

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 2nd, 2022

Board of Selectmen's Meeting Room, Town Hall

Planning Board Members in Attendance:

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

Board Members Absent:

Staff Members in Attendance:

Joseph Knight
Rob Watchilla, PCD Dept. Director
Laura White, Admin. Assistant to PCD Dept.

Members of the Public in Attendance:

Lynn Lak
Wanda Mysona
Claudia Kadra
Elena Palladino
Marilyn Sloper
Janet Ciejka
Carl Gehring
Pam Hausser
Mark Hausser
Cassandra Shea (remote)
John Clark (remote)

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:03pm and led the Pledge of Allegiance.

R. Starodoj announced the Board would move straight to the scheduled discussion with the Historical Commission.

SCHEDULED APPEARANCE

Discussion with the Ware Historical Commission Regarding the Draft Scenic Road Bylaw

L. Lak, Chairwoman of the Ware Historic Commission, informed the Board the Historical Commission has been working to inventory the stone walls in Town, and asked the Board what their intentions are for the bylaw.

R. Watchilla stated, when the Board last discussed the bylaw, it was decided the Board wanted to consult with other boards before continuing.

R. Starodoj stated his concern with the bylaw was making sure it is not too restrictive, or interferes with personal property, utility maintenance, etc. He added there needs to be input from each of the proposed

roads in order to give people a chance to voice their concerns. L. Lak stated each proposed road would require a public hearing.

N. Talbot asked what the purpose of the Scenic Road Bylaw is. L. Lak stated it is to preserve the historic, rural beauty of Ware for future generations.

R. Watchilla suggested getting input from the new DPW (Department of Public Works) Director.

W. Mysona, Vice Chairwoman of the Ware Historical Commission, clarified this bylaw would only apply to stone walls on public thoroughways, not on private property.

R. Watchilla suggested having a public hearing prior to the Town Meeting in the fall to get input from residents. He also suggested only listing one or two proposed roads with the bylaw and waiting until after the bylaw passes to propose more roads.

N. Talbot stated it would be better to propose as many roads as possible, to make as much information available to the public as possible. She added the list of roads in the draft bylaw exemplify the character of the rural community the Town would want to preserve. She suggested making every change to the draft bylaw carefully and transparently.

L. Lak inquired about if the Historical Commission needs to pay \$300 each time a new road is proposed.

R. Watchilla stated the \$300 covers the cost to advertise the public hearing.

N. Talbot stated Town departments should not have to pay this and it should be clearly stated in the bylaw.

R. Starodoj suggested holding a joint meeting with the Historical Commission and inviting the new DPW Director to this meeting.

C. Kadra, of the Ware Historical Commission, stated the Battery Storage Moratorium should be added to §4.1.6 of the draft bylaw, regarding pre-existing solar facility exemptions. R. Watchilla stated this was worth considering.

The Board agreed to schedule a joint meeting between the Planning Board, the Historical Commission, and the Director of the DPW for Thursday, July 21st, 2022.

ADMINISTRATIVE

Approval of Planning Board Meeting Minutes from Thursday, May 19th, 2022

Motion made by N. Talbot to approve the minutes from May 19th. Seconded by K. Crosby.

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

All in favor. Approved 4/0/1.

ANR-2022-04: Szygiel 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.

Motion made by N. Talbot to approve ANR-2022-04. Seconded by E. Murphy.

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

All in favor. Approved 4/0/1.

NEW BUSINESS

Discussion with Janet Ciejkka Regarding Proposed Tractor Supply

J. Ciejkka, an abutter to the proposed Tractor Supply, informed the Board she started a petition to ask Tractor Supply to seek another location for the store. The petition she presented to the Board has 43 signatures from other abutters of this property, and she plans to gather more. She stated concerns she and other abutters have about a store of this size moving into the neighborhood, and asked the Planning Board to consider them.

R. Starodoj stated public hearings for the proposed Tractor Supply would likely begin sometime in late summer, and her petition will be entered into the record for the public hearings.

J. Ciejkka stated she and the abutters have no issue with Tractor Supply, but they would like to ask Tractor Supply to choose another location in Ware.

J. Ciejkka thanked the Board and left the meeting.

PUBLIC HEARINGS

SP-2022-07: The Boston Puppy

R. Starodoj read the Public Hearing Legal Notice for SP-2022-07.

R. Watchilla read his Special Permit Summary Report, as well as comments from the Conservation Commission, comments from the Building Department, and the response from the applicant.

R. Starodoj asked if there were any noise complaints from the closest abutters.

The applicant, P. Hausser, stated there have been no noise complaints from any of the neighbors and she believes the previous owners of the property ran a kennel.

M. Hausser stated they are friendly with all their neighbors.

N. Talbot stated, to her knowledge, there have never been any legal dog breeders in Ware.

R. Watchilla asked if Ms. Hausser had a kennel license and if she is up to code on her state licenses. He spoke with the local animal control officer, and she informed him the applicant would need a kennel license.

N. Talbot stated she believes they may need other state licenses as well, but informed the applicant she could contact the local animal control officer for more information.

P. Hausser stated she would look into the required licenses.

R. Watchilla suggested the applicant speak with the Building Department about what permits they may need, adding they would need a Certificate of Occupancy.

