



# TOWN OF WARE

## Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

### Planning Board

Meeting Minutes from

**Thursday, June 16th, 2022**

Board of Selectmen's Meeting Room, Town Hall

#### Planning Board Members in Attendance:

Rick Starodoj, Chairman  
Ed Murphy, Vice-Chairman (remote)  
Kenneth Crosby (remote)  
Elizabeth Hancock, Alternate

#### Board Members Absent:

Joseph Knight  
Nancy Talbot, Clerk

#### Staff Members in Attendance:

Stuart Beckley, Town Manager (remote)  
Rob Watchilla, PCD Dept. Director  
Laura White, Admin. Assistant to PCD Dept. (remote)

#### Members of the Public in Attendance:

Jodie Chartier  
Claudia Kadra  
John Soper  
Richard Roznoy  
Elio Qorri (remote)  
"Bob"

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### PLEDGE OF ALLEGIANCE

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

### ADMINISTRATIVE

#### Approval of Minutes from Planning Board meeting on Thursday, June 2<sup>nd</sup>, 2022.

**Motion** made by E. Murphy to approve the minutes from June 2<sup>nd</sup>. Seconded by K. Crosby. No additional discussion.

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

**All in favor. Approved 3/0/2.**

R. Watchilla suggested E. Hancock be appointed as a voting member for the Definitive Subdivision Review.

E. Hancock informed to Board she was told by S. Beckley Alternates are only able to vote on Special Permits.

## **ANR-2022-05: Greenwich Plains Road**

R. Watchilla informed the Board of the proposed ANR (Approval Not Required), stating the property complies with the dimensional regulations in its zoning district and the house complies with the required setbacks.

**Motion** made by E. Murphy to approve ANR-2022-05. Seconded by K. Crosby. No additional discussion.

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

**All in favor. Approved 3/0/2.**

## **OLD BUSINESS**

### **Fieldstone Commons (Definitive Subdivision Review)**

R. Watchilla informed the Board of comments submitted by the Director of Public Health, Andrea Crete, which stated no concerns regarding the proposed subdivision.

R. Watchilla read the waivers requested for the Preliminary Subdivision, confirming with E. Qorri, of Bertin Engineering, which waivers were still being requested.

The following waivers were removed, as they are no longer applicable to the proposed subdivision:

- A right of way of forty (40) feet.
- A street length of six hundred fifty-five (655) feet.

The following waivers were still being requested as part of the Definitive Subdivision:

- Storm-water facilities are not needed.
- Sanitary facilities are not needed.
- Water facilities are not needed.
- Sidewalks are required, No sidewalks are present on the referenced street.

The Board agreed with the conditions and waivers of the Definitive Subdivision Plans.

J. Chartier inquired about access to Howard Road, which runs through the property.

R. Watchilla stated he would add a condition to the Definitive Subdivision Decision Document regarding access to Howard Road. The Town maintains this road.



**Motion** made by K. Crosby to approve the Definitive Subdivision with the conditions and waivers discussed by the Board. Seconded by E. Murphy. No additional discussion.

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

**All in favor. Approved 3/0/2.**

R. Watchilla informed the applicant of the appeal period.

J. Soper stated he would like to expedite the recording process to be fair to the people buying the house on his property.

R. Starodoj stated nothing can be done to expedite the process and advised the applicant anything done within the appeal period would be done at his own risk.

The applicant thanked the Board and left the meeting.

## **PUBLIC HEARINGS**

### **Permit Fee Schedule Hearing (continued discussion)**

R. Starodoj requested to review the comparison of fees between Ware and surrounding towns.

R. Watchilla recommended raising the level 1 Special Permit fee from \$250 to \$275 to cover the cost of advertising. He also recommended adding an additional fee of \$0.67 per abutter.

R. Starodoj stated the application fee should not include the advertisement cost, the applicant should be responsible for the advertisement costs.

K. Crosby stated the application fee could be lowered, but the advertisement costs should be the responsibility of the applicant, as the cost varies too frequently for the Board to continue to review and amend.

E. Murphy suggested changing the application fee to \$150 and adding the additional fee per abutter.

The Board discussed having three tiers instead of the two currently in place. The first tier would be for Accessory Uses, the next would be for everything currently covered under the level one fee, and the last would be for everything currently covered under the level two fee.

The Board discussed creating a list of Accessory Uses that would be covered under the new fee tier. The Board also discussed possible fees for each tier.

R. Starodoj suggested consulting with the Ware Business and Civic Association.

R. Watchilla suggested raising the fee for Definitive Subdivisions.

R. Starodoj asked what is covered by these fees.

K. Crosby asked if the fees of other towns cover the cost of an engineering review by a town engineer.

R. Starodoj stated those fees are usually separate.

The Board discussed the current fees.

