



TOWN OF WARE

Planning & Community Development

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Planning Board

Meeting Minutes from
Wednesday, July 18, 2018
Board of Selectmen's Conference Room

- Planning Board members present:** Rick Starodoj (Chairman), Josh Kusnierz (Vice Chairman), Fred Urban, Joe Knight
- Planning Board members absent:** Chris DiMarzio, Ed Murphy
- Staff present:** Rubén Flores-Marzán, Director of Planning & Community Development
Judi Barnard Mosso, Assistant to the Director
- Public:** (as taken from the sign in sheet and observation): Joe Gilmore, MA Recreational Consumer Council (MRCC); Kamani Jefferson, MRCC; Eric Schwartz, Farm Bug Co-op; William St. Croix, farmer; Patrick Elliott, Farm Bug Co-op; John Hadden, Farm Bug Co-op; Keith Kruckas, Board of Selectmen; Jennifer McMartin; Cynthia Bergeron; Christopher Pelletier; Stuart Beckley, Town Manager; Mike Biskup, farmer; Brad Wilson, ECOS Energy; John Perry, Dynamic Energy Solutions.; David Kelley, Meridian Associates; Danni Kularski; Bill Moryl

Chairman R. Starodoj called the meeting to order at 7:01 p.m. Attendees said the Pledge of Allegiance.

1. **Administrative**
 - a. Approve minutes from June 20, 2018 – minutes were tabled.
2. **Public Hearing on SPR-2018-02, All Parts Racing**, (continued from April 18)
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; Revised plan due to PB by June 1, 2018.

Motion by J. Knight to continue the public hearing until the August 15 meeting.
Seconded by F. Urban. So voted 3/1/0 (Kusnierz).

There was brief discussion about how long the Board should and can continue a hearing. The public hearing has been continued so that the Board can review all pertinent materials including a revised site plan.

3. Eric Schwartz, Farm Bug Co-op (informal discussion about outdoor marijuana cultivation) – E. Schwartz and J. Hadden, representing Farm Bug Co-op requested to amend the bylaw to allow marijuana cultivation in the Rural Residential (RR) district. They presented amendment language and there was discussion about a Special Town Meeting next month.

The proponent can bring the amendment to town meeting if they wish. However, due to the legal procedures the Town has to follow, the Board would not be able to produce a thoughtful bylaw amendment, hold public outreach meetings, run legal notices and a public hearing in time for a STM in August.

There was discussion about marijuana cultivation in the RR district in greenhouses as opposed to outdoors in the open. Farm Bug Co-op representatives and supporting farmers offered the following:

- Limit canopy space and size, and height
- Permit on case-by-case basis
- Limit number of greenhouses
- Address light use and pollution
- Would be wholesale only
- Participating farms must be registered farms/have a "Schedule F"
- Require minimum lot size
- Would work with Ware PD on site security
- Would offer a superior product than one grown in an old mill building
- Would put less stress on municipal infrastructure

Board comments included:

- Residents in RR area may not appreciate marijuana cultivation
- Requested that Farm Bug provide suggestions for lot sizes
- Process is for Board of Selectmen to request that the Planning Board pursue a bylaw amendment

A few farmers spoke about wanting to make a profit and would like to see more farming designations in the zoning bylaw [currently, all agricultural uses in the RR district are either allowed by right or allowed by special permit].

There was discussion about growing hemp versus cannabis (they differ in both genetics and cultivation environments).

Motion by F. Urban for the Board to seek guidance/direction from the Board of Selectmen on a marijuana cultivation bylaw amendment. Seconded by J. Kusnierz. So voted 4/0/0.

4. John Perry, Dynamic Energy, (informal discussion about possible ground-mounted solar). J. Perry from Dynamic Energy Solutions and D. Kelley from Meridian Associates spoke about a possible solar facility at 313 Palmer Road: 3MW, AC current, with raised fencing (for wildlife pass through), 2 equipment pads with inverters and battery storage. Project is about 15.5 acres; about 20 acres disturbed. There was brief discussion about the parcel, jurisdictional areas for conservation including 2 streams (con-com approvals continued to August 8). Proponent not interested in a PILOT at this time.
5. Brad Wilson, Ecos Energy, (informal update on solar at Monson Turnpike Rd subdivision). B. Wilson updated the Board on the potential of a solar project on a pre-approved subdivision. They are actively pursuing approvals from Conservation. He handed out a revised plan with only 1 road access and some lot no longer with solar. They do still need to get variances on all lots because of encroachments on setbacks. It would be a gated entrance, only fencing around the equipment pads; no fence around perimeter. Unclear whether they are treating this as one project or multiple projects; what are the regulations? Per proponent, the proposal would “lock up” development of the entire subdivision including the frontage lots which act as screening to the solar project. Proponent stated that there are not easements or mitigation areas on the property. The Board recommended a cost analysis on the parcel being developed as a solar array v. a built-out subdivision. There was discussion about tree clearing and wildlife corridors
6. **Discussion & Updates**
 - a. PVPC Delegate update – none.
 - b. Wildflower Drive – Town Manager stated that he has only talked to a paralegal and not an attorney from the bank (owner of the road).
 - c. Melink Solar, request for 1-year extension (Gilbertville & Upper Church St projects) – Melink has requested an extension of their solar projects. There was brief discussion about the projects and neighbors’ concerns.

Motion by F. Urban to extend the Upper Church St project for one year on the condition that the plantings along the southern property line (n/f Monette) is planted in order to establish the screening. Seconded by J. Knight. So voted 3/0/1 (Kusnierz).

Motion by J. Knight to extend the Melink solar project on Gilbertville Rd for one year. Seconded by F. Urban. So voted 3/0/1.

7. Other

- a. Solar development - J. Kusnierz addressed the Board regarding solar development. He raised concerns about tree clearing and environmental impacts. The kind of solar development that clears acres of trees is just not "green energy". P&CD Director Rubén Flores-Marzán stated that a moratorium can get tricky since the use is currently allowed. He reiterated that the Board has the ability to evaluate each application and give discretionary approval; panels should go on existing impervious surfaces. Financial benefits for the Town come in the form of taxes; there was discussion about the percentage of solar development in Ware. R. Starodoj asked whether the town would be willing to give a tax break to property owners who were not allowed to develop their land.

8. Adjourn – Motion by J. Kusnierz to adjourn at 9:04 pm. Seconded by F. Urban.

Documents reviewed:

- APR request for continuance
- Proposed bylaw amendment article language from Farm Bug Co-op
- Request for 1-year extensions from Melink Solar

Documents received:

- Updated plan for solar from Ecos Energy

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

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