Monday, May 23rd, 2022 at 6:30pm, located at the Ware Junior / Senior High School Auditorium.

ADJOURN

Motion made by E. Murphy to adjourn at 9:07pm. Seconded by N. Talbot.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye
J. Knight	Absent

All in favor. Approved 4/0/1.

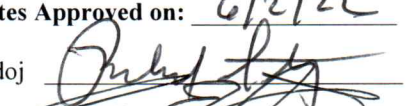



NEXT PLANNING BOARD MEETING DATE:

Thursday, June 2nd, at 7:00pm.

Minutes from May 19th, 2022

Respectfully submitted by,

Laura White
Administrative Assistant
Planning & Community Development

Minutes Approved on:	6/2/22
Starodoj	
Murphy	
Talbot	
Knight	
Crosby	