



TOWN OF WARE

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

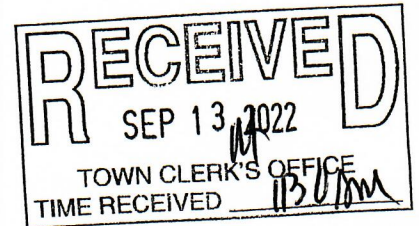
PLANNING BOARD

MEETING AGENDA

Location: Board of Selectmen's Meeting Room
Town Hall, 126 Main Street, Ware, MA 01082
Date & Time: Thursday, September 15th, 2022 @ 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 September 1st, 2022
- ANR-2022-06 (Pine Street) [Continued from 8/18/2022 meeting]
- ANR-2022-09 (Eddy Street)

Vote to determine that Planning Board approval is not required under the Subdivision Control Law.

▪ Public Hearings

- 7:10 pm: SP-2022-08 (45 Greenwich Plains Road)
 - The applicant (Melink Solar Development) is seeking a Special Permit for annual renewal of an approved large scale solar facility located at 45 Greenwich Plains Road, deeds recorded in the Hampshire County Register of Deeds, Book 13457, Page 159. Assessor's Parcel 22-0-12 & 22-12-1. Zoned Rural Residential (RR).

▪ Old Business

- Review of Newly Proposed Subdivision Regulations
 - Section 2.4.3 to 2.4.7 ("Definitive Plan Procedures/Requirements" to "Approval, Modification or Disapproval" [pages 22-29] will be reviewed.

▪ New Business

- Any other matters that are brought up that the Chair did not anticipate including on the agenda prior to this meeting.

▪ Town Planner Update

The next Planning Board meeting will be held October 6th, 2022.

At the time of posting, the agenda items listed above are what is reasonably anticipated by the Chairman to be discussed at this meeting. Other items not listed may be brought up for discussion to the extent permitted by law. The general public is invited to this and all meetings of the Ware Planning Board.



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, September 1, 2022

Board of Selectmen's Meeting Room, Town Hall

Planning Board Members in Attendance:

Rick Starodoj, Chairman
Ed Murphy, Vice-Chairman
Nancy Talbot, Clerk
Kenneth Crosby
Elizabeth Hancock, Alternate

Staff Members in Attendance:

Rob Watchilla, PCD Dept. Director
Kristen Jacobsen, PCD Dept. Admin

Members of the Public in Attendance:

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 6:59pm and led the Pledge of Allegiance.

ADMINISTRATIVE

Approval of Minutes

Motion made by N. Talbot to approve of the minutes from Thursday, August 18th, 2022, with a minor correction of adding 'West' to Warren Road. Seconded by E. Murphy. There was no additional discussion.

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

All in favor. Approved 3/0/0.

ANR-2022-08 (Coffey Hill)

R. Watchilla stated the preceding ANR plans are delayed until September 15, 2022, and the applicant signed an affidavit stating she consented to go over the 20- day waiting period.

R. Watchilla displayed the submitted ANR plans to create three lots which he stated all conform to the zoning standards for area and setback and all have adequate access.

Motion made by E. Murphy to approve ANR-2022-08. Seconded by N. Talbot. There was no additional discussion.

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

All in favor. Approved 3/0/0.

OLD BUSINESS

K.Crosby arrived at 7:04pm

Review of Newly Proposed Subdivision Regulations

Sections 2.1

R. Watchilla read through section 2.1 which speaks of the importance of submitting plans at the same time due to the differing timelines of the permitting process. The section acts as a general disclaimer.

Section 2.2

Section 2.2 provides the disclaimer that the proponent should submit a site analysis map depicting the worthy features on the property. A voluntary sketch should also be submitted which could be prepared by a professional landscape architect, architect, planner, site designer engineer, or by the proponent.

R. Watchilla stated they do see some preliminary plans, but individuals don't tend to do the pre-submission review.

R. Starodoj stated all one would need is a simple sketch and it wouldn't necessarily have to be prepared by a professional.

N. Talbot suggested adding hand drawn sketches could also be submitted.

R. Starodoj suggested eliminating the list of individuals the plan could be drawn by and change it to 'the proponent'.

E. Hancock questioned if the Historical Features mentioned in section A would include the stone walls. R. Watchilla confirmed it would.

R. Watchilla continued reading the section that states contact between the Planning Board and the applicant should be limited outside of the meeting. Which essentially states; if a member of the planning board encounters the proponent outside of the Public Hearing they cannot speak extensively of the subdivision.

R. Starodoj added that if someone comes up and engages in conversation with a planning board member answering general questions is acceptable if the conversation is limited.

Section 2.3

R. Watchilla stated it offers a way for individuals to skip the preliminary plan should they choose to do so.

K. Crosby confirmed that it could be skipped

R. Watchilla stated a proponent could go straight to the definitive plan. The preliminary plan would be a matter of getting the Planning Board's feedback.

R. Starodoj asked if someone could come in with a definitive plan. R. Watchilla and K. Crosby confirmed they could however, it might be unwise to do so.

R. Watchilla said that was why they usually encourage the proponent to do the preliminary plan which could help if the proponent needs any waivers and receive the Planning Board's feedback. R. Watchilla mentioned the lack of a preliminary plan may make the board less keen on accepting the definitive plan.

R. Starodoj stated the lack of preliminary plan did not necessarily make the board less keen on accepting a plan. He continued by saying their job isn't not to deny plans but rather to look at the plan make sure it conforms to regulations. R. Starodoj continued by saying their job is not to prevent things from happening.

R. Watchilla continued noting the following paragraph encourages a street design. The Complete Streets design wasn't necessary. If the streets could have sidewalks with enough room for bicycles and people walking that would be reasonable and desirable but if it doesn't make sense to put sidewalks in they wouldn't be forced to do so.

R. Watchilla read the following section which stated the centerline of the proposed roadway should be adequately staked or flagged. R. Watchilla asked if the Planning Board could recall a time when that had been done in the past. R. Starodoj answered that he didn't believe it was a requirement. He recalled the site visit on Monson Turnpike and said in that case they weren't going to stake out 5000-6000' of road.

Section 2.3.2

R. Watchilla questioned if sections from 2.3.2 should remain. R. Starodoj agreed that they should and suggested that they should also be dispersed to other departments. N. Talbot suggested listing the departments.

R. Starodoj suggested that any exhibits displayed during presentation to the Planning Board should stay with the Planning Board. N. Talbot clarified anything additional that is given, documented, or discussed must stay with the original documents according to the law.

Section 2.3.3

R. Starodoj suggested adding right of ways in section D

R. Starodoj proposed adding setbacks should be noted with a dotted line, the well should be displayed with 100' radius around it, and the proposed septic system should be displayed as well.

R. Starodoj suggested adding endangered species and critical habitats to K.

Section 2.3.4

R. Watchilla questioned if applicants needed to be notified via certified mail. N. Talbot responded saying the law does not state that rather it was the preference of the previous town planner to have any decisions be sent that way. The Planning Board agreed it should be kept in the section.

Section 2.4.2

R. Watchilla suggested adding the other departments (Department of Public Works, Fire Department, Police Department, Board of Health, Conservation Department, Historic Commission, and Building Department) into the first paragraph of the section.

E. Hancock suggested adding Certified Mail as a way of sending the notice to the Town Clerk. R. Starodoj and N. Talbot agreed. The Planning Board members also suggested to remove the option of registered mail.

R. Starodoj suggested adding CAD format to the way in which engineering plans should be submitted.

N. Talbot recommended that it should be noted that the cost should be borne by the applicant.

R. Starodoj stated it should be noted that when a subdivision borders an adjacent town the abutters in that town should be notified. R. Starodoj also suggested that abutters within a 300' radius be notified

New Business

Snow Plowing of Unaccepted Roads

R. Starodoj wanted to be sure an inspection was scheduled. E. Murphy and K. Crosby stated they would go along with other members of the Town. R. Starodoj suggested the owners of the properties should be notified of issues or needed repairs with ample time prior to snow plowing season.

R. Watchilla suggested meeting September 21, 2022, at noon and September 22, 2022 as an alternate date. E. Murphy and K. Crosby agreed to both dates. R. Starodoj stated it does not preclude other member from driving through and offering comments.

R. Starodoj stated he has driven through a few subdivisions lately and he is concerned about the lack of maintenance on detention/retention ponds. During the last rainstorm (prior to September 1, 2022) a manhole cover in the Wildflower Drive subdivision came loose and was askew. R. Starodoj suggested changing the cover to a grate so that it is not a hazard

R. Starodoj suggested touching base with the bank to see where they currently stand with Wildflower Drive.

R. Starodoj also suggested contacting Pennybrook Estates and see if they are ready to turn the road over to the town.

TOWN PLANNER UPDATE

R. Watchilla stated the Town of Ware had been awarded \$40,000 from the Municipal vulnerability Program. The grant funding will help with the development of a master plan for the Muddy Brook Watershed which will plan a strategy to mitigate the effects of climate change and include preparation for increased flood events.

The Façade Improvement Program Application window is still open

The Planning Board is still accepting applications for the vacant seat.

ADJOURN

Motion made by N. Talbot to adjourn the meeting at 7:56pm. Seconded by E. Murphy. No additional discussion.

R. Starodoj	Aye
E. Murphy	Aye
N. Talbot	Aye
K. Crosby	Aye

All in favor. Approved 4/0/0.

NEXT PLANNING BOARD MEETING DATE:

Thursday, September 15th, at 7:00pm.

Minutes from Thursday, September 1st, 2022.

