



TOWN OF WARE

Planning & Community Development

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Planning Board Minutes

October 7, 2015

- Planning Board members present:** David Kopacz, Sr., Rick Starodoj (Chairman), Fred Urban, Joe Knight (7:05 p.m.)
- Planning Board members absent:** Chris DiMarzio, John Chabot (Alternate)
- Staff present:** Karen Cullen, Director of Planning & Community Development, Judi Mosso, Assistant to the Director
- Public:** As taken from sign-in sheet and observation: Carol Zins, Tracy Opalinski, George Staiti, Janice Ouimette, Denis Ouimette, Julia A. Johnson, Kenneth (Vance) Chatel, Sheila Cuddy, Todd Marion.

Chairman R. Starodoj called the meeting to order at 7:01 p.m.

1. Administrative

- a. *Approve minutes from September 2, 2015* – **Motion** by D. Kopacz, Sr. to approve minutes as presented, seconded by F. Urban. So voted 4/0/0.
- b. *Passing of Floyd R. Maynard, former PB member* – The Board recognized the obituary. At Rick's request, Judi sent a sympathy card.
- c. *Tri-County Recycling (ABC&D)* – Karen read DEP's comment letter dated October 1, 2015, regarding the site modifications.
- d. *Correspondence* – notices from abutting towns were reviewed as well as other mail. Karen has prepared a draft of the final report to the engineer for the TIP project. Board is to review. Board requested TIP project info be posted on town's website.

- e. *Special Town Meeting* – Karen noted the STA Agreement with G&G Medical Products has hit a bump and is unsure of the outcome. P&CD department may also have another warrant article for additional funds for the Monroe Street site cleanup.
- f. *Meetings* – October 21 meeting is cancelled unless we receive an ANR application. November 4 meeting is tentative; possible agenda items are Solodar ANR and surety for Seaboard Solar site. Greenwich Road gravel pit is set for November 18.

2. Special Permit, SP-2015-04, Bed & Breakfast at Bird Hill Farm

Kenneth Chatel, 145 Upper Church Street, one single-occupancy and two double-occupancy guest rooms, continental breakfast and small workshops. J. Knight read the legal notice into the minutes. Mr. Chatel spoke about the project and stated that he has talked to Deputy Fire Chief Ed Wloch about emergency lighting, etc; his insurance company has approved the upgrades. Other points discussed were signage, parking, street name of Church Street vs. Upper Church Street. Mr. and Mrs. Ouimette and Ms. Zins spoke in favor of the permit approval. Ms. Opalinski was in attendance representing the Ware Business and Civic Association, in support of the permit. She also presented support letters from the Palmer Motorsports Park, Salem Cross Inn, Eagle Hill School, and MA DCR.

R. Starodoj reviewed the findings in the draft decision and the Board made minor changes to them.

Motion by F. Urban to approve the Special Permit with the following conditions:

1. That the proposed wooden sign at the driveway 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. That failure to comply with all applicable statutes and regulations shall be deemed cause to modify or revoke this Special Permit.

Seconded by J. Knight. So voted by roll call vote 4/0/0.

The applicant was advised as to next steps and that his location or building was not included in the historic district.

Some agenda items were taken out of order.

3. Update on Special Permit 2015-02, Seaboard Solar, Gilbertville Road

One year extension of SP-2013-02 to allow construction of a solar array was approved 8/19/2015. There was no representative here tonight. Seaboard Solar was issued a corrective action request letter on October 7, 2015 from the West Brookfield Storm Water Authority. Latest storm water reports were unremarkable. Per the letter, action must be taken by November 3. Karen confirmed that it is related to the West Brookfield part of the parcel only. The (Ware Planning) Board’s extension approval included condition number 10: “A review of this project shall take place at a Planning Board meeting in October 2015 and the Planning Board reserves the right to require at that time that a bond or suitable surety be established for the remediation of the disturbed area of the site (topsoil and vegetative cover) if steps have not been taken to construct this project by that time.” There was discussion about how much the bond should be. D. Kopacz stated that the Conservation Commission can require more erosion controls if necessary and that they have requested calculations. The Board needs a solid number from the DPW Superintendent. The Board will put Seaboard Solar on notice regarding the sum of the surety for final decision at the next meeting; the site needs to be stabilized by June 1, 2016. If work to do so hasn’t been done by some set date, the PB will pursue obtaining the surety money to hire a contractor to do the work.

There have been abutter complaints about poor drainage. Judi will contact Danielle Taylor (SS representative) regarding next meeting and expectations.

4. ANR at Mill Yard Update on ANR 2015-05

Create one new lot from Parcel 57-0-110 in the Millyard. Karen met with Kathy Hayward (RE Agent), owners and stakeholders. If there is no buyer (Solodar was prospective), the owner (Micheller) plans on demolishing all the buildings and sell the land. This will remain on the agenda until we have written notification of application withdrawal. The Board wants to conclude this by the end of 2015.

5. Lot Release Request Todd Marion, MRT Development

Lot 12, Pennybrook Estates (Coldbrook Drive). Mr. Marion met with DPW Superintendent and Deputy Director on October 6. He has scheduled Warner Bros. to pave the top coat on November 7. He may try to get the road accepted at Town Meeting in May 2016. Lot 4 building is in progress. Motion by D. Kopacz to release Lot 12 from the subdivision covenant. Seconded by F. Urban. So voted 4/0/0.

6. Adjourn – Motion by R. Starodoj to adjourn at 8:10 pm; seconded by J. Knight.

<i>Minutes Approved on:</i> _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____

*Respectfully submitted by Judi Mosso
Assistant to the Director*