K. Crosby asked what the limit is for the number of animals.

P. Hausser stated no more than 20 adult animals at one time.

K. Crosby asked how big the building is.

P. Hausser stated it is 24 feet by 65 feet.

K. Crosby asked about waste removal.

P. Hausser stated there would be regular cleaning of the facility, adding all solids would be thrown in the trash and removed from the property.

R. Watchilla recommended the Board make a condition that the applicant have all appropriate licensing from the State.

R. Starodoj stated this is a given, however they could make it a condition.

N. Talbot suggested the condition all State and local licenses be required.

R. Starodoj stated the first condition to be added is a limit of 20 adult dogs at any one time.

K. Crosby asked at what age a dog is considered an adult.

The Board and applicant discussed, and agreed that any dog over 6 months old will be considered an adult.

The Board agreed to add the condition all appropriate licenses, permits, etc. should be met and maintained, in order to operate the business on the property.

R. Watchilla asked if the applicant if they were planning to modify the exterior of the property or add a sign.

P. Hausser stated she would probably add a sign about halfway up the driveway.

The issue of noise was discussed. Ms. Hausser stated the dogs do bark, however, they plan to address any complaints from the neighbors, should they arise.

C. Shea, an abutter to the property, stated they are able to hear the dogs barking until nightfall. She asked the applicant put up better signage to prevent clients from coming to their property accidentally.

R. Starodoj suggested adding the condition a direct line of open communication shall be maintained between P. Hausser and C. Shea.

P. Hausser and C. Shea stated they do text each other.

N. Talbot suggested the signage be located at the property line, as close to the road as possible, and clearly designates where the business is located.

C. Shea suggested putting the sign near the mailboxes.

R. Watchilla suggested the applicant consult with the Building Department to choose an appropriate location for the signage.

R. Starodoj suggested a Sunset Clause to attach the special permit to Ms. Hausser. This would prevent a new, unrelated owner from taking over the business without applying for a Special Permit.

R. Starodoj suggested adding the condition all trash and waste from the business should be removed by an appropriate, commercial waste removal service weekly.

The Board agreed to all applicable Findings (§7.2.4) and Conditions (§7.2.5) in the Town Bylaw.

R. Starodoj appointed E. Hancock as a voting member for this Special Permit.

Motion made by N. Talbot to close the public hearing for SP-2022-07 at 8:12pm. Seconded by E. Murphy.

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|-------------|--------|
| 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.

Motion made by N. Talbot to approve SP-2022-07 with Findings and Conditions. Seconded by E. Murphy.

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|-------------|--------|
| 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.

P. Hausser and M. Hausser thanked the Board and left the meeting.

SP-2022-06: Verizon Wireless (continued discussion)

R. Starodoj continued the Public Hearing for SP-2022-06 at 8:18pm and appointed E. Hancock as a voting member.

R. Starodoj asked if there was any public comment. There was none.

Motion made by N. Talbot to close the Public Hearing for SP-2022-06 at 8:19pm. Seconded by E. Hancock.

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|-------------|--------|
| 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.

R. Watchilla asked the Board if they would like to read through the Findings and Conditions again.

R. Starodoj and N. Talbot agreed it was not necessary.

E. Hancock inquired about the decommissioning bond.

R. Watchilla read the condition regarding the decommissioning bond.

R. Starodoj suggested the date of the bond should be prior to the beginning of operation.

K. Crosby suggested the Board review the bond every 3 years.

The Board agreed to these changes in the conditions.

Motion made by N. Talbot to approve SP-2022-06 with Findings and Conditions. Seconded by E. Hancock.

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|-------------|--------|
| 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.

Permit Fee Schedule Hearing (continued discussion)

Motion made by N. Talbot to table the Permit Fee Schedule Hearing until the Thursday, June 16th meeting. Seconded by K. Crosby.

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

All in favor. Approved 4/0/1.

TOWN PLANNER UPDATE

Planning & Community Development Administrative Assistant Resigning

Laura White, the Planning & Community Development Department Administrative Assistant, recently put in her two weeks' notice. She is moving to Maine and has agreed to work remotely for the Town until a replacement can be found.

MassDOT Shared Streets and Spaces Grant Program

The Town was awarded \$43,000 from the MassDOT Shared Streets and Spaces Grant Program. This money will help fund equipment for the town, including 16 solar powered pedestrian blinker signs with appropriate posts and holders, 5 miscellaneous way finding signs, and 10 hard plastic benches to be placed along West Street between the schools and the Main Street intersection.

Plans for Vacant Country Bank Building on Main Street

During a press release on June 1st, Country Bank announced plans to give its vacant building at 75 Main Street to the Town as the new headquarters of the Ware Police Department. A few other Town offices will be moving there as well, and to the former police department building on North Street.

ADJOURN

Motion made by N. Talbot to adjourn the meeting at 8:35pm. Seconded by K. Crosby.

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

All in favor. Approved 4/0/1.





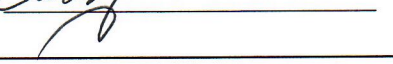
NEXT PLANNING BOARD MEETING DATE:

Thursday, June 16th, at 7:00pm.

Minutes from June 2nd, 2022

Respectfully submitted by,

Laura White
Administrative Assistant
Planning & Community Development

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| Minutes Approved on: 6/16/2022 | |
| Starodoj |  |
| Murphy |  |
| Talbot |  |
| Knight |  |
| Crosby |  |