



# TOWN OF WARE

Planning & Community Development  
126 Main Street, Ware, Massachusetts 01082  
(413) 967-9648 ext. 120

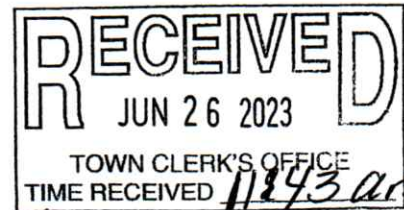
## PLANNING BOARD

### MEETING AGENDA

Location: Board of Selectmen's Meeting Room  
Town Hall, 126 Main Street, Ware, MA 01082  
Date & Time: Thursday, July 6<sup>th</sup>, 2023 @ 7:00 PM  
Digital Participation: Phone number: 929-205-6099  
Meeting ID: 784 604 1861  
Passcode: 01082

Instructions for call-in option: at or before 7pm call the phone number above and when prompted enter the Meeting ID number. The platform is Zoom Meetings. Join online: <https://zoom.us/join>

- 
- Pledge of Allegiance
  - Administrative
    - Approval of minutes from May 18<sup>th</sup>, 2023
    - Reorganization of Board
  - Public Hearings
    - 7:10pm: SP-2015-04 Bird Hill Farm
      - Applicant Kenneth Chatel is requesting a Modification of an existing Special Permit (SP-2015-04) to allow for small events of 50 people and fewer on the premises of an approved Bed and Breakfast at 145 Upper Church Street, Ware, MA under Section 4.3.14, of the Zoning Bylaw. Said premises being further described in deeds recorded in the Hampshire County Registry of Deeds, Book 11044, Page 169. Assessor's Parcel 30-0-30. Zoned: Rural Residential (RR).
  - Old Business
  - New Business
  - Planning & Community Department Update



The next Planning Board meeting will be held July 20<sup>th</sup>, 2023.



# 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 18, 2023**

Selectboard Meeting Room

126 Main Street, Ware MA 01082

### Planning Board Members in Attendance:

Rick Starodoj	Chair
Ed Murphy	Vice Chair
Ken Crosby	
Chris DiMarzio	Absent
Elizabeth Hancock	

### Staff Members in Attendance:

Kristen Jacobsen	PCD Dept. Admin. Assistant
Stuart Beckley	Town Manager
Nancy Talbot	Town Clerk

### Members of the Public in Attendance:

### PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:02pm and led the Pledge of Allegiance.

### ADMINISTRATIVE

- Approval of minutes from May 4<sup>th</sup>, 2023

**Motion** by E. Murphy to approve the May, 4<sup>th</sup> 2023 meeting minutes. **Seconded** by K. Crosby.

**Discussion.** The board discussed if the site at Greenwich Road Realty contained monitoring wells or if the minutes needed to be corrected. The board added that they recalled applicant saying the site contained monitoring wells (see recording from 05/04/2023 0:16:23 for verification of monitoring wells)

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Absent
<p><b>Four in favor. One Absent</b>  <b>Approved 4/0/1.</b></p>		

#### **RIGHT OF FIRST REFUSAL - Lot 4 and Lot 10 Webster Road**

The board reviewed the Right of First Refusal for the properties located on Webster Road, noted as Map 25, Lot 10 and Map 31, Lot 4. Map 25, Lot 10 consists of 23.817 acres and Map 31, Lot 4 consists of 60.437 acres.

**Motion** by E. Murphy to not exercise the right of First Refusal for Lot 4 and Lot 10 Webster Road Ware MA 01082. **Seconded** by K. Crosby . **Discussion** None

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Absent
<p><b>Four in favor. One Absent</b>  <b>Approved 4/0/1.</b></p>		

#### **RECONSTITUTION OF BOARD**

The board discussed waiting to reconstitute the board until all members were present.

**Motion** by E. Murphy to postpone the reconstitution of the board. **Seconded** by K. Crosby .  
**Discussion** None

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Absent
<p style="text-align: center;"><b>Four in favor. One Absent</b>  <b>Approved 4/0/1.</b></p>		

## OLD BUSINESS

## NEW BUSINESS

### Master Plan Implementation Committee

S. Beckley discussed with the board the age of the current master plan and asked if the Planning Board would like to implement a committee. The board and S. Beckley discussed how committee members were gathered previously and how changes could be implemented. R. Starodoj suggested checking on how it had been done previously.

