



# TOWN OF WARE

## Conservation Commission

126 Main Street, Ware, Massachusetts 01082  
413.967.9648

Meeting Minutes from  
**Wednesday, March 30, 2022**  
Selectmen's Conference Room, Town Hall

**Commission Members Present:** Chairman Mark Swett, Thomas Barnes, Kristin Rosenbeck, Peter Topor IV, Dennis Cote

**Commission Members Remote:** John Prenosil, Agent

**Public in Attendance:** Jim O'Mara

**Public in Remote Participation:** Rodney Galton, Cathy Cronin

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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.

*Topics may have been taken out of order according to posted agenda.*

### PLEDGE OF ALLEGIANCE

Chairman called the meeting to order at 6:12 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.

Nicole Croteau presented a draft of the Order of Conditions Special Conditions to the Commission. Rodney Galton provided a letter to the Conservation Department dated March 29, 2022, and N. Croteau had some follow up questions.

(a) Item #2 – Is there dimensions of the temporary crossing? Photos were provided in this is letter but asking for clarification. Response: approx. 16ft wide. That is the Army Corp of Engineering's BMP Manual standard detail. (b) Is this detail reflected on the plan? Response: It can and will be on the revised set of plans.

(b) Regarding the SWPPP, R. Galton stated this will be provided once the construction permit has been submitted. N. Croteau stated this should be part of the Conservation submittal as well and the Commission agreed. Response: That permit is submitted through the Army Corp and is not a Conservation review. The Commission disagreed. N. Croteau stated that the SWPPP is part of the Drainage Report. Chairman Swett stated other applicants needed to submit this information as all.

(c) The note of "weed free straw" shall be updated on the plans. Response: Yes and apologized for this overlook.

(d) Restoration / Replication, confirming nothing is being replaced. Response: correct, only lost or impairment of wetland is needed. No topsoil will be removed, no repairment, growth the next

growing season. Unless the Commission makes this a requirement, there will be no restoration / replication.

Chairman Swett stated all material shall be submitted prior to closing the meeting or deciding.

John Prenosil suggested to the Commission to add a condition: after 6months after the temporary crossing has been removed, to inspect the site to verify if the site is revegetated and if no growth, then applicant is to place seed mix. N. Croteau asked if 26. Wetland Remediation will be sufficient. J. Prenosil agreed.

Denis Cote asked for the temporary time frame. Response: when the clearing for 1B starts to when the horizontal drilling is complete, approx. 1.5months.

N. Croteau asked about the final number of disturbances. R. Galton will get those numbers to N. Croteau.

Thomas Barnes asked about the status of the forester. The last known status was the forester removed trees not on the subject property and had abutters saying their property is more wet. R. Galton stated the forester has nothing to do with this NOI application. Any remediation needed needs to be handled directly with the forester and DCR. No further work has been done since DEP asked them to stop in early winter. R. Galton continued to state National Grid should be starting shortly after the decision but not Ecos. Ecos just ordered the supplies for the project.

Jim O'Mara thanked the Commission and Ecos for all the work and due diligence on the project. As expressed in the past (letter dated Nov 2020), if there are concerns for stormwater runoff or negative effects on the lake, the Beaver Lake Association will be approaching the Commission for guidance and expressing concerns. Chairman Swett agreed.

**MOTION** by Thomas Barnes to continue to the next regular scheduled public hearing date with final documentations being submitted prior to the meeting. Seconded by Dennis Cote. No further discussion.

Roll Call:	Mark Swett	Yes	Peter Topor, IV	Abstain
	Dennis Cote	Yes	Kristin Rosenbeck	Yes
	Thomas Barnes	Yes	All in favor. 4/0/1.	

## **ADMINISTRATION**

- a. **60 Old Poor Farm Road** – Chairman Swett has been following the recent correspondences and asked for an update. J. Prenosil told the applicant, they need to provide all the information requested and once the Commission has that, he will meet on site. Chairman Swett concerns is we “will not get anything else” and drop the ball and hope to get away. Chairman continued to state this has been done illegally and is in violation and almost at the point of issuing an Enforcement Order. The consultant has not answered the questions and if nothing is done by next meeting to possibly start an Enforcement Order.

- b. **Trelleborg/Lamcotec** – Chairman recalls the owner was to submit an application addressing the flooding and has yet seen anything. At this point, M. Swett has concerns if it floods again, they will install more riprap causing it to flood more. Would suggest to J. Prenosil at that point to issue a Cease and Desist. Nothing has been submitted as of today. J. Prenosil stated part of the permitting should include the riprap and restoring portions of the bank back to pre-disturbance conditions. T. Barnes said there was a grant for culverts and thought this site could be a possibility. Chairman stated the rip rap that washed down needs to be removed and should be part of the application.
- c. **Quarry Street** – J. Prenosil asked if Tighe and Bond was submitting a proposal for the work. Does anyone know where this stand? Unknown currently.
- d. **RDA's Applications** – N. Croteau asked J. Prenosil if he was able to conduct a site walk for the 2 upcoming RDA Applications – he will before the next meeting. J. Prenosil did state McDonald's drive-thru island will be in the flood plain and may need to provide compensatory storage. Chairman Swett stated the waste area will be redesigned and had concerns about trash being washed away in the stream.
- e. **Lizak** – A complaint is being investigated from March 2020. N. Croteau to ask the owner to attend the next meeting in April to discuss the topic in concern. This happened right before COVID. K. Rosenbeck asked about the extension for COVID cases. J. Prenosil would have to verify. T. Barnes continued to state this lot is not buildable. General conversation continued, difference of a building lot and a buildable lot. There is a difference. T. Barnes wants to protect Ware's water as much as possible.

End of discussion.

**ADJOURNMENT**

**MOTION** to adjourn at 6:53 pm. All in Favor.

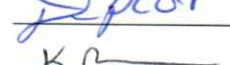
Next scheduled meeting is on April 13, 2022.

Minutes from March 30, 2022

Respectfully submitted by,

Nicole Croteau

Conservation Commission Administration

<i>Minutes Approved on:</i> 7/13/2022	
Swett	
Barnes	
Cote	
Rosenbeck	
Topor, IV	_____