



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, July 6, 2023

Selectboard Meeting Room

126 Main Street, Ware MA 01082

Planning Board Members in Attendance:

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

Staff Members in Attendance:

Kristen Jacobsen	PCD Dept. Admin. Assistant
Stuart Beckley	Town Manager

Members of the Public in Attendance:

Vance Chatel	Bird Hill Farm
Janice Ouimette	148 Church St
Denis Ouimette	""

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 18th, 2023

Motion by E. Murphy to approve the May, 18th 2023 meeting minutes. **Seconded** by E. Hancock. **Discussion.** None

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor. Approved 5/0/0.		

Reorganization of Board

C. Dimarzio **Nominated** E. Murphy for Chairman. **Seconded** by E. Hancock. **Discussion** None.

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor. Approved 5/0/0.		

E. Hancock **Nominated** R. Starodoj for Vice Chairman. **Seconded** by C. Dimarzio. **Discussion** None.

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor. Approved 5/0/0.		

C. DiMarzio **Nominated** E. Hancock for Recording Secretary. **Seconded** by E. Murphy.
Discussion None.

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor. Approved 5/0/0.		

PUBLIC HEARING

SP-2015-04- BIRD HILL FARM- Special Permit Modification (Continued from October 20, 2022)

Applicant Vance Chatel spoke of concerns with previous discussions had during the Planning Board meeting from October 20, 2022 regarding the limitation of the number of events held per year. The board explained that although it may have been discussed it was not listed as a potential condition on the Special Permit. One abutter spoke of a previous gathering that they felt the volume of the event was too loud. Abutters Janice Ouimette and Denis Ouimette spoke and explained they they did not feel the event was too loud and they had enjoyed the music. Mr. Chatel spoke saying that he wants to host smaller events than the wedding in question with a maximum of 50 attendees including staff and does not want a ruckus, he would like to host corporate and group retreats. The board discussed the potential placement of the pavilion. And abutter spoke of concerns with the placement of the pavilion and potential noise issues. The board spoke of the concerns and said the placement of the pavilion is an probably effective place to put one and it wouldn't be much different than having a tent set up each time. Abutter requested the board read the proposed conditions of the modification to the special Permit:

1. That the proposed wooden sign at the driveway does not exceed 6 square feet in area, and that it be no higher than 6 feet from the ground below the sign to the top of the sign, and that it be placed such that it does not block the view of the roadway for people exiting the site;
2. Events on the premises are limited to 50 guests (which includes staff);
3. Hours of operation for events shall be between the hours of 7am to 8pm, Monday through Sunday;
4. **Amplified*** music events are permitted on the premises between the hours of 2pm to 7pm*;

5. There shall be no parking on Church Street in connection to events hosted on the premises;
6. Low level lights (in accordance with Section 6.3 of the Zoning Bylaws) are permitted on the premises during the hours of operation of outdoor events;
7. That failure to comply with all applicable statutes and regulations shall be deemed cause to modify or revoke this Special Permit;
8. The special permit (SP-2015-04) may be transferrable should ownership of the property were to change pending Planning Board review with the new owner.
9. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to and all necessary permits be obtained;
10. The Applicant will comply with all laws, regulations and requirements of the Town of Ware, Commonwealth of Massachusetts, and the United States of America, the strictest of which shall prevail;
11. Given that no liquor license is being sought under this Special Permit, and only 30 one day liquor licenses are available in a calendar year; there is no limitation on the number of events; however, the Planning Board reserves the right to revisit this Special Permit and impose reasonable limitations if situations on the ground call for modifications.*
**Altered from original as per Planning Board.*

The board discussed that they did not believe the number of events per year should be limited partially because the maximum number of liquor licenses allowed is 30, however, they did instill a mechanism to revisit this (Condition 11) should the need arise. R. Starodoj also advised that if anyone had complaints they should be submitted as formal written complaints.

Motion by C. DiMarzio to approve the modification to SP-2015-04 to include edits to the conditions, making the Special Permit transferrable pending Planning Board Review, specifying amplified music, time for music to end is 7pm, and the addition of condition number 11. **Seconded** by R. Starodoj. **Discussion** The board discussed the placement of the sandwich board signs and the speed limit on Upper Church Street.

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor.		
Approved 5/0/0.		

OLD BUSINESS

NEW BUSINESS

DISCUSSION

King George Drive

The board discussed what potential issues cause the road to be rejected and suggested making the applicant aware. The board discussed potential drainage issues but would like to receive DPW feedback and have the DPW review the existing conditions.

E. Hancock recused herself.

E. Hancock questioned the Kulas earth removal permit and discussed her concerns with the 50-foot buffer and if erosion controls had been placed. She said the vegetation was growing in nicely and requested the Planning Department contact Karen Hubacz to see that the markers had been placed. The board requested K. Hubacz have an engineer send a certified letter.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

S. Beckley informed the board that the Bergerons are interested in rezoning their parcel and they are interested in battery storage.

ADJOURN

Motion made by C. Dimarzio to **ADJOURN at 8:21pm. Seconded** by R. Starodoj **Discussion:**
None

R. Starodoj		Aye
E. Hancock		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
All in favor. Approved 5/0/0.		

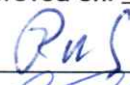

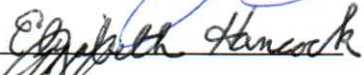

NEXT PLANNING BOARD MEETING DATE:

Thursday, July 20, 2023 at 7:00pm.

Minutes from Thursday, July 6, 2023.

Respectfully submitted by,

Kristen Jacobsen
Administrative Assistant
Planning & Community Development

Minutes Approved on:	7/20/23
Starodoj	
Murphy	
Hancock	
Crosby	
DiMarzio	