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

S. Beckley reported on the department updates.

- Have not heard back from the hospital. But they are moving forward with demolition preparations.
- The Façade Improvement Program grants should start to be implemented in July.

R. Starodoj inquired if the grant for sprinklers was available. S. Beckley answered that it closes June 2, 2023, and Mr. Belicki was applying.

R. Starodoj asked if Bay State had given any indication of having a local blood draw clinic. S. Beckley answered that they had not planned one.

The board and S. Beckley discussed the status hiring for the Town Planner Position.

The board inquired if there were any options for the alternate position. S. Beckley advised waiting a few weeks.

**Motion** made by E. Murphy to **ADJOURN** at 7:15pm. **Seconded** by E. Hancock **Discussion:**  
None

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Absent
<b>Four in favor. One Absent</b> <b>Approved 4/0/1.</b>		

**NEXT PLANNING BOARD MEETING DATE:**

**Thursday, June 1, 2023 at 7:00pm.**

Minutes from Thursday, May 18, 2023.

Respectfully submitted by,

Kristen Jacobsen  
Administrative Assistant  
Planning & Community Development

**Minutes Approved on:** \_\_\_\_\_

Starodoj \_\_\_\_\_

Murphy \_\_\_\_\_

Hancock \_\_\_\_\_

Crosby \_\_\_\_\_

DiMarzio \_\_\_\_\_





# TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082  
t. 413.967.9648 ext.118 rwatchilla@townofware.com

## Notice of Public Hearing Planning Board

### LEGAL NOTICE

to be published in the *Ware River News*  
issues 10/6/2022 and 10/13/2022

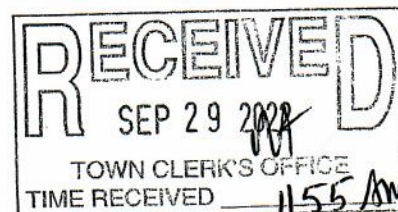
SP-2015-04 (Modification)

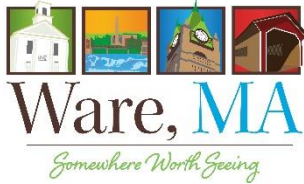
NOTICE is hereby given that the Ware Planning Board, acting as the Special Permit Granting Authority, will hold a Public Hearing on **THURSDAY, October 20<sup>th</sup>, 2022 at 7:10 PM** on the application of Kenneth Chatel (Bird Hill Farm), for a Modification of an existing Special Permit (SP-2015-04) of an approved Bed and Breakfast under Sections 4.3.14 & 7.2, of the Zoning Bylaw, and pursuant to MGL Chapter 40A. The applicant is seeking permission to allow for small events of 50 people or fewer on the premises. Pursuant to Chapter 22 of the Acts of 2022, this hearing will be conducted in person and via remote means, in accordance with applicable law. This means that members of the Planning Board as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be held in the Selectmen's Meeting Room, 126 Main Street, Town Hall, Ware, MA. It is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of public. The meeting may be accessed remotely via zoom. Go to <https://zoom.us/join> or join by phone. Phone Number: 929-205-6099; Meeting ID: 784 604 1861; Password: 01082.

**SITE LOCATION:** 145 Church Street, Ware, MA. Said premises being further described in deeds recorded in the Hampshire County Registry of Deeds, Book 11044, Page 169. Property is also identified as Assessor's Parcel 30-0-30. Zoned: Rural Residential (RR).

A complete copy of the application can be found at the Town Clerk's office and on the Planning & Community Development Department website under Recent Filings. Anyone interested or wishing to be heard on the application should appear at the time and place designated.

