



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, August 17, 2023

Selectboard Meeting Room

126 Main Street, Ware MA 01082

Planning Board Members in Attendance:

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

Staff Members in Attendance:

Kristen Jacobsen	PCD Dept. Admin. Assistant
Stuart Beckley	Town Manager
Anna Marques	Building Commissioner/Zoning Enforcement Officer

Members of the Public in Attendance:

Bernie Bergeron	
Alex Bergeron	
Jeremy Croteau	Remote
Angela Panaccione	PVPC

PLEDGE OF ALLEGIANCE

Chairman E. Murphy called the meeting to order at 7:03pm and led the Pledge of Allegiance.

ADMINISTRATIVE

- Approval of minutes from August 3rd, 2023

Motion by C. DiMarzio to approve the August 3rd, 2023, meeting minutes. Seconded by R. Starodoj Discussion. None

E. Murphy		Aye
R. Starodoj		Aye
K. Crosby		Absent
E. Hancock		Absent
C. DiMarzio		Aye
Three in favor. Two Absent Approved 4/0/1.		

ANR

- o ANR-2023-03 – 34-33-2 & 34-0-31 Osborne Road
- o Applicant seeks to create one conventional building lot from two parcels.
Remaining land and frontage would meet regulations for estate lot requirements

J. Croteau presented the ANR, describing the arrangement of the parcels. The board discussed the plan to combine lots and found that the building lot met all area and frontage requirements and the Estate lot met all regulations.

Motion by C. DiMarzio to approve ANR-2023-03 as presented. Seconded by R. Starodoj

Discussion. None

E. Hancock connected via Zoom

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

NEW BUSINESS

A. Panaccione presented the draft of the Muddy Brook Subwatershed Resiliency Master Plan. A. Panaccione described the process of developing the plan, year 1 deliverables, year 2 work plan and timeline. C. DiMarzio asked if there were any plans for restricting uses on abutting properties. A. Panaccione said she didn't believe so but, subdivision regulations may want to be revised to address green infrastructure. The board discussed the need for curbing in stormwater management. A. Panaccione discussed the upcoming DEP stormwater

management regulations. The board discussed the possibility of the reopening and size increase of the Casella landfill.

OLD BUSINESS

Revisit Proposed Zoning Changes : 415 – 417 Belchertown Road (Bergeron)

S. Beckley reviewed the changes to the proposed RB District Overlay after meeting with A. Bergeron and B. Bergeron. The changes included removing the lot size requirement, the number of uses previously allowed (Automotive service, labs, and research facilities). The size requirement was replaced by a screening requirement. Also, 2 sections (areas on map) of the former proposed overlay district areas were removed.

S. Beckley addressed past questions of spot zoning, mentioning the test which can be used to test for spot zoning and does not believe this overlay district constitutes spot zoning.

E. Hancock addressed comments from B. Bergeron’s previous inclusion in the RB district, and reiterated the property was not historically included in the RB district. A. Bergeron confirmed that he understood. E. Hancock and the Bergeron’s discussed the DeSantis property, and that it is not included in the revisited district.

E. Hancock suggested only parcels with frontage along rt 9 should be included. C. DiMarzio confirmed that was what was included on the plan. E. Hancock listed uses included in the previous RB district (hotels, motels, nursing/convalescent homes, government buildings, restaurants, and membership clubs) E. Hancock reviewed the proposed allowed uses. E. Hancock recommended seeing a report from the Fire Chief regarding tank farms.

C. DiMarzio suggested cleaning up the language regarding the vegetated buffer. The board suggested it should be on any line of sight of the structure and that can be dealt with during the conditions of the Special Permit. The board discussed who would be proposing the bylaw, and if proposed by the Bergerons they would be the proponents.

The board discussed who would be responsible for the fees for the advertising. S. Beckley that the town would be responsible because it was zoning.

Motion by R. Starodoj to end the discussion on the proposed revisited and send the revised RB Overlay District Bylaw to the Select Board . **Seconded** by C. DiMarzio. **Discussion.** None

E. Murphy		Aye
R. Starodoj		Aye
K. Crosby		Absent
E. Hancock		Aye
C. DiMarzio		Aye

<p align="center">Four in favor. One Absent Approved 4/0/1.</p>

Appointment of P.V.P.C. Commission Member and Alternate

The board discussed potential volunteers. C. DiMarzio suggested E. Hancock, E. Hancock had questions regarding the meeting arrangements and the ability to attend remotely. K. Jacobsen said she'd look into that for her. E. Murphy volunteered to be the alternate member.

Motion by R. Starodoj to defer the appointment of PVPC commission member and alternate until September 5, 2023. **Seconded** by C. DiMarzio. **Discussion.** None

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

Planning Department Update

S. Beckley said there were many grants in progress

Marylane is moving forward with demolition

Tractor Supply should be in September/October

The towing company has been in contact with the town.

ADJOURN

Motion made by R. Starodoj to ADJOURN at 8:34 pm. Seconded by E. Hancock. Discussion: None

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

NEXT PLANNING BOARD MEETING DATE:

Thursday, September 7, 2023 at 7:00pm.

Minutes from Thursday, August 17, 2023.

Respectfully submitted by,

Kristen Jacobsen
Administrative Assistant
Planning & Community Development

Minutes Approved on:	<u>9/21/23</u>
Starodoj	<u><i>RAS</i></u>
Murphy	_____
Hancock	<u><i>Elizabeth Hancock</i></u>
Crosby	_____
DiMarzio	<u><i>EDD</i></u>