



TOWN OF WARE

Planning & Community Development

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Planning Board

Meeting Minutes from
Wednesday, May 2, 2018
Board of Selectmen's Conference Room

- Planning Board members present:** Rick Starodoj (Chairman), Josh Kusnierz (Vice Chairman), Fred Urban, Joe Knight, Edward Murphy (Alternate)
- Planning Board members absent:** Chris DiMarzio (excused)
- Staff present:** Rubén Flores-Marzán, Director of Planning & Community Development
- Public:** (as taken from the sign in sheet and observation): Dawn Guzik, Joanne P. Wyman, Evelyn Mongeau, Frank Moryl, Gerry Skaza, Florence Trzepacz Kott, Barbara Rodrigues, Pastor Fryderyk Banas, Jack Cascio, Catherine Buelow-Cascio, Gary Buelow, Frank Trzepacz, Paul Wyman, Jeremy Chapman, Peter Engle, Joseph Vecchione

Chairman R. Starodoj called the meeting to order at 7:02 p.m. Attendees said the Pledge of Allegiance.

1. Administrative

- a. Approve minutes from September 21, 2016, April 4 and 18, 2018 –
Motion by F. Urban to accept the minutes from September 21, 2016. Seconded by J. Kusnierz. So voted 4/0/0.
Motion by F. Urban to accept the minutes from April 4. Seconded by J. Kusnierz. So voted 4/0/0.

Motion by F. Urban to accept the minutes from April 18. Seconded by J. Kusnierz. So voted 4/0/0.

- b. Review notices from abutting towns – notices are scanned and emailed to members.

2. **7:05 p.m. Public Hearing on SPR-2018-02, All Parts Racing, Gary Buelow, owner** major site plan review for additional parking at APR, 55 East Street location; Site Plan review was a condition of the 2016 Special Permit.

General Hearing

- Chairman opened hearing at 7:05 pm
- Chairman appointed Edward Murphy, Alternate, to hear this case
- Vice Chairman read legal notice into record
- Chairman addressed the audience to advise them about the strict discussion of the merits of the application for 55 East Street and for them to stick to that topic.
- Chairman read waiver requests; these items have been previously covered at the time of initial special permit request; and asked for comments on waiver requests from all present

Motion by J. Kusnierz to approve the waiver request for a landscaping plan. Seconded by F. Urban. So voted 5/0/0.

Motion by F. Urban to approve the waiver request for a floor plan. Seconded by J. Kusnierz. So voted 5/0/0.

Building Inspector's comments read into record: existing lighting and snow removal storage area must be shown on the plan; Conservation Agent noted that applicant must file Notice of Intent with Conservation Commission/DEP.

Motion by J. Kusnierz for applicant to submit existing lighting on an updated, stamped, professional plan, within 30 days and to approve the lighting plan waiver request. Seconded by F. Urban. So voted 5/0/0.

- After describing the 2016 Special Permit application and conditions, the Chairman asked for comments on Development Impact Statement

Motion by J. Kusnierz to approve the waiver request for a Development Impact Statement. Seconded by F. Urban. So voted 5/0/0.

- Chairman read the 4 letters from the Building Inspector about APR parcels on Maple Street with unregistered vehicles
- Inquired if applicant has consulted with Conservation Commission

Public Comment

- Letter from members of Holy Cross Polish National Church on Maple Street. They have significant concerns about slum and blight conditions created by APR's operations and are strongly opposed to these conditions at the existing site; it is an "unsightly mess".
- Members of the church provided Google Earth pictures; church members were advised to attend the next Board of Selectmen meeting. Members asked the Board about purpose of buildings and unkempt conditions
- Discussion about rain garden area and that its function is for stormwater and environmental mitigation
- Discussion about vehicle storage closure period; per proponent, about 30 days (typically sooner) from vehicle arriving to shipping out depending upon insurance claim process, or about 120-140 days for abandoned cars; there is an impound area for Ware PD and abandoned cars
- Proponent maintains a log of vehicles coming in and out of the property
- Audience insisted that owner was trying to expand the use; Chairman stated that the Board is only reviewing the site plan application as submitted
- Audience asked where the entry points are to the business; G. Buelow stated it was on East Street
- Holy Cross Pastor wants issue taken care of; stated that Mr. Buelow has ruined appearance and property values of neighborhood; that Maple Street is not the place for this kind of business; church was not informed of APR operations on Maple Street; insisted that the PB gave permits for Maple Street activity – [NB: *PLANNING BOARD HAS NOT ISSUED ANY PERMITS FOR APR BUSINESS ON MAPLE STREET* – one side of Maple Street is the Industrial zone and the other side is Suburban Residential].
- Board reiterated what is purview of the PB vs. that of the Board of Selectmen; Chairman stated that any application to the PB goes through the appropriate process described in the zoning bylaw

Motion by J. Kusnierz to tentatively approve the site plan with a revised plan showing the lighting to be submitted within 30 days. Seconded by F. Urban. So voted 5/0/0.

3. **7:40 p.m. Public Hearing on amendments & modifications to SP-2017-05 and SPR-2017-03;** Melink Solar Development, proposed ground-mounted solar facility at

Gilbertville Road, Joel Harder, owner; SP granted and site plan approved on November 15, 2017.

General Hearing

- Chairman opened hearing at 7:42 p.m.
- J. Kusnierz recused himself from the discussion as he does work for Melink Solar Development outside of Ware
- Chairman appointed E. Murphy, Alternate, to the hearing and proponent is okay with a supermajority vote requirement (4 members available to vote)

Amendment to application

- Bertin Engineering presented amended project to the Board; project had to be reduced due to engineering, topographical, geotechnical, and cost considerations. MassDOT comments will be sent to PB.
- Project will have 20-year contract; will have battery storage (DC coupling system per National Grid regulations)
- There are 800MW of solar in the region at the substation level; 160 MW total in the SMART program; 45% of that must be installed in this region
- Foam fire suppressants for batteries; proponent has talked to fire department; PB wants input from FD
- Discussion about panels' proximity to retaining wall, screening, adding second row of trees, various landscaping options, revised plans
- Abutter Mr. Vecchione asked how close the solar panels will be with the new configuration; proponent will consult with engineers for options

Motion by E. Murphy to continue hearing to the May 16 meeting. Seconded by J. Knight. So voted 4/0/0.

4. **ANR-2018-01 Dennis Lewis, Eagle Street, create new lot** – Brief discussion about ANR application. **Motion** by J. Kusnierz to approve the ANR as presented and for Director of Planning & Community Development Rubén Flores-Marzán to sign the ANR on behalf of the Board. Seconded by J. Knight. So voted 4/0/0.
5. **New Business** – none.
6. **Discussion & Updates**
 - a. **PVPC Delegate update** – not at this time.

7. Other – none.

8. Adjourn – **Motion** by J. Kusnierz to adjourn at 8:40 pm. Seconded by R. Starodoj.

Documents reviewed:

September 21, 2016 minutes

April 4, 2018 minutes

April 18, 2018 minutes

Site plan application (SPR-2018-02, All Parts Racing, G. Buelow)

Comments from Building Inspector re APR application (SPR-2018-02)

Amendment to Melink Solar Development (SP-2017-05 and SPR-2017-03) at Gilbertville Road

ANR application (ANR-2018-01), Dennis Lewis, Eagle Street

Documents received:

Comment letter [undated] from Holy Cross members re APR

Google Earth pictures of APR properties submitted by Holy Cross members

MassDOT comments re Melink amendment

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

*Respectfully submitted by
Rubén Flores-Marzán, Director &
Judith P. B. Mosso, MPA
Assistant to the Director*