E. Hancock stated the Special Permit Procedures should be changed to say the Town is mailing postcards now and not Certified Mail.

R. Watchilla stated the law now states the Town cannot force the applicant to pay for Certified Mail.

The Board discussed how to prove postcards are mailed to abutters.

E. Hancock suggested also adding to the Procedures that postcards must be mailed at least two weeks prior to Public Hearings to give enough time for all abutters to receive them.

R. Watchilla stated any changes would require a Public Hearing.

**Motion** made by K. Crosby to continue the Public Hearing on the Permit Fee Schedule at the next meeting on Thursday, July 7<sup>th</sup>, 2022. Seconded by E. Murphy.

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

**All in favor. Approved 3/0/2.**

## **NEW BUSINESS**

### **Discussion on future zoning amendments and bylaws to be considered for Fall Special Town Meeting**

#### **Scenic Road Bylaw**

R. Watchilla reminded the Board they are planning to meet with the Historical Commission at the July 21<sup>st</sup>, 2022 meeting.

#### **Right to Farm Bylaw**

R. Watchilla stated there were no updates regarding the Right to Farm Bylaw, as there did not seem to be much interest from the Board of Selectmen.

R. Starodoj requested R. Watchilla discuss it with the Board of Selectmen again.

#### **Tractor Supply Zoning Change**

R. Watchilla informed the Board the representative for Tractor Supply was sent a copy of the petition against using the location, but he has not heard back from the representative yet.



### **Subdivision Roads**

R. Starodoj asked if any Subdivision Roads have been accepted by the Town.

R. Watchilla stated he would speak with the Town Manager regarding these roads.

### **Marijuana Social Consumption**

R. Starodoj stated it may be too complicated to get on Town Meeting this early.

### **Urban Fill**

R. Watchilla suggested prohibiting Urban Fill in the Aquifer Protection and Wetland Protection Overlay Districts.

R. Starodoj also suggested not allowing it in any area not serviced by the municipal water supply.

R. Watchilla stated he would do more research on this topic.

### **Marijuana Delivery**

R. Watchilla informed the Board the Town Attorney recommended adding language regarding Courier Services to the Marijuana section of the Bylaw.

### **Large-Scale Battery Storage Moratorium**

R. Watchilla informed the Board the Town recently applied for a grant through the Pioneer Valley Planning Commission to fund planning assistance for a study to gather feedback from surrounding towns to create draft zoning bylaw language for the Town. This will most likely start in the Fall, so it may not make it onto the Fall Special Town Meeting.

## **TOWN PLANNER UPDATE**

### **Bank Street Reconstruction Project**

R. Watchilla informed the Board the Bank Street Reconstruction Project is now 75% complete.

The paving has concluded as the sidewalk work continues. The sewer main on Park Avenue, from Bank Street to North Street, is being replaced and will be covered with a new topcoat. The project is set to be completed on July 1<sup>st</sup>, 2022.

### **West Street Corridor Study**

R. Watchilla stated the Pare Corporation will be presenting their findings from the West Street Corridor Study to the Board of Selectmen on Tuesday, June 21<sup>st</sup>, 2022. All Planning Board members and members of the public are encouraged to attend. R. Watchilla also added there will be a technical memo provided by the consultants in the coming weeks, which he will present to the Board at a future meeting, along with updates on the major findings of the study. This project has satisfied the grant conditions in terms of being implemented by June 30<sup>th</sup>, 2022.

R. Starodoj suggested looking into what will be done with the parking lot at the Country Bank building, which was recently purchased by the Town. He asked if it would remain public parking or if the plan was to use it for police officer parking only.

R. Starodoj asked about what grants are available for residents looking for fuel assistance, stating fuel prices could cause major problems for heating bills this winter.

R. Watchilla stated National Grid has an assistance program, as well as Community Action Pioneer Valley.

## ADJOURN

**Motion** made by E. Murphy to adjourn the meeting at 8:09pm. Seconded by K. Crosby.

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

**All in favor. Approved 3/0/2.**


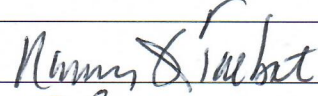

## NEXT PLANNING BOARD MEETING DATE:

**Thursday, July 7<sup>th</sup>, at 7:00pm.**

Minutes from June 16<sup>th</sup>, 2022

Respectfully submitted by,

Laura White  
Administrative Assistant  
Planning & Community Development

Minutes Approved on:	July 7, 2022
Starodoj	
Murphy	
Talbot	
Knight	
Crosby	