**WARE PLANNING BOARD**  
Richard Starodoj, Chairman





**TOWN OF WARE**  
Planning & Community Development  
126 Main Street, Ware, MA 01082  
t. 413.967.9648 ext. 120

## PERMIT SUMMARY REPORT

To: Planning Board  
From: Kristen Jacobsen, Admin. Planning and Community Development  
Date: July 5, 2023  
Permit: **Modification of Special Permit (SP-2015-04) for  
Kenneth Chatel – Bird Hill Farm (145 Church Street)**

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The applicant is requesting a modification to an existing Special Permit (SP-2015-04) to allow for events of 50 people or fewer for an existing Bed and Breakfast at 145 Church Street. The following materials were submitted to the Planning & Community Development Office on August 17, 2022:

- **Request for Modification of Approval Application**
  - Applicant is listed as "Kenneth Chatel"
  - Company is listed as "Bird Hill Farm"
  - Owner is listed as the same as Applicant
  - Zoned as Rural Residential (RR)
  - Entire parcel is approximately 4.5 acres
  - Applicant mentioned that he intended on hosting "small events of 50 people or fewer".
- **Updated Plans of Property**
  - Adjacent to the roadway and principal structure
  - Shows 19 parking spaces
- **Updates**
  - Applicant has applied for an RDA with the Conservation Commission, which is scheduled for a Public Hearing on Wednesday, July 12, 2023.

**Current Department Comments:**

**Conservation: None**

## Previous Comments from Other Departments

- **Conservation Department-**
  - The following statement was submitted to the PCD department from Conservation Agent John Prenosil:
    - *Will a new parking area be constructed? The existing parking area appears to be located within 100' of a wetland area west of Church Street. Any earthwork or expansion of the existing parking area may require a permit from the Conservation Commission. Rear portions of the parcel are located within NHESP Priority Habitat Polygon #1356. The polygon extends up to the rear of the existing building. Any new work within this Polygon may require coordination and sign-off from NHESP.*
- **Department of Public Works**
  - The following statement was submitted by DPW Director Geoff McAlmond:
    - Bird Hill Farm has a Public Water Supply connection listed as 145 Upper Church Street, under Kenneth Chatel. There is no Public Sewer Connection to the property.

END OF REPORT



Planning Board &  
Zoning Board of Appeals

Robert A. Watchilla  
Director of Planning &  
Community Development

# Town of Ware

## Planning & Community Development

### Request for Modification of Approval Site Plan / Special Permit / Variance



126 Main Street  
Ware, MA 01082  
413.967.9648 ext. 120  
www.townofware.com

Applicant

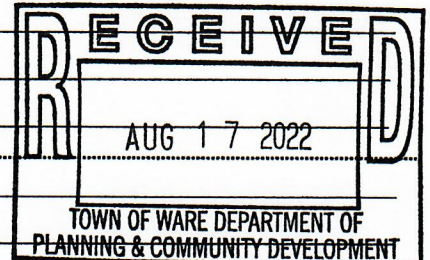
Name of Applicant (primary contact): Kenneth Chatel

Company: Bird Hill Farm

Address: 145 Church Street

Phone: \_\_\_\_\_ Cell: 413-277-8788

Email Address: birdhillfarm.info@gmail.com



Owner

Name of Owner: Kenneth Chatel

Address: 145 Church Street

Phone: \_\_\_\_\_ Cell: 413-277-8788

Email: birdhillfarm.info@gmail.com

Proposal

The undersigned herewith resubmits the accompanying additional plan, materials, information, etc., relative to the previously filed Site Plan Application No. \_\_\_\_\_ and/or Special Permit Application No. SP-2015-04 and/or Variance Application No. \_\_\_\_\_ for property located on/at 145 Church Street and decision recorded at the Hampshire Registry of Deeds, Deed Book 11044, Page 169, dated \_\_\_\_\_ and/or Plan Book \_\_\_\_\_, Page \_\_\_\_\_.

With this submission of this form, and any other materials requested by the Planning and Community Development Department, I am hereby requesting a modification of said permit, for good reason, as described here or on additional pages.