Respectfully submitted by,

Kristen Jacobsen
Administrative Assistant
Planning & Community Development

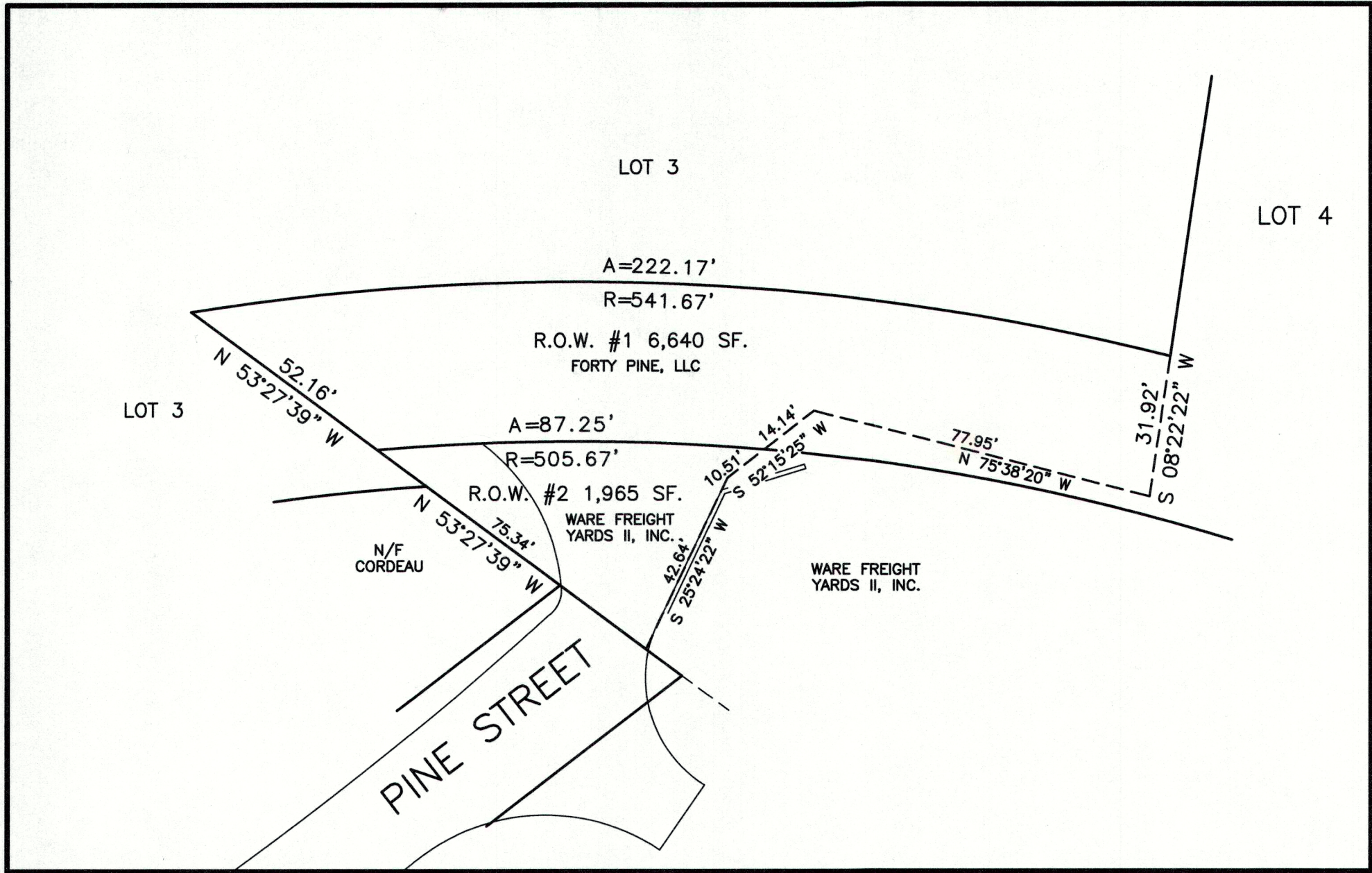
Minutes Approved on: _____

Starodoj _____

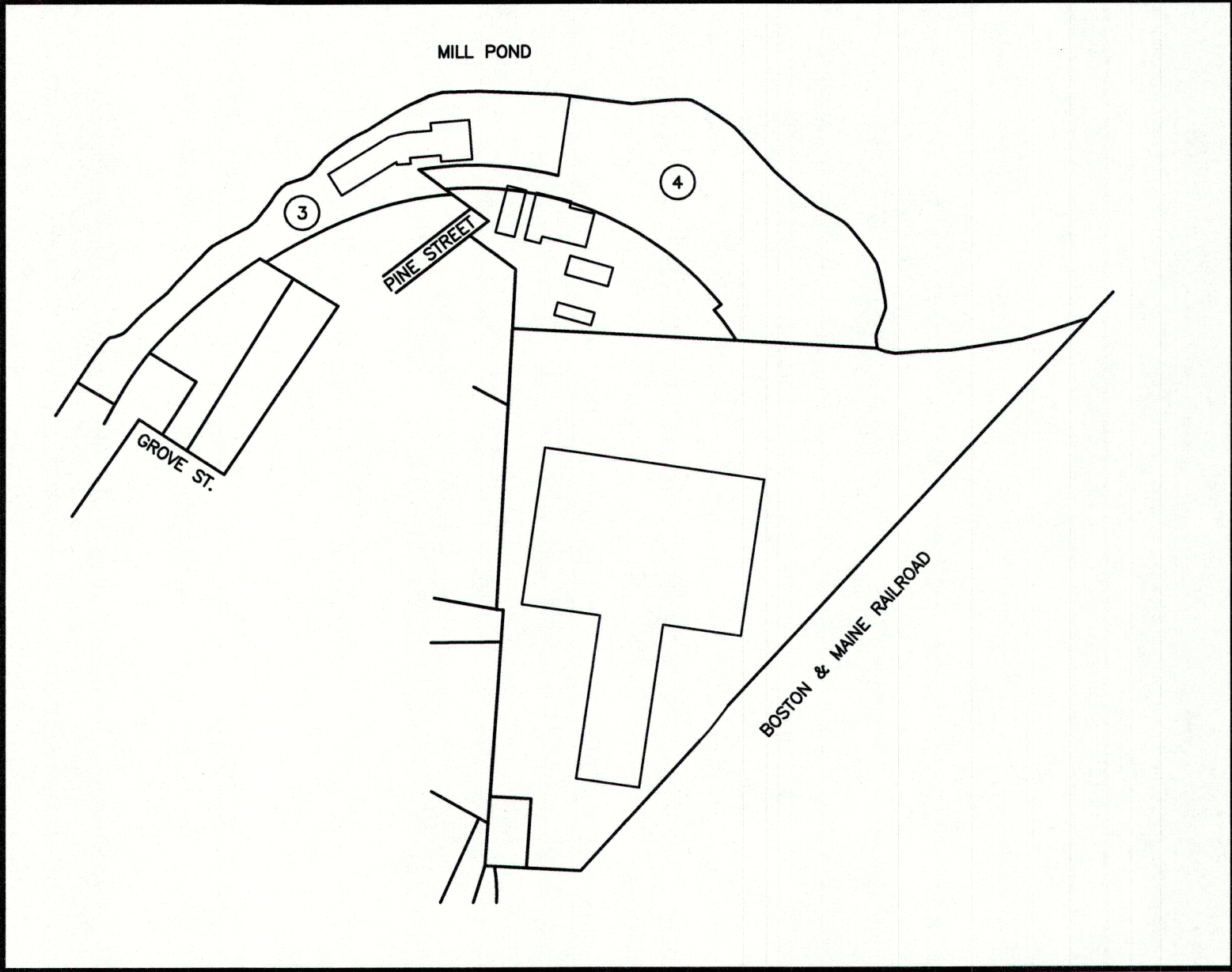
Murphy _____

Talbot _____

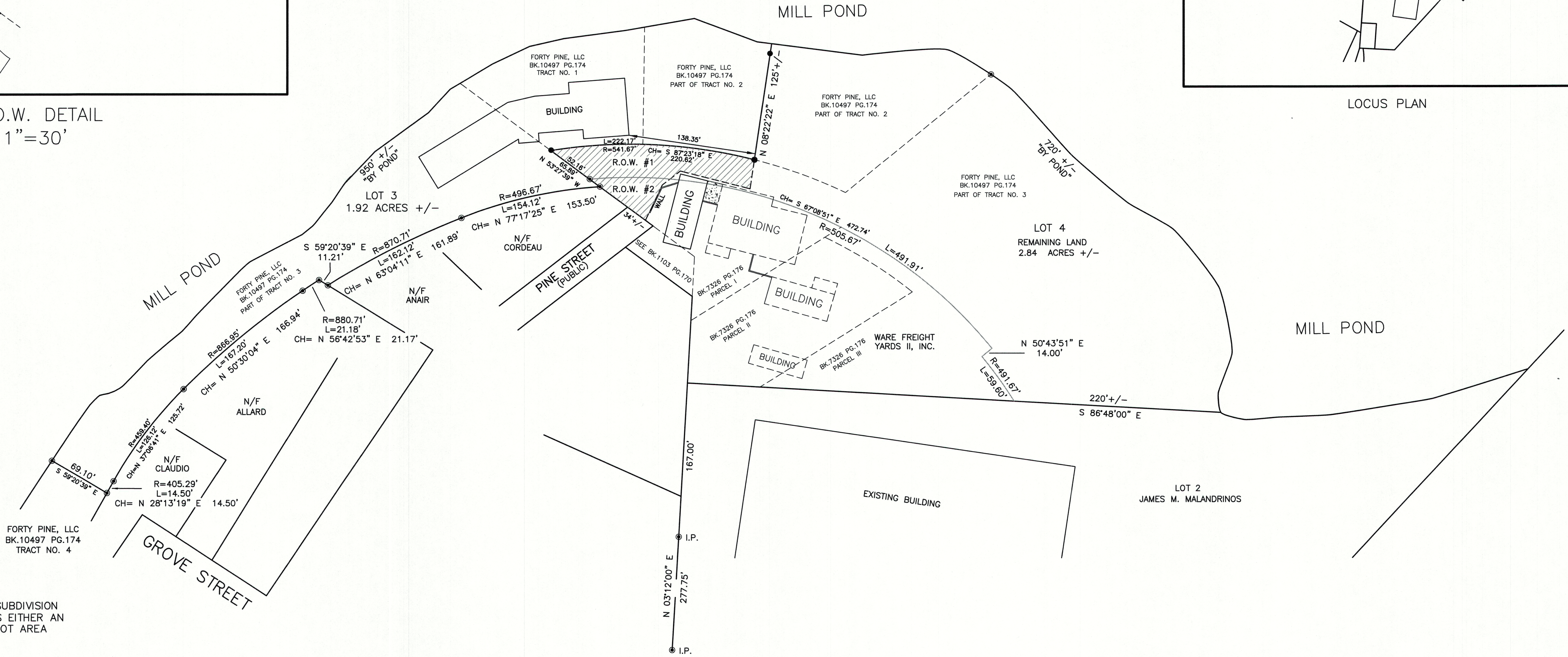
Crosby _____



R.O.W. DETAIL
1"=30'



