



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

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Planning Board

Meeting Minutes from

Thursday, July 15, 2021

Select Board Room, Town Hall

Planning Board Members Present:

Josh Kusnierz (Chair), Rick Starodoj, Ed Murphy, Ken Crosby, Joe Knight (Remote)

Staff Present:

Rob Watchilla, Department Assistant
Stuart Beckley, Town Manager
Anna Marques, Building Inspector/Zoning Enforcement Officer
Gilbert St. George-Sorel, Director of Public Works

Public in Attendance:

Richard Barry, Robert Lemaitre, Nico Siniscalchi, Elizabeth Hancock, Robert Barry, and Marcel Nunes

PLEDGE OF ALLEGIANCE

Chairman J. Kusnierz called the meeting to order at 7:05 pm and led the Board in the Pledge of Allegiance.

SPOTLIGHT

- None

ADMINISTRATIVE

- Approval of Minutes from July 1st.

Motion by R. Starodoj to approve the minutes from July 1st. Seconded by J. Knight. All in favor. Approved 5-0

PUBLIC HEARINGS

- **SP-2021-05 & SPR-2021-01: Minuteman Farm, LLC** is requesting approval to construct a 7,700 square foot metal building to use as a Cannabis Growing Facility under Section 4.8.8, of the Zoning Bylaw, and pursuant to MGL Chapter 40A. The site is located at 24 East Main Street, Ware, MA. Deed recorded in the Hampshire County Registry of Deeds, Book 14057, Page 168. Assessor's Parcel 57-114-1. Zoned: Mill Yard (MY).

J. Kusnierz read the legal notice.

The applicant (Minuteman Farm, LLC) is a licensed Cannabis Cultivator with the Massachusetts Cannabis Control Commission. Of the 7,700 sqft 7,500 will be canopy cover while 3,500 will be reserved for the plants themselves. The building is about 427 feet above the flood plain so no flood damage is anticipated. The company will have 6-8 employees and about 9 parking spaces. In terms of in and out access, Minuteman have easement rights that allows for egress through the eastern portion of the Millyard.

This application may have to be discussed with the Conservation Commission since the development would be close to the Ware River.

In terms of water usage, it will be reused as much as possible, then pumped into the sewer lines. They propose having a sustainable indoor garden and renewable energy sources such as solar panels. No cannabis smell will be discharged from the facility as the building will be air tight in design.

PUBLIC COMMENTS

E. Hancock brought up the notion about security at the facility. There will thick steel doors guarding the entrance, 24/7 camera surveillance, and the river will act as a natural barrier on the south and eastern sides of the property. Richard Barry stated that no one under 21 will ever be allowed at the facility and no cash will be kept on site. All hired employees will be prescreened and will be subjected to background checks. R. Starodoj brought up that the State regulates all Cannabis related security plans.

No water will be used from the River as it may dilute the Cannabis growing process. According to R. Lemaitre, Minuteman Farm does have deeded water rights to use water from the Ware River, although they most likely will not.

G. St. George-Sorel presented to the board a finding that a water pipe that connects to the property runs under the river bank from the other side. These pipes run through the power plant on the opposite side of the river. If this pipe were to break, it would be both impossible to fix and caused conflict with abutting property owners. Richard Barry suggested that they would be willing to have water delivered into a storage tank if it has to come to that. Richard Barry stated to the Board that they are aware of the current water situation. G. St. George-Sorel mentioned that it is not the Town's responsibility to fix this specific water pipe.

A. Marques expressed concerns about the access road and whether it can carry the load of heavy trucks. Minuteman Farm owns the land that the access road cuts through and may consider improving it. In terms of signage the building will have none to indicate that it is a Cannabis Cultivation Facility. They expressed their desire to emphasize being inconspicuous.

Motion by J. Kusnierz to continue discussion of **SP-2021-05 & SPR-2021-01** to the planning board meeting scheduled on August 19th, 2021 at 7:10 pm.

Roll Call Vote

J. Kusnierz	Aye
R. Starodoj	Aye
E. Murphy	Aye
K. Crosby	Aye
J. Knight	Aye

Approved 5-0.

OLD BUSINESS

- Scenic Road Bylaw

The discussion of the proposed Scenic Road Bylaws were continued from the previous meeting. The Board proposed adding Webster Road as a potential candidate for the Scenic Road list. The definition of stone wall needs to be discussed further with other Town committees. In the event that a driveway would need to be put in, the discussion of whether or not it is acceptable to tear down certain sections of a stone wall needs to be elaborated. The Board suggests that it would be wise to mention that this would be done on a case-by-case basis. The driveway width mentioned in the working copy was 18 feet, but the Board suggests that it should be changed to 25 feet. In terms of solar projects that are already taking place along newly designated scenic roads, these projects should be grandfathered in with the current zoning regulations and easements in place. The Planning Board suggests that a joint meeting should be held with the Historic Commission, Conservation Commission, and Zoning Board of Appeals to discuss this proposed bylaw. If a road were to be widen, the process for who is responsible for moving stone walls should be kept in mind and discussed.

- Right to Farm Designation

The discussion of the Right to Farm Designation was continued from the previous meeting. The Board recognizes the importance of protecting farms in the community, as Ware has a large presence of farms. The Board feels that it is wise to invite farmers to future planning board meetings in order to discuss this right to farm designation. The generation of a list of farms in Town would benefit this discussion and reaching out to other Towns with Right to Farm Designation status would help in the early conversations.

The discussion of the Right to Farm Designation will continue at the next meeting.

NEW BUSINESS

- Public Comments

R. Starodoj announced to the board that at a recent Conservation Committee meeting it was mentioned that the Planning Board was seeking to enact a section of the Wetlands Bylaw. He wanted to announce to the public in order to dispel misconceptions that the Planning Board does not enact any laws pertaining to the Wetlands Bylaw.

TOWN PLANNER UPDATE

- Site visit to 313 Palmer Road

The site visit to 313 Palmer Road occurred on Saturday, July 10th, 2021 at 10 AM was a success. The development site for Dynamic Energy Solutions, LLC, had the appropriate amount of tree cover around their site as to not be visually unappealing. The operation overall was good and clean.

- West Street Traffic Study

The Planning & Community Development Department is in the process of writing an RFQ for a traffic study on West Street. This study will be carried out by using funding awarded by the Planning Assistance grant.

Motion by E. Murphy to adjourn the meeting at 8:58 pm. Seconded by K. Crosby. All in favor. Approved 5-0.

The next meeting is scheduled for Thursday August 5th, 2021 at 7 pm.

Minutes from July 15th, 2021

Respectfully submitted by,

Robert Watchilla,
Department Assistant

Minutes Approved on:	<u>8/5/2021</u>
Kusnierz	<u>[Signature]</u>
Starodoj	<u>[Signature]</u>
Knight	<u>[Signature]</u>
Murphy	<u>[Signature]</u>
Crosby	<u>[Signature]</u>