



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082
413.967.9648

Meeting Minutes from
Wednesday, August 10, 2022
Selectmen's Conference Room, Town Hall

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

Public in Attendance: Nicholas Boots, Ben Genyea, Qingxin Tian, Stuart Beckley, Nicole Croteau

Public in Remote Participation: John Prenosil, Elio Qorri, Richard Starodoj, Bill Zinni

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 6:34 pm and led the Pledge of Allegiance.

APPLICATIONS

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 Road

The applicant and Commission discussed the latest peer review letter. It appears everything has been addressed. Although BSC Group asked about the annual mean high water illustrated on the plans. E. Qorri stated it was not delineated but rather estimated for safety reasons. Continued to explain the project updates: tree removal in southern area, seed mixture and roadway mixture is updated, and the footprint of the project has decreased since originally submittal. N. Croteau asked if the trees were topped or removed, reply from E. Qorri stated the southern area will be removed. Chairman Swett asked if the Agent, J. Prenosil had any concerns and there were no concerns.

MOTION by Kristin Rosenbeck to continue to the next scheduled meeting date. Seconded by Peter Topor, IV. No further discussion.

Roll Call:	Mark Swett	Yes	Thomas Barnes	Yes
	Dennis Cote	Yes	Kristin Rosenbeck	Yes
	Peter Topor	Yes	All in Favor	5/0/0.

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DEP #317-468 by Bertin Engineering for Melink Solar LLC (Harder)

NOI - Proposed construction of a Large-Scale Ground-Mount Solar Array on Osborne Road

Bill Zinni from the Hardwick Conservation Commission stated the wetlands are more in Ware, but the violation of the tree removal was in Hardwick. Hardwick Commission will be requesting and/or requiring restoration and permanent boundary markers as part of the Order. E. Qorri stated the project would not be feasible if restoration was to be completed in Ware other than what is stated on the plans. B. Zinni spoke about certain language in EcoTec's report (2nd page – "Buffer Restoration Protocol"). Discussion continued about installing permanent boundaries on the Ware project side. An updated plan was to be provided showing boundary markers for no further disturbance.

MOTION by Dennis Cote to continue to the next scheduled meeting date. Seconded by Vice-Chairman Thomas Barnes. No further discussion.

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

ADMINISTRATION

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

N. Croteau stated K. Lizak submitted photos to the office indicating the items have been removed. The camper is in question if it located within 100ft of the river. Commission asked J. Prenosil if he would be able to measure from the camper to the river. J. Prenosil stated he will confirm the distance and coordinate with K. Lizak. Chairman Swett stated he would like to tend to this matter before getting involved with DEP. No further discussion. No action taken.

B. Qingxin Tian – Parcel 61-0-209, 3 Pleasant Street – Possible Violation

Q. Tian was present and presented photos on his phone to the Commission that the area was cleaned up of where the debris was being thrown. Q. Tian was unaware of wetland regulations. The Commission informed Q. Tian to not dispose of any additional debris or there would be a violation issued. Q. Tian was very apologetic. No further discussion. No action taken.

C. Trelleborg/Lamcotec – Status Update regarding flooding issues, repairs

Nicholas Boots has taken on the recent role of project manager and was present to provide updated details. At this time, Sherman & Frydryk prepared a proposal draft which was shared with the Commission presenting three options on how to repair the culvert/bridge area. Chairman Swett stated if the area floods again, please do not try to repair the culvert or doing any work because a Cease and Desist would be issued. Chairman continued to state that the project should include removing the rip rap which was installed unpermitted. General discussion continued about the three options presented. N. Boots stated in November he would provide more updates. No further discussion. No action taken.

D. DEP 317-401 – Parcel 35-0-32, 111 Greenwich Road – Possible Violation

N. Croteau informed the Commission that the owners have not submitted a Request for Certificate of Compliance. J. Prenosil stated there is no legal process to make an owner close out a DEP file number. Did state there was enough aerial photoimaging to possibly issue an Enforcement Order. Chairman Swett asked J. Prenosil to proceed with the EO and then ratify at the next meeting. No further discussion. No action taken.

E. ReSource Waste Service – 198 East Street

N. Croteau presented a "Site Assignment Modification Public Notice". General discussion about the location and letter context. No further discussion. No action taken.

F. MassDOT Project 605126 – Rt 32 Bridge Replacement

N. Croteau provide a packet of information entitled "Conservation & Management Permit" dated August 3, 2022, entailing 31 pages from Division of Fisheries & Wildlife, permit holder Timothy Dexter. No further discussion. No action taken.

G. Site Inspection Request – Doane Road

Discussion about if the Board of Health communicates with other departments regarding septic plans pertaining to wetlands. Does BOH notify ConCom? Does the BOH have check lists like BLDG does for new construction? N. Croteau stated plans may indicate wetlands, but the BOH does not require other department approvals. No further discussion. No action taken.

H. Approval of Minutes – May 17TH and June 8TH of 2022

MOTION by Kristin Rosenbeck to approve the minutes as presented tonight for the dates above. Seconded by Dennis Cote. No further discussion.

Roll Call:	Mark Swett	Yes	Thomas Barnes	Yes
	Dennis Cote	Yes	Kristin Rosenbeck	Yes
	Peter Topor	Yes	All in Favor	5/0/0.

ADJOURNMENT


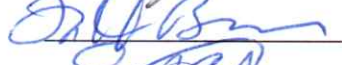

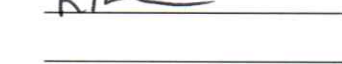
MOTION to adjourn at 7:57 pm. All in Favor.

Next regular scheduled meeting is on September 14, 2022.

Minutes from August 10, 2022

Respectfully submitted by,

Nicole Croteau
Conservation Commission Administrator

<i>Minutes Approved on:</i> 10/12/22	
Swett	
Barnes	
Cote	
Rosenbeck	
Topor, IV	_____