LOCUS PLAN



PLANNING BOARD ENDORSEMENT UNDER THE SUBDIVISION CONTROL LAW SHOULD NOT BE CONSTRUED AS EITHER AN ENDORSEMENT OR AN APPROVAL OF ZONING LOT AREA REQUIREMENTS.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS

PAUL S. SMITH
JUNE 28, 2022

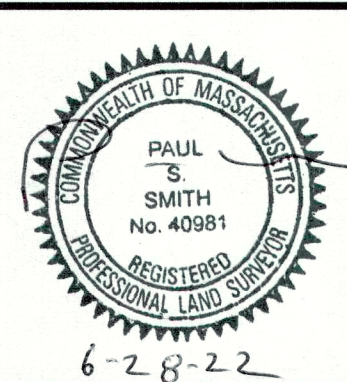
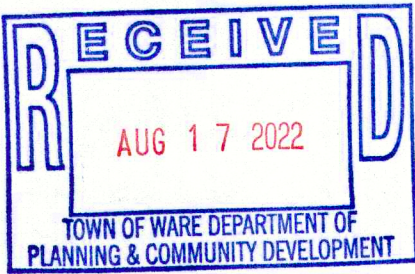
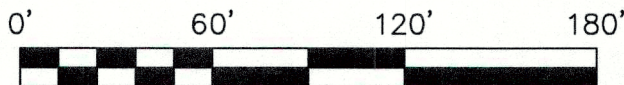
APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED
WARE
PLANNING BOARD

DATE

OWNERS: FORTY PINE, LLC
PO BOX 150
WARE, MA 01082
WARE FREIGHT YARDS II, INC.
PO BOX 150
WARE, MA 01082

LEGEND

- IRON PIN FOUND
- IRON PIN TO BE SET

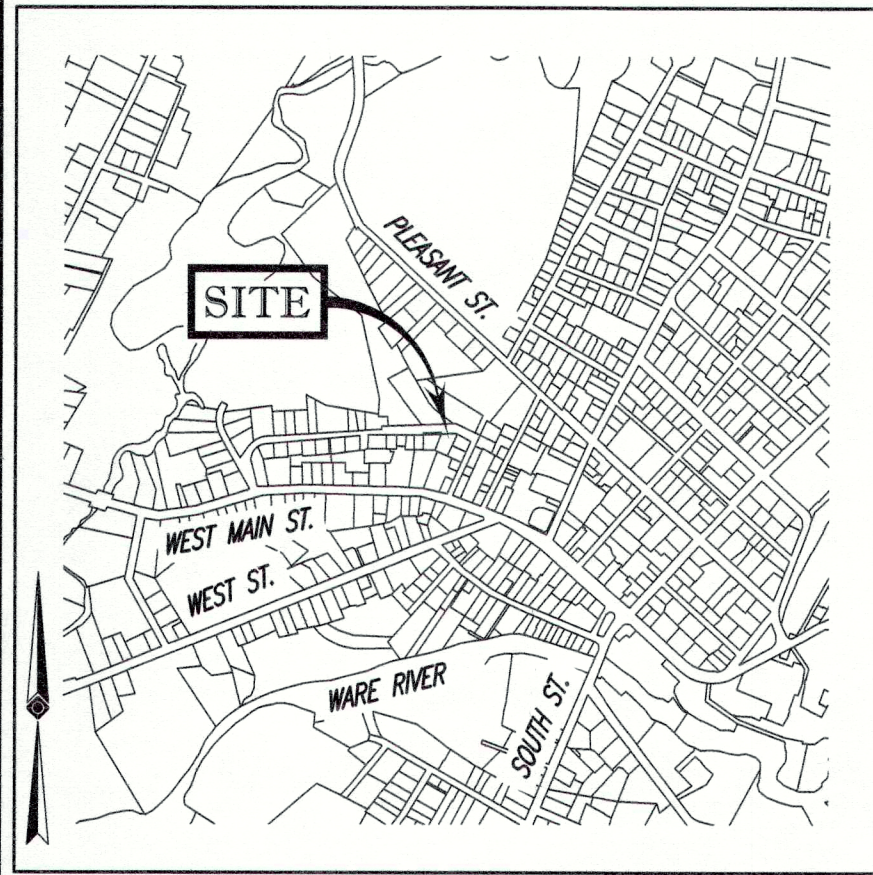


SUBDIVISION APPROVAL
NOT REQUIRED PLAN
PINE STREET
WARE, MA
OWNED BY
FORTY PINE, LLC
&
WARE FREIGHT YARDS II, INC.

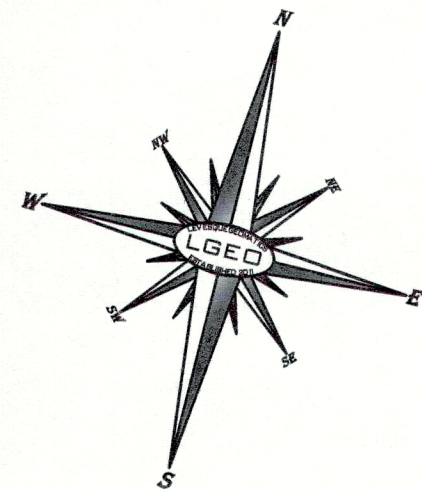
ZONE: INDUSTRIAL

DATE: JUNE 28, 2022 SCALE: 1" = 60'

PAUL S. SMITH LAND SURVEYING
319 SHAKER ROAD EAST LONGMEADOW, MA
(413) 525-4700



LOCUS MAP



IRON PIPE FOUND BENT
N:0.90°
E:0.07°

182.23'
S76°02'08"W

EDDY STREET

(PUBLIC - 1878 TOWN LAYOUT - WIDTH VARIES)

STONE BOUND FOUND

N88°45'11"E
48.49' (TIE)

115.39'
N78°10'28"W

FOR REGISTRY USE ONLY

IRON PIPE FOUND
"HELD FOR LINE"

43.66' (S)
(44' DEED)

MAP 60
LOT 191
N/F LANDS OF
MATTSOON BOULEVARD REALTY
TRUST
BK. 8205, PG. 259

ASPHALT WALK

UP#3

GRANITE CURB
ASPHALT WALK
N73°34'21.33"E
79.38'

UP#2

STONE BOUND
FOUND "HELD"

MAP 60
LOT 190
AREA = 8,887 SF OR 0.204 AC.
FRONTAGE = 95.52'

16.14'

N68°58'06"E

55.80'

GRANITE CURB

ASPHALT WALK 71.94'

N88°13'06"E

33.00'

STONE BOUND
FOUND "HELD FOR LINE"
W:0.21'

GRANITE CURB

ASPHALT WALK

DRILL HOLE
FOUND

57°41'54"E
78.06'

STONE BOUND
FOUND
"BROKEN & DISTURBED"

MAP 60
LOT 189
N/F LANDS OF
WILLIAM K. & DENISE A.
BLODGETT
BK. 2244, PG. 17

STORRS STREET
(PUBLIC - 1884 TOWN LAYOUT)



APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
TOWN OF WARE PLANNING BOARD

CHAIRMAN _____ DATE _____

THE PLANNING BOARD'S ENDORSEMENT OF THE PLAN AS
NOT REQUIRING APPROVAL UNDER THE SUBDIVISION
CONTROL LAW IS NOT A DETERMINATION AS TO THE
CONFORMANCE WITH THE TOWN OF WARE ZONING
BYLAW AND REGULATIONS.

PLAN BOOK	PLAN
1	45
112	50
135	41

NOTES:

- PROPERTY KNOWN AS MAP 60, BLOCK 0, LOTS 189 & 190 AS SHOWN ON THE GIS MAPS OF THE TOWN OF WARE, HAMPSHIRE COUNTY, COMMONWEALTH OF MASSACHUSETTS.
- THE BEARING BASIS OF THIS SURVEY REFERS TO THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD '83) MAINLAND SYSTEM, BASED ON REAL TIME GPS OBSERVATIONS ON THE MaCORS REAL-TIME NETWORK.
- THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY LEVESQUE GEOMATICS INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
- THE PURPOSE OF THIS PLAN IS TO RE-DIVIDE EXISTING LOT 189 INTO 2 SEPARATE LOTS PLACING EACH DWELLING SHOWN ON A SINGLE LOT. THE RECORD DESCRIPTION OF THE TWO PARCELS OF LAND THAT COMPRISE LOT 189 ARE VAGUE AND NO PHYSICAL EVIDENCE WAS FOUND ALONG THE PARCEL LINE. THE PARCEL LINE SHOWN IS APPROXIMATE.
- THE 1878 EDDY STREET LAYOUT IS BASED ON PLAN BOOK 1, PLAN 45 & THE STORRS STREET LAYOUT IS BASED ON INFORMATION SHOWN ON PLAN BOOK 135, PLAN 41.

