



# TOWN OF WARE

## Conservation Commission

126 Main Street, Ware, Massachusetts 01082  
413.967.9648

Meeting Minutes from  
**Wednesday, January 12, 2022**  
Selectmen's Conference Room, Town Hall

**Commission Members Present:** Chairman Mark Swett, Peter Topor IV

**Commission Members Absent:** Dennis Cote, Kristin Rosenbeck

**Commission Members Remote:** Thomas Barnes

**Public in Attendance:** Richard Maynard, Robert LeMaitre, Robert Barry, Nico Siniscalchi, Ken Lacey Jr., Rodney Galton, Nicole Croteau, John Prenosil, Anna Marques

**Public in Remote Participation:** Kathy Cronin, Joseph Peznola, Jeremy Chapman, Robert Kobelia, Bill Zinni, Steven Pikul

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Governor Baker's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, dated March 10, 2020, allows remote participation under this Order due to the Coronavirus State of Emergency.

### PLEDGE OF ALLEGIANCE

Chairman called the meeting to order at 6:34 pm and led the Pledge of Allegiance.

### APPLICATIONS

DEP #317-452 by Ecos Energy, Monson Turnpike Road  
NOI – Proposed construction of a Large-Scale Ground-Mount Solar Array – Wetland Crossing

Rodney Galton present revised plans to the Commission – eliminating "Sydney Solar 1D" array and gave a brief timeline history. Eco's Energy withdrew the 401 Water Quality Certificate because the design will no longer have a permanent wetland crossing, there will be strictly a temporary crossing only for the boring to be done for the electrical connection. Once completed then the area will revegetate. BMP's will be used, and when installing the temporary crossing, either matting or filter riprap will be used.

T. Barnes asked if a temporary crossing deserves a 401 Report just as much as a permanent crossing. The response was no, just the borings will be done for the final connection to the NGrid system, and to access the area to cut trees.

N. Croteau asked if there will be an updated NOI application reflecting the changes to the plans – response was yes.

T. Barnes asked when the Forester cut trees in last year on the neighboring property if this area was re-vegetated. R. Galton said the Forester would have to verify/reply, he was unsure. Eco's does have an approved Forest Cutting Plan, which is being followed. End of discussion.

**MOTION** by Peter Topor to continue the hearing until the next regular scheduled meeting. Seconded by Thomas Barnes. Discussion: Commission to receive an update NOI application.

Roll Call: Mark Swett Yes Thomas Barnes Yes  
Peter Topor Yes All in favor. 3/0/0.

**DEP #317-463** by Bertin Engineering for Melink Solar LLC (*FT Smith*)  
NOI – Proposed construction of a Large-Scale Ground-Mount Solar Array on Greenwich Rd

Applicant requested a continuance.

**MOTION** by Peter Topor to continue the hearing until the next regular scheduled meeting. Seconded by Thomas Barnes. No discussion.

Roll Call: Mark Swett Yes Thomas Barnes Yes  
Peter Topor Yes All in favor. 3/0/0.

**DEP #317-465** by Bertin Engineering for Melink Solar LLC (*Couture*)  
NOI – Proposed construction of a Large-Scale Ground-Mount Solar Array on Greenwich Rd

Applicant requested a continuance.

**MOTION** by Thomas Barnes to continue the hearing until the next regular scheduled meeting. Seconded by Peter Topor. No discussion.

Roll Call: Mark Swett Yes Thomas Barnes Yes  
Peter Topor Yes All in favor. 3/0/0.

**DEP #317-468** by Bertin Engineering for Melink Solar LLC (*Harder*)  
NOI – Proposed construction of a Large-Scale Ground-Mount Solar Array on Osborne Rd

Applicant requested a continuance.

**MOTION** by Thomas Barnes to continue the hearing until the next regular scheduled meeting. Seconded by Peter Topor. No discussion.

Roll Call: Mark Swett Yes Thomas Barnes Yes  
Peter Topor Yes All in favor. 3/0/0.

**DEP #317-477** by Robert LeMaitre for Minuteman Farm, LLC, 24 East Main Street  
NOI – Redevelopment of a portion of site by replacing a building burnt in 1996 with a smaller footprint for a storage facility having approx. 7700 sq ft.

Attorney Maynard understands some of the members are absent and would rather wait to vote if the Commission is at that point in the application process.

T. Barnes stated a few last items/concerns: (a) that the impermeable material will be removed from the site; (b) concern about the test wells on site – are the test wells going to be removed? Are the test wells still active? If so, will this be a problem for construction? Would like a letter from the BOH, Building Dept or DEP stating the status of these wells; (c) fire truck weight load over the bridge – would like an engineer letter saying the bridge can handle the weight of the Town’s fire truck.

**MOTION** by Mark Swett to close the public hearing. Seconded by Thomas Barnes. Discussion: Thomas Barnes reiterated he would like a letter addressing the three items (as stated above). Discussion between the Commission and Applicant that the fire truck and the structure of the bridge is not within Conservation jurisdiction and T. Barnes felt that if the truck was responding to a call and fell into the Ware River, then it most certainly become the Commission’s issue. R. Barry responded to the request of the wells: the wells were installed 12-15 years ago as part of a 21E, and the Town had it done. Why were the concerns of the wells not brought up prior as well as the fire trucks? Chairman M. Swett agreed he would like to see something in writing that the wells are no longer active. End of discussion.

**MOTION** by Mark Swett to rescind the motion to close the public hearing. Seconded by Peter Topor. No discussion.

Roll Call:	Mark Swett	Yes	Thomas Barnes	Yes
	Peter Topor	Yes	All in favor.	3/0/0.

**MOTION** by Peter Topor to continue the hearing until January 26<sup>th</sup>, 2022 at 6:30pm. Seconded by Thomas Barnes. Discussion: N. Croteau presented a draft of Special Conditions for the Order of Conditions. End of discussion.

Roll Call:	Mark Swett	Yes	Thomas Barnes	Yes
	Peter Topor	Yes	All in favor.	3/0/0.

**DEP #317-479** by Brandi Estridge, 67 Old Poor Farm Road (**Request a Continuance**)  
NOI – Restore altered wetland area and create lawn in the buffer zone for children’s play area and chicken coop.

Applicant requested a continuance.

**MOTION** by Thomas Barnes to continue the hearing until the next regular scheduled meeting. Seconded by Peter Topor.

Roll Call:	Mark Swett	Yes	Thomas Barnes	Yes
	Peter Topor	Yes	All in favor.	3/0/0.

**ADMINISTRATION**

a. Administration Update for New/Old/Miscellaneous General Business Discussion  
Beaver Lake submitted an annual report, and the Commission and Agent were very impressed with the data material presented. No further discussion. No action taken.

b. Approval of Minutes: Sept. 8, Sept. 15, Sept. 23, and Nov 29, 2021  
Tabled

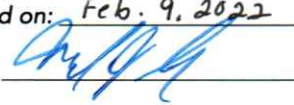


**ADJOURNMENT**

**MOTION** to adjourn at 7:17 pm. All in Favor.

Next scheduled meeting is on February 09, 2022.

Minutes from January 12, 2022  
Respectfully submitted by,

Nicole Croteau  
Conservation Commission Administration

<i>Minutes Approved on: Feb. 9, 2022</i>	
Swett	
Barnes	
Cote	
Rosenbeck	
Topor, IV	