Small events of 50 people or fewer

Signature

Original Owner's Signature (Blue Ink Only): Kenneth Chatel Date: 8/16/22

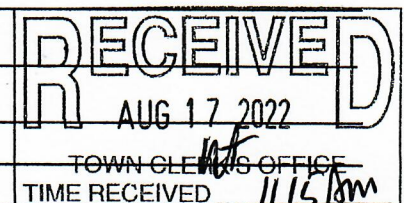
Mailing Address: SAA Town/State/Zip: \_\_\_\_\_

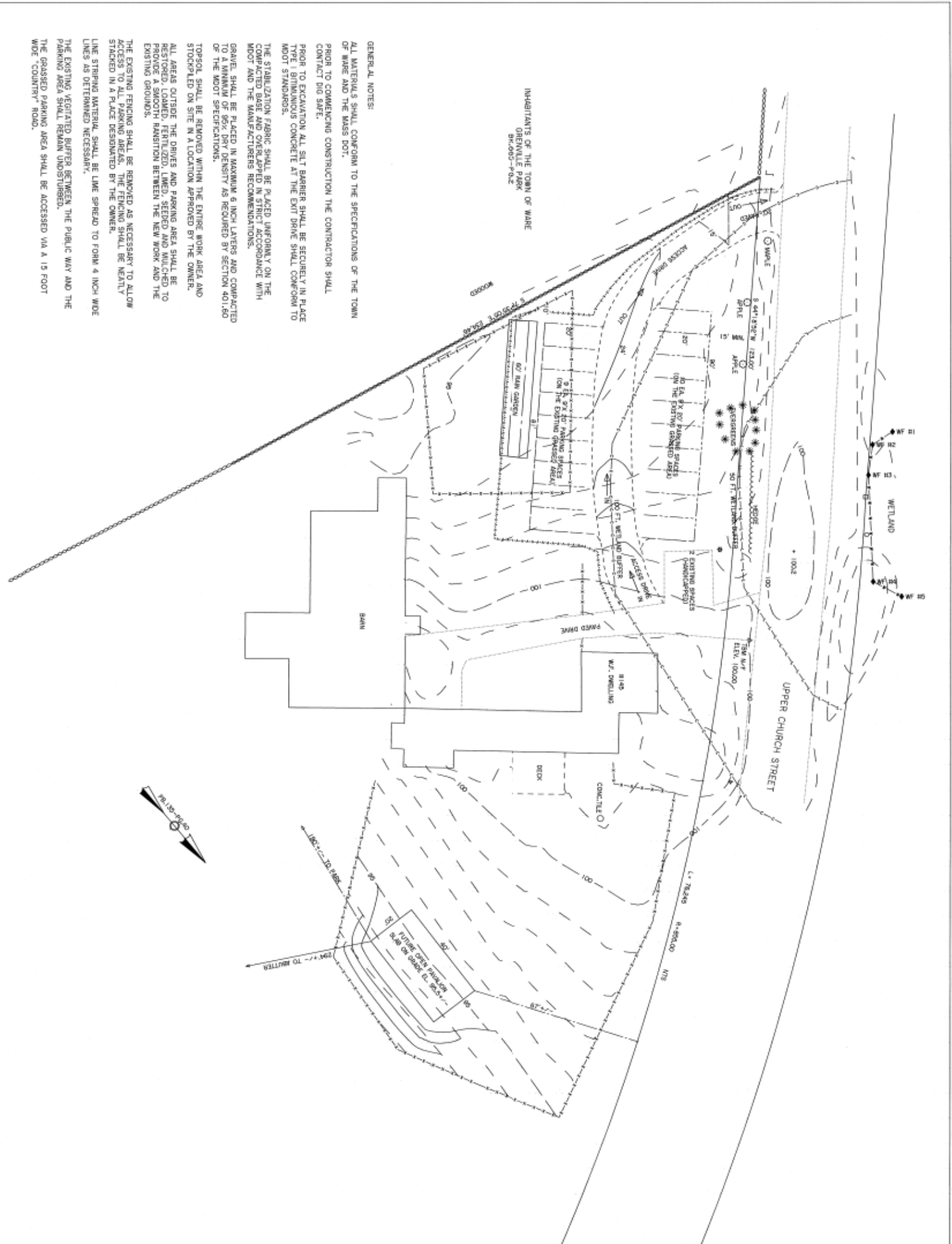
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Office Use only