LOCUS INFORMATION:

OWNER:
DAVID JAY MENDELSON
4 EDDY STREET
WARE, MASS.
BK. 14216, PG. 299

MAP 60, LOT 189

ZONING DISTRICT: DOWNTOWN COMMERCIAL

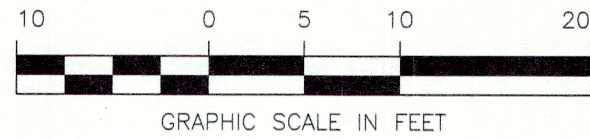
MAP 60
LOT 216
N/F LANDS OF
SARAH M. DESROCHES
BK. 11858, PG. 319

MAP 60
LOT 217
N/F LANDS OF
QUABOAG VALLEY COMMUNITY DEVELOPMENT CORPORATION &
QUABOAG VALLEY BUSINESS ASSISTANCE CORPORATION
BK. 9275, PG. 104

MAP 60
LOT 187
N/F LANDS OF
NEIL A. GAGE JR. &
DAVID M. GAGE
BK. 3626, PG. 60

MAP 60
LOT 188
N/F LANDS OF
FRANZ & FRANCA JEAN-BAPTISTE
BK. 14365, PG. 83

REVISIONS:		
REV	DATE	COMMENT
1		
2		
3		



PLAN OF LAND
(LOT LINE ADJUSTMENT)
OF
MAP 60, LOTS 189 & 190
OWNER: DAVID JAY MENDELSON
4-6 & 10 EDDY STREET
TOWN OF WARE
HAMPSHIRE COUNTY
COMMONWEALTH OF MASSACHUSETTS

PREPARED BY:
LEVESQUE GEOMATICS INC
43 GLENDALE ROAD
STURBRIDGE, MA 01518
PHONE: (508) 868-0041



THIS IS TO CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.
Joseph I. Levesque III
JOSEPH I. LEVESQUE III
MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #53840

SCALE:	1" = 10'
PROJECT #	DM06-001
DATE	JULY 20, 2022



TOWN OF WARE

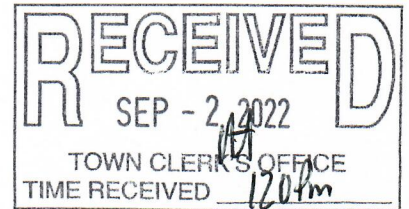
Planning & Community Development

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 9/1/2022 and 9/8/2022



SP-2022-08

NOTICE is hereby given that the Ware Planning Board, acting as the Special Permit Granting Authority, will hold a Public Hearing on **THURSDAY, September 15, 2022 at 7:10 PM** on the application of Melink Solar Development, for a Special Permit for annual renewal (SP-2022-08) of an approved large scale solar facility under Section 4.8.3, of the Zoning Bylaw, and pursuant to MGL Chapter 40A. 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: 45 Greenwich Plains Road, Ware, MA. Said premises being further described in deeds recorded in the Hampshire County Registry of Deeds, Book 13457, Page 159. Property is also identified as Assessor's Parcel 22-0-12 & 22-12-1. 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
413 967 9648 ext 120
www.townofware.com

Planning Board &
Zoning Board of Appeals

Robert A. Watchulla
Director of Planning &
Community Development

Request for Extension of
Site Plan / Special Permit / Variance /
Definitive Subdivision

SP -2022 - 08

Applicant

Name of Applicant (primary contact): Melink Solar Development (Jeremy Chapman)

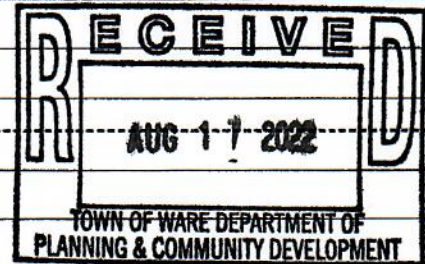
Company Ware Solar, LLC

Address: 276 N Forest Ave NE, Marietta, GA 30060

Phone: 513-432-4979

Cell:

Email Address: jchapman@melinksolardevelopment.com



Owner

Name of Owner: John C Soper

Address: 142 N Main St, South Deerfield, MA 01703

Phone: 617-312-4991

Cell:

Email: john.soper@verizonwireless.com

Proposer

The undersigned herewith resubmits the accompanying additional plan, materials, information, etc., relative to the previously filed Site Plan Application No. SPR-2019-03 and/or Special Permit Application No. SP-2019-04 and/or Variance Application No. _____ for property located on/at 45 Greenwich Plains Rd and decision recorded at the Hampshire Registry of Deeds, Deed Book 13457, Page 159, dated 9/19/2019 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 12 month extension, to commence work on said project as described in the original Decision.

Signature

Original Owner's Signature (Blue Ink Only):

John Soper

Date: 8/15/2022

Mailing Address: 142 North Main Street

Town/State/Zip South Deerfield MA 01373

Phone Number: 617-312-4991

Email: john.soper@verizonwireless.com

Office Use only

Official Use Only: Date Received: 8/17/2022 Date of Public Hearing: 9/15/2022

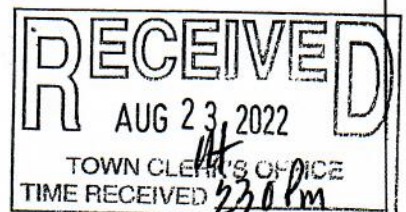
Fee: \$ _____ Check Dated: _____ Check #: _____

Check Name: _____

Decision of Board Approved Approved with Conditions Denied

Date of Decision: _____ Expiration Date: _____

Town Clerk's stamp:





August 10, 2022

Robert Watchilla
Director of Planning & Community Development
Town of Ware
126 Main St.
Ware, MA 01082

RE: Request for Extension, SPR-2019-03 and SP-2019-04

Dear Rob,

Please accept the enclosed form, signed by John C. Soper as the owner of the real property located at 45 Greenwich Road, along with this narrative, in approval of a 12-month extension of time to start construction for the previously approved permits # SPR-2019-03 and SP-2019-04.

The Special Permit and Site Plan Review for the Ware Solar, LLC project were originally approved on September 19, 2019. Since that time, the project has been continuously undergoing transmission and distribution studies administered by National Grid (NG) in coordination with ISO-NE as the Regional Transmission Operator. That study timeline has been complicated by the high volume of applications for distributed generation (DG) received by NG since 2018. Given the increasing levels of renewable energy on the grid in MA, ISO-NE and NG began an iterative Area Study process in 2019, which then had to be rolled into a replacement study in 2021 due to a combination of DPU's docket # 20-75 having been created in Oct 2020 and changes within the larger study group between 2019-2021.

Results from the transmission side of the 2021-2022 Area Study for Central/Western MA were recommended for approval by ISO-NE at the June 14, 2022 Reliability Committee, but an additional Group Study has now been opened for the Central/Western Area. NG currently estimates the distribution side of that Area Study will be complete sometime in November 2022. After that point, NG then expects to prepare and submit a CIP plan to the Department of Public Utilities (DPU), which DPU would then be expected to respond to in 2023. NG's timeline for construction of any utility-side upgrades will not be known until their studies are complete but, depending on the nature of NG's work, could certainly extend beyond 2023. As a result, it's possible that further extensions may be required to follow NG's timeline as ultimately approved by DPU. If so, we will submit a further request for extension in 2023 after those details are finalized.



Your office can refer to Docket #20-75 created by DPU on October 22, 2020 and the related filings, which confirm DPU's on-going process dating back to May 2019. Also attached for supporting documentation is an excerpt from NG's most recent study update which confirms in the highlighted text under Section 9(a) on page 2 that *"The ASO study in Central/Western MA has completed and was recommended for approval by ISO-NE at the 6/14/2022 RC meeting. One additional Group Study has been opened for the Central/Western area and conversations have been initiated with ISO-NE and New England Power Company (NEP) relative to course of study as it relates to efficiency and potential scope in anticipation of ASO study requirements as the distribution study matures."*

The study process as noted is beyond the control of Ware Solar, LLC and affects all DG projects greater than 1MWac in size within the Central and Western Areas designated by NG. Such studies are required to ensure the integrity of the electric distribution grid as the Commonwealth works to achieve its clean energy goals and, since they are beyond the control of the Applicant, constitute "good cause" for a corresponding extension of time to the related permits.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Jones", with a stylized flourish at the end.

Donna Jones
Manager
JCD Solar Consulting, LLC
d/b/a Melink Solar Development
Managing Member
Ware Solar, LLC

SECTION 1.E.9 MONTHLY ASO STUDY UPDATE

July 1, 2022

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9.a Scope & Process

At an overall level, when the interconnection of distributed generation (DG) to Massachusetts Electric Company's (MECo) electric power system (EPS) has the potential to impact a neighboring EPS (distribution or transmission), further analysis and/or study will be required. Examples of potential impacts on a neighboring EPS include reverse power flow onto the bulk transmission system and the establishment of new retail delivery points (for example, new/upgraded substations, transformers) to provide the distribution capacity necessary to accommodate greater amounts of large-scale DG projects interconnecting to MECo's EPS.

The purpose of this monthly report is to provide updates for ongoing ASO studies that implicate three or more DG applications or more than 15MW of DG capacity in accordance with the Department's Distributed Generation Guidelines for Interconnection (DG Guidelines).

Central/Western Scope

The ASO study in Central/Western MA has completed and was recommended for approval by ISO-NE at the 6/14/2022 RC meeting. One additional Group Study has been opened for the Central/Western area and conversations have been initiated with ISO-NE and New England Power Company (NEP) relative to course of study as it relates to efficiency and potential scope in anticipation of ASO study requirements as the distribution study matures.

Southern Scope

Distribution Group Studies have commenced for about 33MW of DG proposed in the Uxbridge/Whitinsville area (currently being referred to as Hopedale – West). The ASO study for this area will commence once PSCAD model deficiencies are resolved. Ten additional Group Studies have been opened for the Southern MA area and conversations have been initiated with ISO-NE and NEP relative to course of study as it relates to efficiency and potential scope in anticipation for ASO study requirements as those distribution studies mature.

