



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082
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Zoning Board of Appeals

Meeting Minutes from
Wednesday, September 25, 2019

Board of Selectmen's Meeting Room, 126 Main Street, Ware, MA 01082

- Board members present:** Chairman Lew Iadarola, Jodi Chartier, George Staiti (Alternate), and Dave Skoczylas, (Alternate)
- Board members absent:** Greg Eaton, Chuck Dowd, Phil Hamel
- Staff present:** Rebekah DeCoursey, Director of Planning & Community Development, Nicole Croteau, Assistant to the Director
- Public in Attendance:** Richard LeBlanc and Claudia Kadra

Chairman Iadarola called the meeting to order at 7:00 p.m.; Pledge of Allegiance was said.
(Topics of discussion may be out of order from the agenda)

1. Administrative
 - a. Approval of Minutes of July 24, 2019 – Reviewed minutes and approve as written. Motion made by G. Staiti, second by D. Skoczylas. All in Favor, voted 4-0. (Internal note: August meeting was cancelled)
2. New/Old Business
 - a. CI Zoning
 - i. R. LeBlanc, a Keller Williams Realtor representative, inquired about Parcel 90-1 to verify if the parcel conforms to current zoning bylaws and can be considered a buildable lot. The parcel does not meet the current required frontage or lot area.
 - ii. R. DeCoursey presented the Board with a spreadsheet comparing surrounding lots and their frontage and area. Many of the lots in CI are non-conforming.

- iii. Chairman asked R. DeCoursey to verify when the lot was created and what the zoning requirements were at the time the lot was created.
- iv. Once additional research is completed, the Board and/or R. DeCoursey will reach out to R. LeBlanc to inform him if the lot is buildable or not.

3. Discussion of Variances:

a. Signs

- i. Chairman reviewed and discussed the zoning bylaw relating to signs (§6.5.1 to 6.5.5) and the meaning and intention behind such regulations.
- ii. General discussion was made about local businesses in town and how these regulations were applied to those permits/businesses.
- iii. Chairman felt the bylaws should add “feather sign” regulations due to safety concerns. Example of “feather signs”:



b. General

General Variance topic of discussion included food truck permits and murals.

- i. Murals could be controversial: some may see it as art and others may see it as graffiti.
- ii. Will review §7.3 in depth at a later date and no discussion on food trucks.

c. Solar Bylaws

- i. R. DeCoursey stated there have been no changes to the proposed solar bylaws; just additional research. A comparison chart was presented to the Board listing a solar topic then comparing surrounding community regulations on the topic.
- ii. Chairman asked if there is a solar application and/or checklist for solar permits. R. DeCoursey stated the PCD Dept. is in the process of revising applications. The Board generally felt there should be a checklist with other Board’s requirements listed as well.
- iii. R. DeCoursey also informed the Board the PCD Dept. is creating a Scenic Road Bylaw which may help regulate ground mounted solar arrays.
- iv. J. Chartier and C. Kadra spoke to the Board about how much personal time and effort they have spent in researching all aspects of solar construction relating to: health, historic, environmental including stormwater as well as wildlife.
- v. Board expressed there needs to be strong regulations relating to stormwater design such as: annual permit fees, inspections and annual reports to be submitted to PCD Dept.

- vi. Board discussed Chapter land, Prime Forest and Prime Agricultural land; how and when should existing parcels file to be removed from such categories; should this be part of the approval process-to only have clean title land submit applications for solar.
- vii. J. Chartier expressed her concerns to possibility cap the number of facilities within Ware or cap a total mega wattage within the town.
- viii. Chairman asked what type of bonds do the applicants make-surety or cash and what is this amount based on? R. DeCourcey stated that the current applicant is required to have a surety bond based upon a percentage of the building permit cost.
- ix. Board discussed the setbacks for the panels and tree buffering. Chairman stated he would like to have natural vegetation as much as possible. R. DeCourcey stated that some parcels with a proposed larger setback would make some existing parcels non-developable for solar. She suggested to possibly require 50% of the land be subject to non-developable. R. DeCourcey also reminded the Board that the proposed Scenic Road Bylaw may help regulate these setbacks.
- x. J. Chartier asked if the Bylaws require such documents at the time of filing and the applicant fails to submit these documents; is the PB Decision and/or applicant in violation of the Bylaws? R. DeCourcey stated the applicant can ask for a waiver on such topic(s). G. Staiti stated if there was a larger issue there may be a Superior Court lawsuit of Board vs. Board. The Planning Board generally does not override the Zoning Bylaws and the requirements.

Adjourn:

Motion to adjourn made by G. Staiti.
 Second by D. Skoczylas. All in Favor.
 Adjourned at 9:13 pm.

Next scheduled meeting is October 23, 2019

Minutes from September 25, 2019
 Respectfully submitted by,

Nicole Croteau
 Assistant to the Director

Minutes Approved on:	<u>Dec 12, 2019</u>
L. Iadarola	
P. Hamel	_____
G. Staiti	
G. Eaton	_____
D. Skoczylas	
J. Chartier	