



TOWN OF WARE

Planning & Community Development

126 Main Street, Suite A, Ware, Massachusetts 01082
t. 413.967.9648 ext. 186 f. 413.967.9642

Planning Board

Meeting Minutes from
Wednesday, November 16, 2016
Board of Selectmen's Conference Room

Planning Board members present: Rick Starodoj (Chairman), Fred Urban, Joe Knight, Chris DiMarzio (7:11)

Planning Board members absent:

Public: As taken from observations and sign-in sheet: Mary M. Dudula, Peter Dudula, Stuart Beckley, Ross Pelski

Chairman R. Starodoj called the meeting to order at 7:08 p.m.

F. Urban motioned to begin the meeting with discussion about the Solar Project on Gilbertville Road. J. Knight seconded. So voted 3/0/0. The Decommissioning Agreement was revised and a new one needs to be signed.

1. Solar Project – Gilbertville Road

R. Starodoj started with a discussion about the best approach being to take a vote to rescind the old agreement. He has a question on Section 4; the concern about leaving the \$60K open-ended, having it used for construction rather than decommissioning.

The property owner, Mary Dudula, presented an authorization letter and called Nautilus attorney Erica Nangeroni for a conference call with the Board during the meeting. Ms. Nangeroni addressed questions; R. Starodoj asked for clarification on the \$60,000.

Ms. Nangeroni stated that the intention is to take the full \$60,000 to the town for decommissioning and there is no interest in taking it for construction. The reply will be officially sent tomorrow, along with some figure revisions on the documents. There were no further questions from the rest of the Board members. Ms. Nangeroni added that, pending formatting changes and sending email with the clarification on the \$60,000, Nautilus would be fine with the Chairman's suggestion

for a motion to rescind the existing vote and making their decision conditional. The Board will discuss and notify Ms. Nangeroni tomorrow morning.

Motion by R. Starodoj to rescind the existing vote. F. Urban seconded. So voted 4/0/0. [*Ed's note: the Board never took a formal vote at their October 19, 2016 meeting, so there is nothing to rescind*].

Motion by C. DiMarzio to approve the Decommissioning Agreement, conditional on receiving the reformatted letter with the \$60,000 clarification. J. Knight seconded. So voted 4/0/0.

2. Subdivision Roads

A brief discussion ensued regarding Belair Drive; as-builts on drainage; detention basins maintained by homeowners; topcoat hopefully to be placed by winter.

3. Sign plans and Decision for SPR-2016-01 Charter Foods North LLC/Taco Bell

A brief discussion ensued about grading changes that should have occurred during construction of McDonald's across the street; although there were no departmental concessions made at the time. C. DiMarzio offered that if a problem occurs with Taco Bell, only the entrance would need modification. Traffic counts and access to the parcel were concerns mentioned.

Board signed documents and plans.

4. ANR-2016-05, Boundary Line Adjustment – John Lasek, 50 Morse Avenue

R. Starodoj recused himself.

C. DiMarzio believed the remaining land to be large enough, did not think the setbacks would be affected as a result (the proposal to create a new lot from 2 parcels).

Motion by C. DiMarzio to accept the ANR application as presented. Seconded by J. Knight. So voted 3/0/0.

5. General Discussion

A brief discussion regarding the marijuana moratorium ensued including: use limitations; town-wide ballots; requiring special permits; tax benefits; possible restrictions related to housing grants and other areas where federal grants prohibit marijuana use.

6. Adjournment - **Motion** by C. DiMarzio to adjourn at 7:40 p.m.
Seconded by J. Knight.

*Respectfully submitted by Anna S. Marques
and Judith P. B. Mosso, Assistant to the Director*

Minutes Approved on: _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kopacz	_____
Knight	_____