Meeting Date \_\_\_\_\_

Board's Decision \_\_\_\_\_





- LEGEND
- IRON PIN FOUND
  - CONCRETE BOUND
  - ▲ BENCH MARK/POINT
  - ◆ HYDRANT
  - WETLAND FLAG
  - DICHLOROUS TREE
  - CONIFEROUS TREE
  - CONC. TILE
  - POST LIGHT
  - + INDEX SPOT ELEVATION
- S.L.T. BARRIER
- EXISTING CONTOUR
- PROPOSED CONTOUR
- WETLAND
- 50' WETLAND BUFFER
- 100' WETLAND BUFFER
- PROPOSED PARKING
- PROP. DRIVE
- EDGE OF PAVEMENT
- HEDGE
- STONE WALL

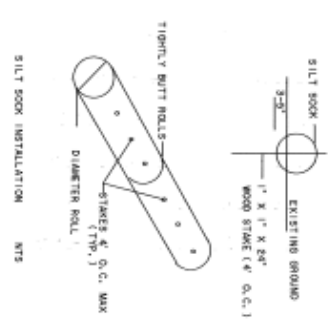
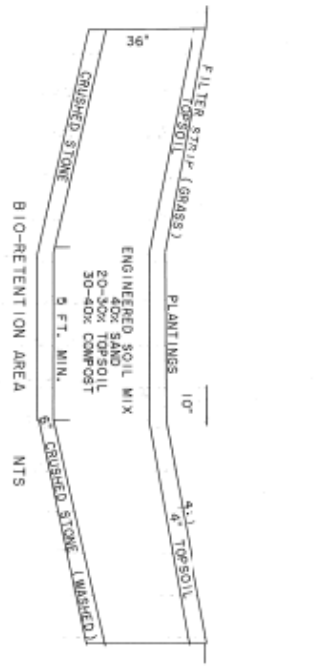
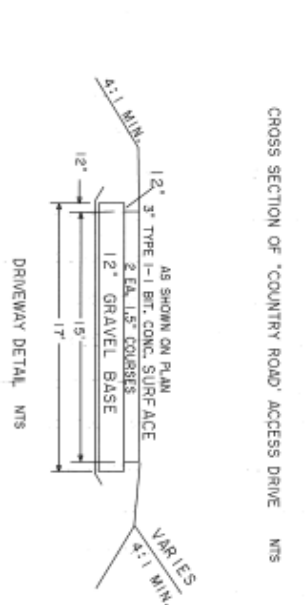
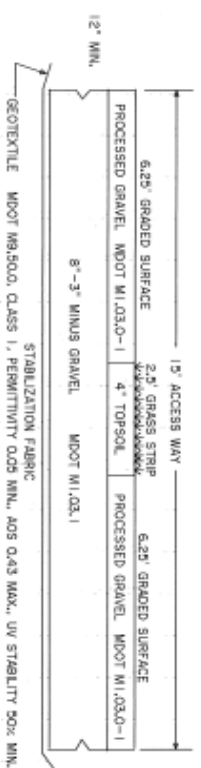
WETLAND DELINEATION BY  
HAINES HYDROGEOLOGIC CONSULTING  
141 OLD ENFIELD ROAD  
BELCHERTOWN, MA 01007  
413-323-7156

CONSTRUCTION SITE PLAN 1"=20'

GRAPHIC SCALE - FEET

0 20 40 60

OWNER OF RECORD  
KENNETH CHATEL  
145 UPPER CHURCH STREET  
WARE, MA 01082  
413-277-8788  
BK.11768-PG.4  
PB.145-PG.40  
ASSESSORS MAP 30 LOT 30  
AREA 4.46 A. +/-



PROPOSED SITE IMPROVEMENTS  
AT  
BIRD HILL FARM  
145 UPPER CHURCH STREET IN WARE  
1"=20' MAY 23, 2023  
R. H. LAMANTRE, P.E., PLS  
4 SKYVIEW DRIVE  
WARE, MA 01082  
413-967-7878

