



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082
413.967.9648

Meeting Minutes from
Wednesday, April 13, 2022
Selectmen's Conference Room, Town Hall

- Commission Members Present:** Chairman Mark Swett, Vice-Chairman Thomas Barnes, Dennis Cote, Kristin Rosenbeck
- Commission Members Remote:** Peter Topor IV, Agent John Prenosil
- Public in Attendance:** Andra Klumb, Kathleen Cronin, Carl Gearing, Elio Qorri, Jim O'Mara, Kevin Lazik, Nicole Croteau, Anna Marques
- Public in Remote Participation:** Maryann DiPinto, Brandi Estridge, Jeremy Chapman, Rodney Galton, Bill Zinni, Rick Starodaj, Joshua Kusnierz

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 6:44 pm and led the Pledge of Allegiance.

APPLICATIONS

DEP #317-479 by Brandi Estridge, 67 Old Poor Farm Road

NOI - Restore altered wetland area and create lawn in the buffer zone for children's play area and chicken coop.

Request to continue to May to re-delineate the wetlands and have a site meeting with the Agent. John Prenosil stated there are no issues to revisit to confirm the delineation and agreed upon a meeting with M. DiPinto on April 20th at 1:30 pm.

MOTION by Thomas Barnes to continue to May's meeting date. Seconded by Kristin Rosenbeck. No further discussion.

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

RDA-2022-06 by Cello Partnership dba Verizon Wireless, 148 West Street

Request for Determination whether the work depicted on the plans referenced is subject to the Wetland Protection Act - construction of a telecommunication tower facility.

Audra Klumb from Verizon noted the river was somewhat close but outside 200 ft. buffer, but within Flood Zone B and therefore submitted the RDA application. Chairman Mark Swett questioned comp. storage; A. Klumb stated none was proposed, no fill or disturbance was taking place. Discussion continued about the height of the tower and the new 5G system. Agent John Prenosil stated no problem with application and plans, noted it was not in riverfront.

MOTION by Dennis Cote to issue a Negative determination, sighting number 3. Seconded by Thomas Barnes. No further discussion.

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

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

Rodney Galton was present. It appears all topics of concerns have been addressed and final plans have been submitted to the Commission. Vice-Chairman T. Barnes requested the MSDS be required and part of the Order of Conditions. Reviewed the final draft of the Order of Conditions, no changes needed.

MOTION by Dennis Cote to approve the solar project with the Order of Conditions as discussed and reviewed. Seconded by Thomas Barnes. No further discussion.

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

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

Elio Qorri stated EcoTec Inc did an Ecologically study and waiting for the final report. Requested to continue until the June regular scheduled meeting.

Discussion relating to the Melink solar projects:

Vice-Chairman T. Barnes stated the solar projects are within the Aquifer's districts and the members need to be aware of the location of these projects. Bill Zinni supplied maps for reference. It appears the whole zone of Muddy Brook is in Ware's Zone 2 Aquifer. It should be a caution. A few projects span between Ware and abutting towns so just need to be aware.

Agent Prenosil asked if there was ligature about chemicals entering groundwater from the array system. Jeremy Chapman stated the arrays don't typically leak. Can only take precautions. There is no data stating there has been issues. No further topics discussed.

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MOTION by Dennis Cote to continue to June’s regular scheduled meeting date. Seconded by Kristin Rosenbeck. No further discussion.

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

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

Elio Qorri stated the plans have been updated to provide the seed mixture and fence details with an 8-inch gap for wildlife.

Discussion relating to a surety bond, cash bond or escrow:
At the last meeting, Chairman Swett asked about the solar projects having a type of bond or escrow account in case projects are half started, abandoned or for emergencies during construction. Jeremy Chapman stated there are bonds set up through the Planning Board approval process for those cases. If the project doesn’t continue after a certain amount of time, then the project enters the Decommissioning Phase.

Commission members had questions about containing oil spills, etc. Asked if a berm or other design method be used around the equipment storage area. – E. Qorri will investigate this issue. J. Chapman stated catch pads were used on other sites and could possibly work. No further topics of discussion.

MOTION by Thomas Barnes to continue to May’s regular scheduled meeting date. Seconded by Kristin Rosenbeck. No further discussion.

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

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

Elio Qorri stated a site visit was scheduled for April 20th at noon. Bill Zinni stated Hardwick is still waiting for answers addressing the functions and values of the buffer zone from EcoTec, Inc. E. Qorri stated a report was completed on March 30th and will forward for reference. Restoration needs to be completed. E. Qorri stated a SWPPP will be submitted at the time of construction, as well as the MSDS data.

MOTION by Thomas Barnes to continue to May’s regular scheduled meeting date. Seconded by Kristin Rosenbeck. No further discussion.

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

ADMINISTRATION

A. Kevin Lizak, Parcel 1-0-11, Bondsville Road

K. Lizak stated a tree crushed camper. Thomas Barnes gave a brief history of the site. David Kopacz conducted a site visit during his term as the Con-Com Agent and asked the neighbor next door about rights to the driveway, and the items on the site which needed to be cleaned up. D. Kopacz said he would work with you and never followed up because of Covid. Now the Commission is looking to have the site cleaned up on the bank within 10 ft of bank. Chairman Mark Swett stated the camper is to be removed. Agent John Prenosil noted adjacent to property was walked. There is a 3-year time limit for items to be addressed/fix without having to start over and in this case, it was all verbal and never written. Dennis Cote said the owner K. Lizak has 90 days to clean up the site, remove the camper and then John will reinspect the site and report back to the Commission. Chairman Mark Swett noted this was to be done good faith effort, so no Enforcement Orders are needed.

B. TEC Associates, MA Central Railroad 2022 Vegetation Control Program

N. Croteau presented a packed of information from TEC Associates regarding the vegetation control program. No action is needed from the Commission. No further discussion.

C. ReSource Waste Service, MEPA Pre-Filing Public Outreach Meeting Announcement.

Announcement was made a meeting will be held on April 14th at 6:00 p.m. at the Ware Senior Center, 1 Robbins Road, Ware relating to the MEPA application for ReSource Waste. No action is needed from the Commission. No further discussion.

ADJOURNMENT

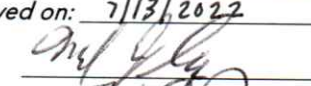
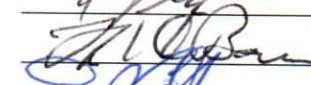
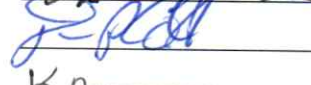
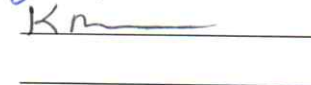
MOTION to adjourn at 8:04 pm. All in Favor.

Next regular scheduled meeting is on May 11, 2022.

Minutes from April 13, 2022

Respectfully submitted by,

Nicole Croteau
 Conservation Commission Administrator

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