Northern Scope

Based on the reporting criteria in the DG Guidelines, there are no ongoing ASO studies to report on in this area. While there are no ongoing ASO studies to report on in this area, 7 Group Studies have been opened for the Northern area and conversations have been initiated with ISO-NE and NEP relative to course of study as it relates to efficiency and potential scope in anticipation of ASO study requirements as those distribution studies mature.

Group Study and Associated ASO Study

Group study participants will likely require participation in an ASO study driven either by ISO-NE and/or New England Power Company (NEP) requirements related to solutions identified for the Group Study. Substations involved in a Group Study will be identified as requiring an ASO study because of the number of MW in the common study area.

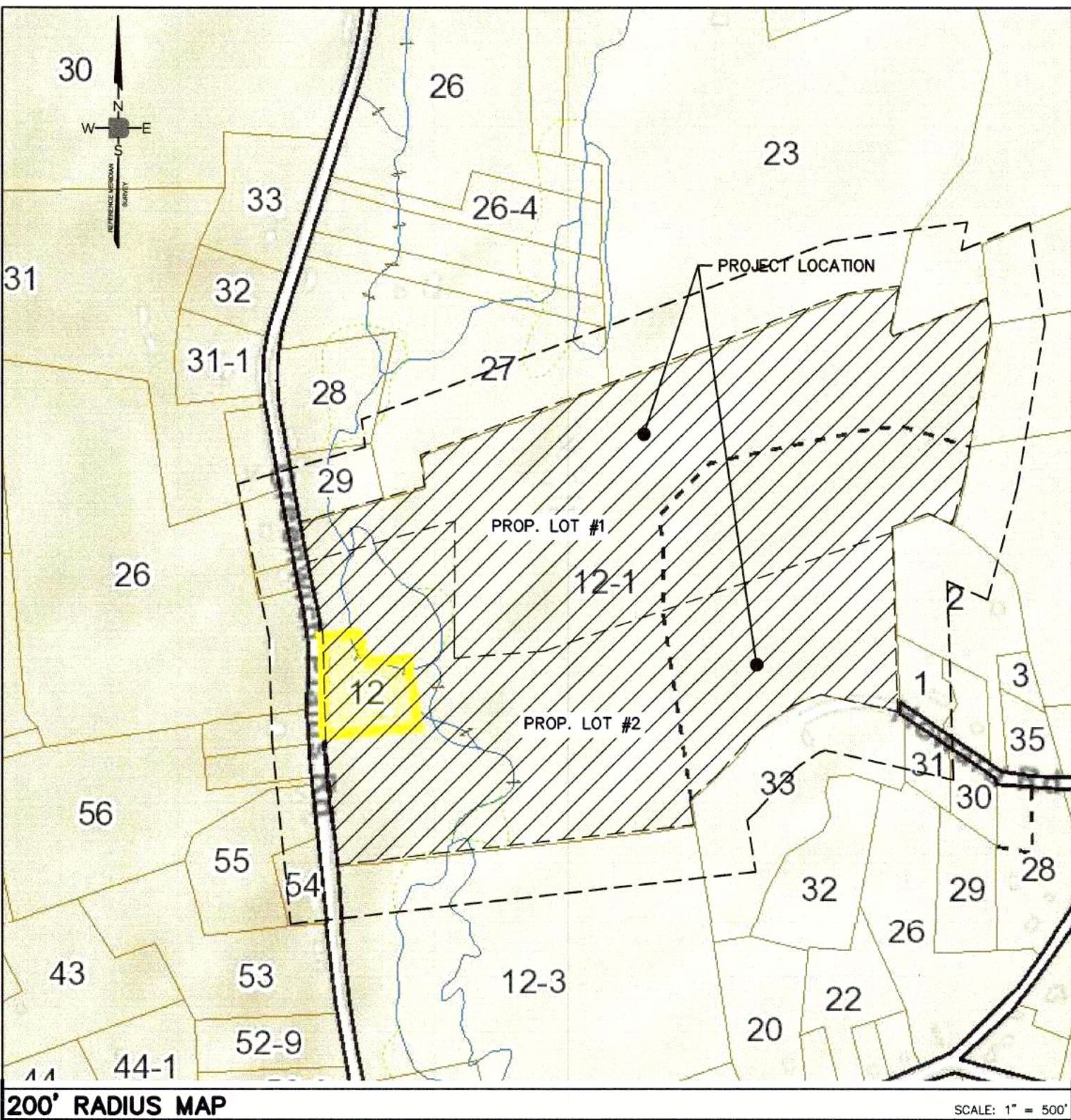
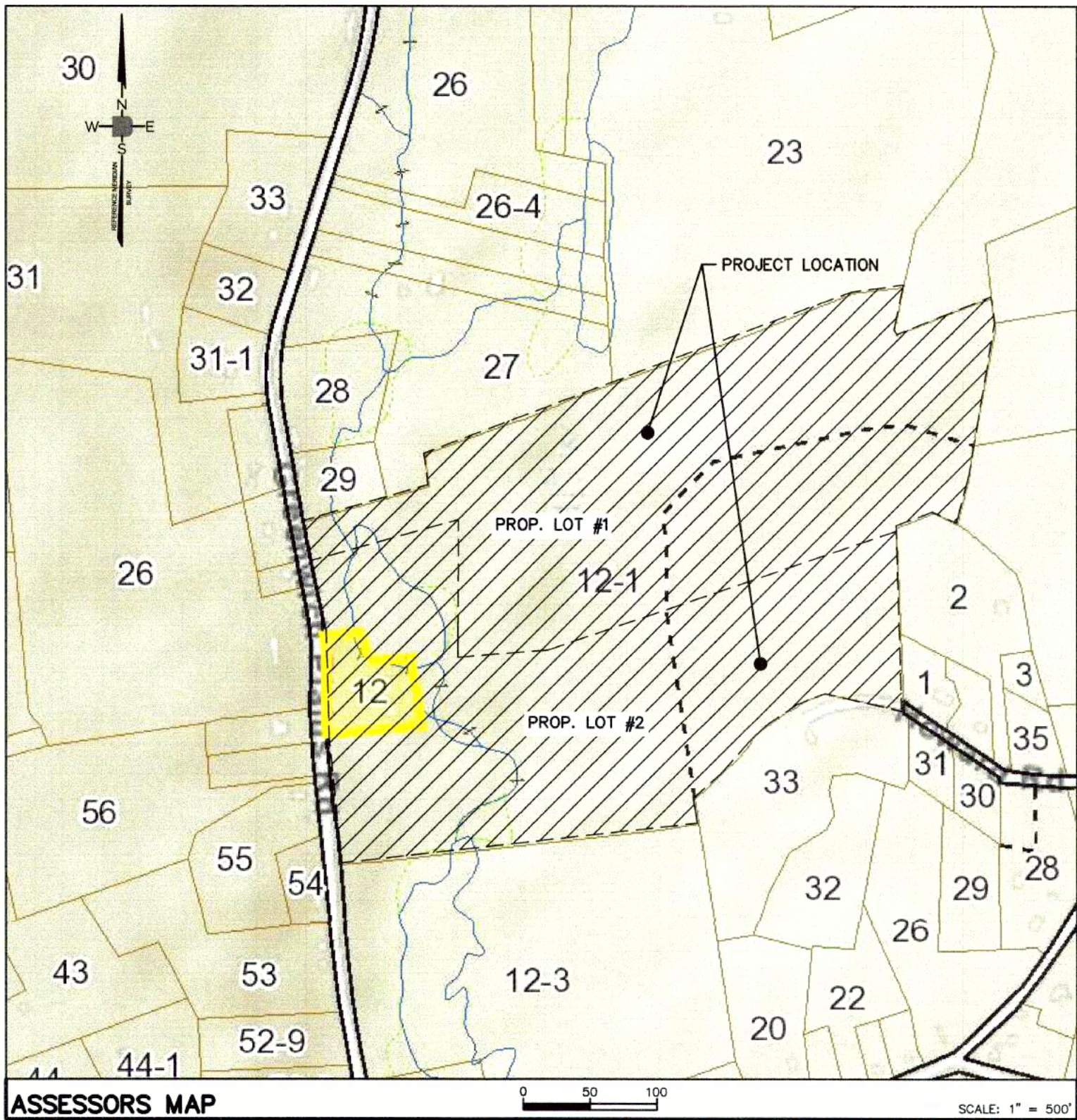
Process

ISO New England Tariff Process Applicable to DG Interconnections

DEFINITIVE SUBDIVISION PLAN
FIELDSTONE COMMONS

TAX MAP 22, LOTS 0-12 & 12-1
45 GREENWICH PLAINS RD
TOWN OF WARE

HAMPSHIRE COUNTY, MASSACHUSETTS



DRAWING LIST			
DWG. #	DRAWING TITLE	DATED / LAST REVISED	REV. #
C1.0	COVER SHEET	05-24-22	0
C2.0	DEFINITIVE SUBDIVISION PLAN	05-24-22	0
C2.1	WETLAND RESOURCE AREA PLAN WITH SOLAR USE	05-24-22	0

ASSESSORS AND PROPERTY INFORMATION:

TOWN OF WARE - ZONING

ZONE - RR
AREA - 60,000 S.F.
FRONTAGE - 150'
FRONT - 30 FT. (100 FT. FOR SOLAR ENERGY FACILITIES)
SIDE - 30 FT. (100 FT. FOR SOLAR ENERGY FACILITIES)
REAR - 40 FT. (100 FT. FOR SOLAR ENERGY FACILITIES)

RECORD PARCELS (ASSESSORS)

TAX MAP 22-0-12, 45 GREENWICH PLAINS ROAD
TAX MAP 22-12-1, HOWARD ROAD

RECORD OWNERS/APPLICANT

JOHN C. SOPER
142 NORTH MAIN ST
SOUTH DEERFIELD, MA 01373
DB. 10506 PG.121

PLAN REFERENCES

(HAMPSHIRE COUNTY REGISTRY OF DEEDS)

PLAN BOOK 83 PLAN 25
PLAN BOOK 88 PLAN 85
PLAN BOOK 90 PLAN 38
PLAN BOOK 162 PLAN 24
PLAN BOOK 177 PLAN 52
PLAN BOOK 219 PLAN 86
PLAN BOOK 243 PLAN 92

WARE TOWN CLERK CERTIFICATION

I, NANCY J. TALBOT, CLERK OF THE TOWN OF WARE,
HEREBY CERTIFY THAT NOTICE OF APPROVAL OF THIS PLAN
BY THE PLANNING BOARD WAS RECEIVED AND RECORDED
AT THIS OFFICE ON _____, NO NOTICE OF APPEAL
WAS RECEIVED DURING THE TWENTY DAYS NEXT FOLLOWING
SUCH RECEIPT AND RECORDED OF SAID NOTICE.

