



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082
413.967.9648

Meeting Minutes from
Wednesday, April 28, 2021
Selectmen's Conference Room, Town Hall

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

Public in Attendance: Nicole Croteau and Stuart Beckley

Public in Remote Participation: Alan and Laurie Whitney, Jeremy Chapman, Elio Qorri, and Steven Pikul.

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 6:35 pm and Tom Barnes led the Pledge of Allegiance.

APPLICATIONS

A. DEP # 317-468 by Bertin Engineering, 278 Osborne Road, Harder, Large Scale Solar Array.

N. Croteau presented the peer review quote from BSC Group (Worcester, MA) for the NOI Stormwater Drainage Report review application for the proposed large-scale ground mounted solar array project. BSC Group is currently reviewing the NOI application and plans. This proposal is an addendum.

MOTION by Thomas Barnes to accept the proposal presented for the NOI Stormwater Drainage Review from BSC Group. Seconded by Kristin Rosenbeck. Discussion: J. Chapman stated a check should be submitted to the town in the full amount within the next few days. J. Chapman wanted to verify if the peer review comments will be shared with Hardwick Conservation and yes, the comments will be shared. All in Favor 5/0/0.

B. ROFR-21-03 Right of First Refusal-Chapter 61A by Packard Law Office on behalf of Cynthia Turek located on Webster Road, Parcels ID's: 25-0-10; 25-0-11; 31-0-2; 31-0-3 & 31-0-4.

N. Croteau presented the Attorney's packet and Assessor's map showing all the parcels listed above, although parcels 25-0-10 and 31-0-4 are the only parcels being removed from Chapter land while the remaining parcels are just part of the sale agreement. A. Whitney presented a handout of a map showing wetlands indicating the flow of water on parcels 22 and 10-1. Continued to state there are 3 or 4 old junk cars located within the wetlands between parcel 22 and 4. N. Croteau stated parcel 22 is not part of topic. A. Whitney stated the wetland is between parcel 22 and 4, the water flowing into the wetland is part of the sale. A. Whitney continued to state there is a complaint into DEP for the swamp having the old cars and the oil sheen in the wetlands. Chairman Swett stated if the buyer was to develop the parcels, then that is when Conservation would address violations or other issues. T. Barnes expressed his major concern of

the parcels could start as residential development and then flipped into large scale solar development. T. Barnes continued to state that at one point Webster Road was part of the proposed Scenic Road Bylaw. Chairman Swett stated this would be a two-step process with these parcels meaning: first the Commission would need to decide on the refusal and then decide if the Commission would want to protect the parcels which have wetlands. A. Whitney asked what the setback requirements are for solar and S. Beckley stated 100ft. Chairman stated 200ft would be the setback from the stream/riverfront areas. Chairman Swett stated the Commission can only make decisions on what is within the conservation jurisdiction.

S. Beckley stated the seller is requesting \$375,000 for all parcels. Mr. Beckley spoke to a representative at the East Quabbin Land Trust, and they are not interested in land at this time. T. Barnes suggested DCR may have interest in the land. S. Beckley reminded the Commission there is no rush in deciding tonight. T. Barnes suggest the Commission conduct a site walk.

MOTION by Thomas Barnes to continue to next meeting and suggest the Commission conduct a site walk. Seconded by Dennis Cote. Discussion: A. Whitney stated the electrical connection on site needed to be verified because he believes an abutter is drawing electricity from his (the Whitney's) house, and if it is found to be true, there may be legal actions. All in Favor to continue until next meeting. 5/0/0.

GENERAL COMMENTS

Thomas Barnes would like to suggest to the Planning Board to have Webster Road be placed on the Scenic Road Bylaw list.

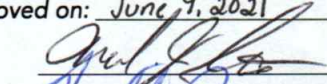

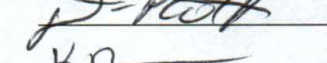
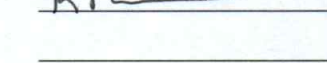
ADJOURNMENT

MOTION to adjourn at 6:55 pm. All in Favor 5/0/0.

Next scheduled meeting is on May 12, 2021.

Minutes from April 28, 2021
Respectfully submitted by,

Nicole Croteau
Conservation Commission Administration

<i>Minutes Approved on: June 9, 2021</i>	
Swett	
Barnes	
Cote	
Rosenbeck	
Topor, IV	_____