



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082

413.967.9648

Meeting Minutes from

Wednesday, November 18, 2020

Selectmen's Conference Room, Town Hall

- Commission Members Present:** Chairman Mark Swett, Kristin Rosenbeck and Dennis Cote
- Commission Members Absent:** Thomas Barnes
- Public in Attendance:** Nicole Croteau, Rodney Galton, David Blessinger, Kevin Brooks, Ken Willette
- Public in Remote Participation:** Kathleen Cronin, John Collins, Jim O'Mara, Jim N., Ellen (some last names are unknown – names taken from the screen names indicated on Zoom)

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 6:41 pm and led the Pledge of Allegiance.

APPLICATIONS

A. RDA-2020-13 by Stephen Houle, 13 Wildflower Drive, Removal of Trees and add fill to level yard area.

S. Houle prepared a list of trees indicating the size and number of trees to be removed, stated approximately 60 yards of fill to be brought in to level the side yard. Dave Kopacz completed a site walk and suggested a wetland replication be completed on site, no further details were given. Chairman stated if there is a replication on site then a NOI needs to be filed. Chairman explained to the applicant that if fill is brought onto the site then a NOI application would be needed, but if there is no fill then just issue the Negative Determination. S. Houle agreed not to bring in fill to eliminate the process of filing a NOI and now asking for permission to just cut and grind the stumps for the number and sizes of the trees provided.

MOTION by Kristin Rosenbeck to issue a Negative Determination, Number 3, with the condition to not allow fill as requested on the original application but allow for the trees to be cut and stumps to be grinded. Seconded by Denis Cote. No Discussion. All in Favor 3/0/0.

B. DEP 317-467 by Many Springs Farm Environmental Consultants (Kevin Brooks) for David Blessinger, 140 Shoreline Drive, Construction of a Single-Family Home, Septic System, Well and Construction of Deck (2-levels) over the patio and driveway within 100-ft buffer zone of seasonal waterway.

K. Brooks presents a DEP response comment letter and revised plans showing the second row of silt fence with strawbales, continuing around the well and up the hill as requested at the last

meeting. Chairman noticed on the plan a shed was within the BVW and D. Blessinger asked the Commission if the existing shed (4'x5') can remain on site until after the construction of the house is complete. Chairman stated the shed can remain on site until the Request for Certificate of Compliance is requested. Commission members read the DEP comment letter and appears everything is addressed. N. Croteau asked if there was a Construction Sequence Plan as requested at the last meeting. K. Brooks presented a hand-written sequence plan and Commission agreed to the sequence plan as presented.

MOTION by Kristin Rosenbeck to approve the plan as presented tonight with the construction sequence outline for the construction of a single-family home, driveway, septic system, well, patio and deck with a condition to remove the existing shed prior to the Request of a Certificate of Compliance and to include the Commissions standard Special Conditions. Seconded by Denis Cote. No Discussion. All 3/0/0.

C. DEP 317-452 by Eco's Energy, Monson Turnpike Road, Large-Scale Solar Array

Chairman accepted Denis Cote's Mullen Rule from the meeting missed on Oct 14, 2020.

Chairman stated that the Commission is waiting for the approval of the 401 Water Quality Report before closing the hearing and Rodney Galton asked for the Commission not to wait. General discussion between the Commission, R. Galton and Ken Willette from Beaver Lake Association (BLA) about a letter sent from BLA via email on Nov 17, 2020. R. Galton sent a response on Nov 18, 2020 addressing such concerns. Chairman was surprised that the application hearings have been happening for over 2-year now and now BLA would like to address design concerns. K. Willette is asking for clarification on two certain items: a) Has the Town of Ware looked at the drainage on Monson Turnpike Road at the peak design times and if the existing drainage system can handle it? Did the DPW look at the analysis for the storm events to handle the surface water? b) The Operation and Maintenance Plan is under \$5000 annually. Based on a 55+ acre site design and the detail checklist provided, it appears this estimate does not cover all items listed, if needing repair(s). Chairman stated that if operation and maintenance is not done properly then the Commission and/or Agent can issue violations to the landowner. R. Galton stated that Eco's Energy will not be selling this project site and Eco's maintains the site themselves. R. Galton commented that overall, the peak runoffs will be reduced in the storm events. K. Willette expressed that Beaver Lake is very special to the Town and its citizens. Property values are based on the recreation and natural beauty of the lake, and it is one of the Town's highest taxed area. BLA wants to be good neighbors and just want to make sure everything is done properly to maintain the beauty. R. Galton reviewed the phasing plan – 9 Phases and stated the selective harvest of trees has started under the Forest Cutting Plan. K. Rosenbeck asked how long construction will take and the answer was typically 9 months to 1-year if things go smoothly.

MOTION by Denis Cote to continue the public hearing until the 401 Water Quality Report is received by the Commission. Seconded by Kristin Rosenbeck. No Discussion. All in Favor 3/0/0 to continue.

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D. DEP 317-463 by Bertin Engineering, Greenwich Road, FT Smith, Large-Scale Solar Array
Chairman accepted Denis Cote's Mullen Rule from the meeting missed on Oct 14, 2020.

MOTION by Chairman to continue the public hearing as requested by Applicant to the next scheduled meeting. Seconded by Denis Cote. No Discussion. All in Favor 3/0/0.

E. DEP 317-465 by Bertin Engineering, Greenwich Road, Couture, Large-Scale Solar Array
Chairman accepted Denis Cote's Mullen Rule from the meeting missed on Oct 14, 2020.

MOTION by Chairman to continue the public hearing as requested by Applicant to the next scheduled meeting. Seconded by Denis Cote. No Discussion. All in Favor 3/0/0.

ADMINISTRATION REPORT

A. Approval of Minutes

MOTION by Kristin Rosenbeck to approve the minutes as presented for Feb to October but not including September 2020. Seconded by Denis Cote. No Discussion. All in Favor 3/0/0.

B. Agent's Job Posting

Discussion between the Town Manager and Commission members about qualifications the Commission would like the new Agent to have.

ADJOURNMENT

MOTION to adjourn at 7:55 pm. All in Favor 3/0/0.

Next scheduled meeting is on December 9, 2020.

Minutes from November 18, 2020

Respectfully submitted by,

Nicole Croteau

Conservation Commission Administration

Minutes Approved on	1-13-2021
Swett	
Barnes	
Cote	
Rosenbeck	_____