DATE: _____

PLANNING BOARD APPROVAL UNDER THE
SUBDIVISION CONTROL LAW REQUIRED M.G.L.
CHAPTER 4, SECTION 81U.

DATE: _____

"NO DETERMINATION OF COMPLIANCE WITH ZONING
REQUIREMENTS HAS BEEN MADE OR INTENDED"

RESERVED FOR USE BY
THE REGISTRY OF DEEDS

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO
MEET REGISTRY OF DEEDS REQUIREMENTS AND ARE NOT A
CERTIFICATION TO TITLE OR OWNERSHIP OF THE PROPERTY
SHOWN.

I HEREBY CERTIFY THAT THIS IS A TRUE PLAN BASED ON
FIELD SURVEYS AND THE LATEST DEEDS AND PLANS OF
RECORD AND THAT THIS PLAN CONFORMS TO THE RULES
AND REGULATIONS OF THE REGISTRY OF DEEDS.

BRUCE A. FITZBACK
P.L.S. #37731
DATE: 5-25-2022



PROJECT
FIELDSTONE
COMMONS

TAX MAP 22-0-12, 45 GREENWICH
PLAINS ROAD
TAX MAP 22-12-01, HOWARD ROAD
TOWN OF WARE, MA

CLIENT

JOHN C. SOPER
142 NORTH MAIN STREET
SOUTH DEERFIELD, MA 01373

CERTIFICATE OF AUTHORIZATION
24GA28068900 / 21MH00002800

DRAWN BY: E.Q. CHECKED BY: C.J.B.
SCALE: AS STATED PROJECT NO: 20M-200
DATE: 05-24-22 REVISION NO: 0

DRAWING NO.

C1.0

CALISTO J. BERTIN, P.E.
PROFESSIONAL ENGINEER

CT LIC. NO. 12950 NJ LIC. NO. 28845
MA LIC. NO. 40595 NY LIC. NO. 60022
NH LIC. NO. 9368 RI LIC. NO. 6594

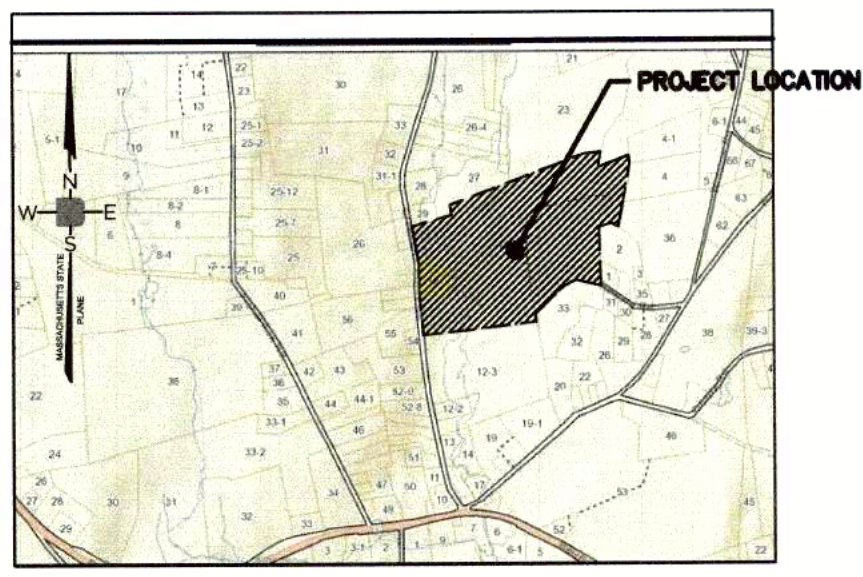
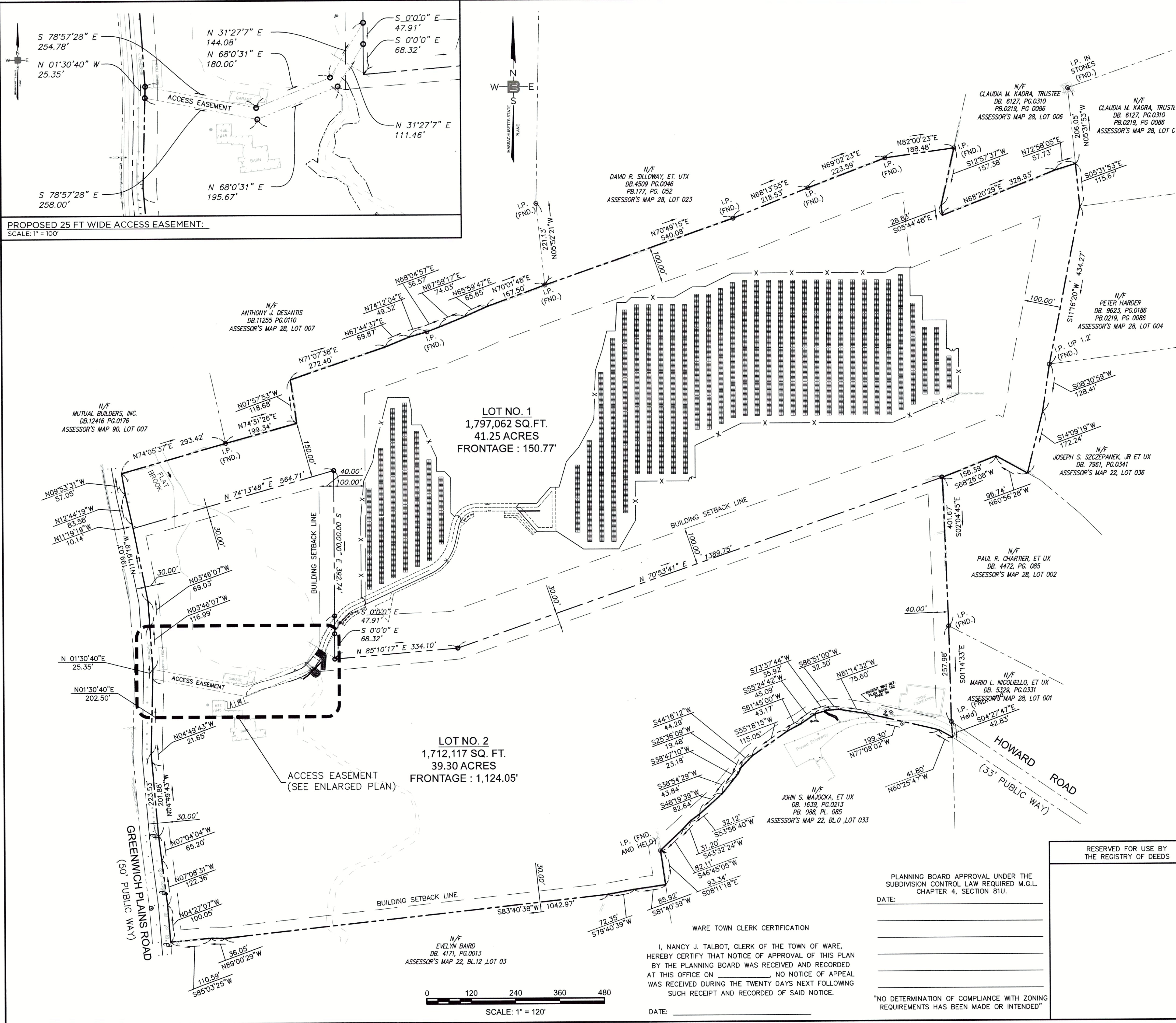
BRUCE A. FITZBACK, P.L.S.
PROFESSIONAL LAND SURVEYOR
MA LIC. NO. 37731
CT LIC. NO. 16970

REVISION

REVISION

DATE

DRAWING TITLE
COVER SHEET



LOT LOCUS PLAN:
SCALE: 1" = 2,000'

TAX MAP REFERENCES:
WARE ASSESSORS
TAX MAP REF: 22-0-12 AND 22-12-1

RECORD OWNER:
JOHN C. SOPER
45 GREENWICH PLAINS ROAD
WARE, MA 01082
DEED BOOK 10506 PG.121

PLAN REFERENCES:
(HAMPSHIRE COUNTY REGISTRY OF DEEDS)
PLAN BOOK 83 PLAN 25
PLAN BOOK 88 PLAN 85
PLAN BOOK 90 PLAN 38
PLAN BOOK 162 PLAN 24
PLAN BOOK 177 PLAN 52
PLAN BOOK 219 PLAN 86
PLAN BOOK 243 PLAN 92

TOWN OF WARE ZONING:
ZONE - RR (RURAL RESIDENTIAL)
AREA - 60,000 S.F.
FRONTAGE - 150 FT., (150 FT SOLAR FACILITY)
FRONT - 30 FT., (100FT SOLAR FACILITY)
SIDE - 30 FT., (100 FT SOLAR FACILITY)
REAR - 40 FT., (100FT SOLAR FACILITY)

