



# TOWN OF WARE

## Planning & Community Development

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### Planning Board

Meeting Minutes from  
**Wednesday, September 6, 2017**  
Board of Selectmen's Conference Room

**Planning Board members present:** Rick Starodoj (Chairman), Josh Kusnierz, Chris DiMarzio (7:10), Fred Urban, David Kopacz, Sr., Edward Murphy (Alternate)

**Planning Board members absent:** none

**Staff present:** Rubén Flores-Marzán, Director of Planning & Community Development  
Judi Mosso, Assistant to the Director

**Public:** (as taken from the sign in sheet and observation): Kelly Witt, Daniel C. Witt, Jr. Peter C. Gaudreau

Chairman R. Starodoj called the meeting to order at 7:00 p.m.

1. **Administrative**

- a. Approve minutes from July 19 and August 16, 2017 – **Motion** by F. Urban to accept the July 19 and August 16 minutes as presented. Seconded by D. Kopacz. So voted 4/0/0.
  - b. Review notices from abutting towns – none.
  - c. PVPC Commissioner and Alternate – There was brief discussion about both positions. **Motion** by D. Kopacz to appoint Josh Kusnierz as the PVPC Commissioner, and appoint Fred Urban as Alternate. Seconded by R. Starodoj. So voted 4/0/0.
2. **ANR-2017-02, Kelly Witt, Ashley Street** – There was brief discussion about the parcels. **Motion** by D. Kopacz to approve the ANR as presented. Seconded by J. Kusnierz. So voted 4/0/0.

3. **ANR-2017-03, Peter Gaudreau, Anderson Road** – There was brief discussion about the plan. Motion by J. Kusnierz to approve the plan as presented. Seconded by F. Urban. So voted 5/0/0.

4. **Discussion & Updates**

- a. **Set Public Hearing - Proposed Zoning updates** (Use Table and marijuana facilities) – The Board set the public hearing for October 4 at 7:00 pm as part of the regular Planning Board meeting. Board would like comment from town counsel and Chris Rice (Building Inspector) on where applications stand if the bylaw revision does not pass (Section 4.7 states that if the use is not named in the Use Table, then it is not allowed.)
- b. **Site Plan Review application for All Parts Racing (APR)** – no site plan review application has been submitted to date. Discussion about setting precedence and fairness to other businesses. **Motion** by J. Kusnierz to rescind the 2016 Special Permit 2016-02 for 55 East Street. There was discussion about revoking permits and outcomes. Motion failed.

**Motion** by J. Kusnierz to rescind Special Permit 2016-02 unless the owner submits a complete site plan application, to the satisfaction of Planning and Community Development staff, by the October 4, 2017 Planning Board meeting; and the information provided in said application must be complete enough to allow the Board to schedule the public hearing for the site plan review. Seconded by C. DiMarzio. So voted 5/0/0.

- c. **Nautilus Solar, screening update** – J. Kusnierz met with a Nautilus representative on site to discuss appropriate screening. He recommended 41 Dark American Arborvitae at a minimum of 3' specimens. This species is known for its growth rate, drought tolerance, and evergreen characteristics. J. Kusnierz advised the Board to articulate specific measurements and species of trees when considering conditions for solar permits.
- d. **Hillside Drive, buildable lot** – There was continued discussion about the road.
- e. **Subdivisions**
  - i. **Coldbrook Drive** – no word from Todd Marion.

- ii. Wildflower Drive - There was continued discussion about road ownership and the possibility of properties sold and a tax taking. *[Update: J. Mosso confirmed with Town Manager that the only parcel on Wildflower that is behind on taxes is the bank-owned road. The Town is not interested in taking the road for lack of payment because the road is not ready for acceptance as a public way.]*
- iii. Other – Hillside Terrace and High Meadow Lane are also unfinished subdivisions and will be added to the fall inspection list for plowing recommendations. The following members will conduct road inspections, J. Mosso will coordinate: J. Kusnierz, R. Flores-Marzán, D. Kilhart, E. Murphy, J. Mosso.

- 5. Other (any discussion and action may be postponed until next meeting) – none.
- 6. Adjourn – **Motion** by J. Kusnierz to adjourn at 8:18 pm. Seconded by D. Kopacz.

**Documents reviewed:**

- July 19, 2017 minutes
- August 16, 2017 minutes
- ANR-2017-02
- ANR-2017-03

**Documents received:**

none

<b>Minutes Approved on:</b> _____	
Starodoj	_____
DiMarzio	_____
Urban	_____
Kusnierz	_____
Kopacz	_____

*Respectfully submitted by  
Judith P. B. Mosso, MPA  
Assistant to the Director*