- GENERAL NOTES:
1. THE PURPOSE OF THIS PLAN IS: TO COMBINE LOTS 12 AND 12-1, AND CREATE LOT NO. 1 (41.25 AC) SOLAR AND LOT NO. 2 (39.30 AC) RR USE.
 2. BOUNDARIES SHOWN ARE THE RESULTS OF AN ACTUAL FIELD SURVEY JANUARY 2 THRU JANUARY 22, 2019. SURVEY BASED ON AVAILABLE MAPS, DEEDS OF RECORD AND PHYSICAL EVIDENCE, BUT ARE SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AGREEMENTS, AND RIGHTS AND ENCUMBRANCES OF RECORD THAT AN ACCURATE AND THOROUGH TITLE SEARCH MAY DISCLOSE.
 3. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT, VISIBLE USES OF THE LAND AND DEPICT THEM ON THE SURVEY; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
 4. HORIZONTAL DATUM BASED ON NAD 83 MA11, VIA GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS).
 5. VERTICAL DATUM BASED ON NAVD 88, GEOID 12B, VIA GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS).
 6. BY GEOGRAPHICAL PLOTTING A PORTION OF THE SITE IS LOCATED WITHIN A FLOOD HAZARD ZONE A AS PER THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. # 250172 0010B WITH AN EFFECTIVE DATE OF AUGUST 17, 1981.
 7. WETLANDS DELINEATED BY ECOTEC, INC JANUARY 9 THRU JANUARY 10, 2019.
 8. TOPOGRAPHICS PROVIDED FROM EASTERN TOPOGRAPHICS WITH A PHOTO DATE OF APRIL 12, 1998, COMPILATION DATE OF JANUARY 7, 2018 WITH A SCALE OF 1"=50' AND A CONTOUR INTERVAL OF 2FT.
 9. ABUTTERS NAMES ARE IN RESPECT TO THE LATEST ASSESSORS RECORDS AVAILABLE.
 10. GREENWICH PLAINS ROAD & HOWARD ROAD ARE NOT DESIGNATED AS SCENIC ROUTES.

PLANNING BOARD APPROVAL UNDER THE SUBDIVISION CONTROL LAW REQUIRED M.G.L. CHAPTER 4, SECTION 81U.

DATE: _____

"NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR INTENDED"

WARE TOWN CLERK CERTIFICATION

I, NANCY J. TALBOT, CLERK OF THE TOWN OF WARE, HEREBY CERTIFY THAT NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD WAS RECEIVED AND RECORDED AT THIS OFFICE ON _____ NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT FOLLOWING SUCH RECEIPT AND RECORDED OF SAID NOTICE.

DATE: _____

39 ELM STREET
SOUTHBRIDGE, MA 01550
P 508.765.0195
F 508.765.0195
www.bertinengineering.com

**BERTIN
ENGINEERING**

CIVIL • SURVEYING • TRAFFIC • ENVIRONMENTAL • MECHANICAL • LANDSCAPE

CALISTO J. BERTIN, P.E.
PROFESSIONAL ENGINEER
CT LIC. NO. 12950 NJ LIC. NO. 28845
MA LIC. NO. 40595 NY LIC. NO. 60022
NH LIC. NO. 9368 RI LIC. NO. 6694

BRUCE A. FITZBACK, P.L.S.
PROFESSIONAL LAND SURVEYOR
MA LIC. NO. 37731
CT LIC. NO. 16970

NO.	DATE	REVISION

DRAWING TITLE

**DEFINITIVE
SUBDIVISION
PLAN**

PROJECT

**FIELDSTONE
COMMONS**

TAX MAP 22-0-12, 45 GREENWICH PLAINS ROAD
TAX MAP 22-12-1, HOWARD ROAD
TOWN OF WARE, MA

CLIENT

JOHN C. SOPER
142 NORTH MAIN STREET
SOUTH DEERFIELD, MA 01373

CERTIFICATE OF AUTHORIZATION
245A28058900 / 21MH0002800

DRAWN BY	CHECKED BY
E.G.	C.J.B.

SCALE	PROJECT NO.
1" = 120'	20M-200

DATE	REVISION NO.
05-24-22	0

DRAWING NO.

C2.0

Any additional expenses for professional review of the plans, survey, or inspections shall also be paid by applicant in accordance with the hiring of outside consultants (MGL Ch. 44 Sec. 53G, See Appendix D.).

- e) A certified list of abutters within 300 feet (cost will be borne by the applicant). If abutting property owners are located in a different Town, those abutters shall be notified as well.
- f) A list of requested waivers from the Subdivision Rules and Regulations (see Appendix E).
- g) A more detailed Development Impact Statement (see Appendix C).

2.4.3. Contents

The Definitive Plan shall be prepared by a current Registered Civil Engineer and current Registered Land Surveyor in good standing. The Plan shall be at a scale of one inch to forty feet (1"=40'), unless otherwise specified by the Planning Board. Sheet size shall not exceed 24" x 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The data required below may be on separate sheets as is necessary.

The Definitive Plan shall contain the following information:

- a) Subdivision name, boundaries, north point, date, legend, and bench mark(s). All elevations shall be to the USGS bench marks.
- b) Name and address of the owners of record, the applicant, the engineer and surveyor and their official seals.
- c) Abutters from latest available Assessor's records unless the applicant has knowledge of any changes subsequent to the latest available Assessor's records.
- d) Existing and proposed lines of streets, sidewalks, shared use paths, rights of way, easements, and public or common areas within the subdivision. Proposed names of new streets shall be shown.
- e) Location, names and present widths of street(s) bounding, approaching, or within reasonable proximity of the subdivision.
- f) Zoning districts of all the areas shown on the plan.
- g) Key plan showing location of the subdivision at a scale of one inch equals one thousand feet (1"=1000'), and an index plan at a scale of one inch equals two hundred feet (1"=200'), or at a scale matching that used on the Assessors maps.

- h) Existing (broken line) and proposed (solid line) topography at two (2) foot contour intervals including the finished grade of all lots.
- i) Street frontage, lot numbers and areas of lots.
- j) Location of all natural waterways and water bodies within and adjacent to the subdivision.
- k) Location of significant site features located within the proposed right-of-way such as existing stone walls, fences, buildings, large trees (with a minimum diameter of 18" measured at 4' DBH (Diameter at Breast Height)), flood plains, and rock outcroppings.
- l) Boundaries of lands subject to the Massachusetts Wetlands Protection Act.
- m) Location and limits of soil types, particularly Agricultural Soils, consistent with the soils classification maps prepared by the Natural Resources Conservation Service.
- n) Areas where the depth of natural soil to bedrock is four (4) feet or less.
- o) The extent of any Interim Wellhead Protection Areas and Recharge Areas.
- p) Delineation of slopes of twenty-five percent (25%) or greater.
- q) Areas delineated as "BioMap Core Habitat" or "Supporting Natural Landscape" on the Massachusetts BioMap Project developed by the Massachusetts Natural Heritage & Endangered Species Program.
- r) Location of all permanent monuments, properly identified as to whether proposed or existing.
- s) If requested by the Board of Health, the location and results of all percolation tests to evaluate subsurface conditions for each lot in the prospective subdivision. These tests will be done if individual sewer systems are proposed. The tests will be done in accordance with the State Sanitary Code and the regulations of the Town of Ware Board of Health.
- t) Location of all existing wells and areas of potential well locations for each proposed lot.
- u) If utilizing public water, the size, pressure and location of existing and proposed water supply facilities.
- v) If utilizing public water, the size, pressure and location of all fire hydrants, pump, water lines between hydrants and pump, and source(s) of water for firefighting.
- w) If utilizing public sanitary sewer, the size, capacity and location of existing and proposed components of all sanitary sewer facilities.
- x) Location of all the following improvements unless specifically waived in writing by the Board: street paving, bike lanes, sidewalks, shared use paths, street lighting standards, all utilities above and below ground (i.e., electricity, phone, cable), curbs, gutters, storm drainage, and all easements

(with statement of the purpose of each such easement) including any required utility easements outside of the right-of-way.

- y) The location of core borings taken along the center line of the proposed road every 100' to a depth of 6'. The logs of such core borings shall be included.
- z) A plan for Stormwater Management and Erosion and Sediment Control, along with all supportive information and documentation, must be submitted as part of the Definitive Subdivision Plan submission approval. Wherever possible the proposed drainage system shall be designed to utilize, and be compatible with, the existing drainage patterns and existing natural features of the site.

The storm water management plan shall be designed to incorporate and address the stormwater management for the entire proposed development, including anticipated buildout of individual lots.

Detention ponds shall be utilized wherever possible, although other methods will be entertained where detention ponds are determined, by the Board, not to be feasible. The systems shall also be designed such that the volumes and velocities of storm water leaving the site after construction shall not exceed that of the pre-construction state of the site.

Detention ponds, retention ponds and other storm water drainage structures, not located within the proposed existing street right-of-way, must be located on their own individual parcel, and may not be included as a part of any intended building lot. Such individual parcel shall be placed under the ownership, control, and responsibility of a Homeowner's Association, or other approved equal by the Planning Board, created for such purpose. An easement shall be granted to the entity owning the street (including its successors and assigns) authorizing the discharge of storm water into said drainage structure. Said association shall be responsible for:

- the maintenance, repair, and improvement of the storm water drainage structure ensuring its continued functioning capability as designed and constructed
- maintaining a bank account at all times, with a balance of no less than an amount determined by the Director of Public Works as being sufficient, for the purpose of paying for said maintenance and improvement

- maintaining an insurance policy in the amount of at least one million dollars (\$1,000,000.00)
- having said structure inspected, and maintained, repaired and improved as needed, at least once a year by a qualified person/firm (i.e. engineer, landscaper as appropriate)
- having said qualified person firm forward a written report, at least once each calendar year, certifying said inspection and any maintenance, repairs, and improvements that were required and undertaken to the Planning Board and Director of Public Works.

The developer shall provide an easement on the parcel to the Town, and similar wording shall also be included in any Homeowner's Association bylaw or ordinance, where, should said association fail in any of its aforementioned responsibilities as listed above, give the Town the right to intercede and conduct any of the maintenance, repairs and improvements that it feels are necessary to ensure the proper functioning of the structure, and assess the association the cost of said maintenance, repairs and improvements, plus a 20% administrative fee.

- aa) Sufficient data including the length, bearings, radii, and central angle to determine the exact location, direction, and length of every street, and way, lot line and boundary line, and to establish these lines on the ground.
- bb) Profiles shall be prepared as follows:
- A horizontal scale of 1" = 40'.
 - A vertical scale of 1" = 4'.
 - Existing grade of road center line drawn in fine black solid line.
 - Existing right sideline drawn in fine black dotted line.
 - Existing left sideline drawn in fine black dash line.
 - All elevations shall refer to the U.S. Coast and Geodetic Survey benchmarks.
 - Proposed roadway center line grades drawn in heavy red line with precise elevations at point of vertical tangency, point of vertical contact, high point and low point.
 - Rates of roadway gradient shown in percentage.
 - Size, location and rates of gradient of proposed stormwater management facilities, drains, sewer lines, catch basins, manholes, as well as required new waterways, and sizes of all pipes.
 - Invert and rim elevations of each manhole or catch basin shall be shown.

- As long as the work is related to the proposed subdivision, profiles shall be shown even if the new work is outside said subdivision.
 - Water mains will be shown in profile to demonstrate sufficient clearance of other structures.
 - Size and location of all other utilities to be placed in the right of way. These shall be placed so as to minimize flood damage.
 - Location of any intersected public or private way.
- cc) Cross sections details shall comply with the Typical Section contained in Appendix B and shall include: street section showing paving, crown, berm, shoulder and distance to the right of way line, sidewalks, bike lanes and cross sections for any stormwater management facilities, drainage trench.
- dd) Suitable space to record the action of the Board and signatures of Board members.
- ee) The following Statements shall appear on all plans:
1. Planning Board approval of any subdivision shall be deemed revoked in all cases where the construction of ways and installation of municipal services has not been completed or where the applicant (his agents or assigns) has failed to meet any conditions of said approval by the completion deadline date stated in the Subdivision Approval, unless such time is extended in writing between the applicant (his agents or assigns) and the Planning Board in accordance with the provisions of Section 2.4.9 (Completion Time Schedule, of the Town of Ware Subdivision Rules and Regulations Governing the Subdivisions of land).
 2. Compliance with the requirements of the Town of Ware Subdivision Rules and Regulations, unless they have specifically been waived by the Planning Board, are required as part of the approval of this plan.
 3. Approval of this plan shall be automatically revoked if recorded more than six (6) months following the date of endorsement unless specifically waived prior to such expiration by the Planning Board.
- ff) Location of all special flood hazard areas as determined from Flood Insurance Rate Maps, designated as Zones A and A1-A30, for the Town of Ware, as well as a note on the plan stating the Community Panel Number(s) and whether or not the subject property is in a Special Flood Hazard Area.
- gg) Landscaping Plan showing the location of all existing and proposed landscaping, including the center of any proposed cul-de-sacs. Tree species must be approved by the Tree Warden. Indicate which large trees (with a minimum diameter of 18" measured at 4' DBH (Diameter at Breast Height)) are proposed to be removed within the proposed right-of-way.

hh) Traffic Analysis. The developer shall be required to provide a traffic analysis prepared by a registered traffic engineer. This report must bear the traffic engineer's stamp and detail the number of vehicle trips generated per day, and how traffic will affect the surrounding road network. This analysis must conform to the standards contained in the most recent version of the Massachusetts Department of Transportation Highway Division Traffic and Safety Engineering 25% Design Submission Guidelines. This plan should explain traffic impacts, types of streets, opportunities for public transit access, impacts on vehicle, pedestrian and bicycle circulation and include the following:

1. Estimated daily and peak hour vehicle trips generated by the proposed use, traffic patterns for vehicles and pedestrians showing adequate access to and from the site, and adequate vehicular and pedestrian circulation within the site. Previous generated data may be used but may not be more than two years old.
2. Traffic flow patterns at the site, including entrances and egresses and curb cuts on site and within 200 feet of the site
3. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.
4. Adequate pedestrian access, including provisions for sidewalks to provide access to adjacent properties and between individual businesses within a development.
5. Safe provision for school bus stops and public transit stops when appropriate.

ii) Construction Quantities. The applicant shall submit a detailed estimate for all construction within the proposed roadway layout and/or public utility easements, certified by the project's Registered Professional Engineer. Said estimate shall be based on the latest approved edition of "Standard Specifications for Highways and Bridges" of the Commonwealth of Massachusetts, and shall include:

1. Schedule of Values for Subdivision Construction, (see Form B: Definitive Subdivision Construction Cost Estimate)
2. Total amount for cost of completion of project.
3. Costs adjusted to account for municipal prevailing wages rates
4. Costs shall be revisited and adjusted every five (5) years for an inflation/safety factor

jj) The applicant shall include a maintenance plan for the subdivision right-of-ways, easements and roads for the time prior to acceptance by the Town. The maintenance plan should include provision for the maintenance of road

pavement, sidewalks, water and sanitary sewer, stormwater management, soil settling problems, street sweeping, snowplowing and clearing of snow from sidewalks and shared use paths, maintaining vegetative stabilization of all right-of-ways and easements, erosion controls, fall leaf clean up, catch basin and drainage system cleaning, and other provisions as determined to be necessary by the Planning Board.

kk) Road Acceptance. All requirements as listed under **Section 2.4.14** in the Town of Ware Subdivision Regulations.

ll) Any other information that the Board may deem necessary.

2.4.4 Review by the Board of Health as to Suitability of the Land

At the time of the filing of the Definitive Plan with the Board, two (2) copies shall also be filed with the Board of Health. The Board of Health shall report in writing its approval or disapproval of said Plan. In the event of disapproval it shall make specific findings as to which if any of the lots shown on said Plan cannot be used as building sites without injury to the public health. The Board of Health shall include specific findings and the reasons therefore in such report, and where possible it shall make recommendations for adjustments necessary for the Plan's approval. Any approval by the Board shall be on the condition that lots deemed injurious to the public health shall not be built upon without prior consent of the Board of Health. The Board shall endorse on the plan such conditions, specifying the lots to which said conditions apply. Failure by the Board of Health to report on the proposed subdivision within forty-five (45) days after the filing of the Plan shall be deemed approval of the Plan by the Board of Health.

All subdivisions shall apply to connect to the Town sanitary sewerage system where this system is available and where it is feasible to do so. Every lot not served by the Town sewerage system shall have an adequate approved sewage disposal system satisfactory to the Board of Health.

2.4.5 Review by Other Town of Ware Departments

The Board shall, upon submission of a Definitive Plan, transmit one copy each to the Board of Selectmen, Fire Department, Department of Public Works, Building Department, Police Department, Conservation Commission and any consultants that may be selected by the Board for their review. Comments and recommendations shall be made to the Board within forty-five days following receipt of a copy of the plan.

2.4.6 Public Hearing

Before approval, modification, and approval or disapproval of the Definitive Plan is given, a public hearing shall be held by the Board. Said Public Hearing shall be held after the Board of Health makes its report or after the 45-day period to report expires. Notice of the specific time and place shall be given by the Board at the expense of the Applicant by advertisement in a newspaper of general circulation in the Town of Ware once in each of two successive weeks, the first publication being not less than fourteen days before the date of such hearing. A copy of the Definitive Plan shall be available to the Public through the Town Clerk's office, not less than fourteen (14) days before the date of the Public Hearing.

A copy of said notice of public hearing shall be mailed by the Planning Board to the applicant and to all owners of land abutting upon the land included in such plan as appearing on the Abutters from latest available Assessor's records. The Planning Board shall also send notice of a public hearing to the following: the Board of Selectmen, the Board of Health, the Conservation Commission, the Fire Department, the Police Department, the Superintendent of Schools, the Building Inspector, the Water Department and the Department of Public Works.

2.4.7 Approval, Modification or Disapproval

After the required public hearing but within ninety (90) days from submission, in the case for Type II and Type III subdivision, or Type I subdivision that has submitted a preliminary plan, or within one-hundred and thirty-five (135) for Type I subdivision which no preliminary plan was submitted, the Board shall take final action upon the Definitive Plan. It shall approve the Plan as submitted, modify and approve the Plan or disapprove the Plan. If the Board modifies or disapproves the Plan, it shall state with its vote the reasons for its action.

The failure of the Board either to take final action or to file with the Town Clerk a certificate of such action regarding the definitive plan submitted by an Applicant within one hundred thirty-five (135) days after such submission, or such further time as may be agreed upon at the written request of the applicant, shall be deemed to be an approval thereof. Notice of such extension of time shall be filed forthwith by the Board with the Town Clerk.

Approvals of Definitive Subdivision Plans are transferable only upon the prior approval of the Planning Board.

Town Planner Update: September 15th, 2022

- **The Planning & Community Development Department is currently looking for an Intern**
 - The Intern would be responsible for assisting the Director with various Planning Initiatives including the Open Space and Recreation Plan.
 - Local Universities including UMass Amherst will be reached out to.
- **The Façade Improvement Program Application window is still open**
 - Applications are due to the Pioneer Valley Planning Commission by October 1.
 - They can be found on the Town of Ware Planning & Community Development webpage under "Planning & Community Development News".
- **The Planning Board and Selectboard will be holding a Joint meeting on Tuesday, September 20th.**
 - During a normally scheduled Selectboard meeting, both Boards will decide between two applications for the Vacant seat (which will expire in April 2023).
 - More details will be provided as the meeting agenda becomes available.