



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 117

conservation@townofware.com

Meeting Minutes from

Wednesday, December 11, 2019

Selectmen's Meeting Room, Town Hall

- Commission Members Present:** Chairman Mark Swett, Dave Kopacz, Thomas Barnes, Kristen Rosenbeck, and Dennis Cote.
- Commission Members Absent:** None
- Public in Attendance:** Phillip Warbasse, Tony Naglieri, Mark and Carol Blackmer, Rich and Joy Cook, William Zinni, Christopher Filosa, Elio Qorri, Scott and Marie Silver, Jodi Chartier, Anna Marques, Andrew Choquette, Nicole Croteau, J & C Kadra, Rebekah DeCoursey, Martha Klassanos
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PLEDGE OF ALLEGIANCE

Chairman called the meeting to order at 7:00 pm and T. Barnes led the Pledge of Allegiance.

Andrew Choquette announced his last day will be Thursday, December 12, 2019 and thanked the Board for the time as he served with the Commission and Town. Introduced Nicole Croteau whom will be helping with Conservation and Anna Marques until the position is filled.

APPLICATIONS

- a. NOI – DEP File # 317-462 by Grassroots Landscaping LLC, 108 Shoreline Drive.
No Update. The Applicant requested a continuation.
Motion by D. Kopeacz to continue the hearing as requested. Seconded by T. Barnes.
No Discussion, All in Favor 5-0-0.

- b. NOI – DEP File # 317-464 by Scott Silver, 101 Beaver Lake.
Scott Silver, homeowner, presented the project to remove trees along Beaver Lake damaged by the Gypsy Moths. Trees will be removed by a crane and grinded off site. D. Cote stated that there is to be NO STUMP GRINDING, therefore, the stumps are to remain within the ground, undisturbed; and wanted it noted in the Order of Conditions.

Motion by D. Kopacz to issue a Certificate of Compliance with note that no stump grinding is to take place on site within the Conditions. Seconded by D. Cote. No Discussion, All in Favor 5-0-0.

c. NOI DEP File # 317-454 by Bertin Engineering Inc for Melink Solar LLC, 45 Greenwich Plains Road.

- Dam Permit is still in the process - General discussion about the process works and how DCR has 30-days to respond
- Updated a section of the NOI application for the correct calculations
- Culvert is still pending approval

Motion by T. Barnes to continue until the next scheduled meeting. Seconded by K. Rosenbeck. No discussion, All in Favor 5-0-0.

d. NOI DEP #317-463 by Bertin Engineering Inc. for Melink Solar LLC, Greenwich Road, owned by FT Smith Trucking & Excavating

- General discussion was made about how much cubic yard of material will be removed from this site prior to construction of the solar arrays.
- Chairman had a problem with the topo; the existing grades on the site do not yet exist.
- A. Choquette stated the original Notice of Intent application expired and may need a new NOI or an RDA.
- D. Kopacz stated the prior permits issued were for work completed within the riverfront. It appears there is no Certificate of Compliance issued and this should be close out.
- M. Swett suggested a site walk.
- Per E. Qarri, Phase III of the project is no longer part of the design. Need to revise grading and the plan will be updated.
- M. Swett stated that the runoff should be closely monitored so it does not affect the wetlands.

Motion by T. Barnes to continue the meeting until January 8, 2020. Seconded by D. Kopacz. Discussion: J. Chartier stated that this project is located within the Town of Ware Aquifer District as well as another project, All in Favor 5-0-0.

e. NOI DEP #317-465 by Bertin Engineering Inc. for Melink Solar, LLC, Greenwich Road, owned by R. & E. Couture.

- Chairman asked why is the culvert and stream not shown on the plan which clearly runs through the property
- Chairman wants the whole parcel surveyed and all wetlands delineated, applicant to submit a revised plan
- D. Kopacz stated this is a known wet neighborhood and it is problematic to flooding. Wants to make sure the infiltration trenches indeed will be adequate enough. Engineer needs to do due diligence.

Motion by D. Kopacz to continue the public hearing until January 8, 2020. Seconded by K. Rosenbeck. No discussion, All in Favor 5-0-0.

f. NOI DEP #None Issued by Bertin Engineering Inc. for Melink Solar, LLC, Osborne Road owned by J. Harder.

- No File Number due to existing violations
- J. Chartier stated this lot is an "Estate Lot"
- T. Barnes had a site visit with the Cook's (abutters) and stated the water runoff looks like a spring. Their driveway is bad condition.
- DEP has concerns with historical violation
- Small isolated area of wetlands to be filled. Area was "unfinished excavation area"
- DEP Comments:
 - i. Depression in the lot
 - ii. Unpermitted structures
 - iii. Unpermitted culvert
- Letter dated Dec 5, 2019 has not yet been addressed

Motion by D. Cote to continue the public hearing. Seconded by D. Kopacz. Discussion: C. Blackmer (abutter) expressed concerns about water runoff. J. Cook (abutter) also expressed concerns about the amount of water runoff and stated she is unable to use her yard majority of the year because of the high water table within this area. Asked once construction starts and the area gets worse, whom is responsible for the damage to the area (roads, abutters land, etc.) and how to file a complaint. J. Cook stated the plans do not indicate the stream and other wetlands. Hardwick Conservation Commission member (William Zinni, Chair) stated the portion of property within Hardwick has been land cleared and DEP did issue a file number. Willing to do a site walk with Ware Con-Com if interested. Suggested to have a third party review for the design plans/stormwater. End of discussion, All in Favor 4-0-1 (K. Rosenbeck left the meeting).

OLD BUSINESS

None

NEW BUSINESS

- a. 50 Old Poor Farm Road – Possible Violation (Work on a driveway)
T. Barnes stated it may appear to be in violation and stopped to take a few photos. Can clearly see standing water.
- b. Abutters on Beaver Lake need to remove trees once the ice becomes thick by filing an RDA and the Town will hold no liability for any types of damages (personal and property).
- c. Approval of 2020 Meeting Dates
Meeting dates were approved by the Commission with note that Veterans' Day meeting will be the following week.

Motion by D. Kopacz to accept the meeting dates as stated in the handout. Seconded by T. Barnes, no discussion, All in Favor 4-0-1 (K. Rosenbeck left the meeting).

ADMINISTRATOR'S REPORT

- a. A house on Babcock Tavern Road needs to close out the NOI. No resource area or wetlands. The owners requested a Certificate of Compliance.
Motion by T. Barnes to issue a Certificate of Compliance per D. Kopacz site walk. Seconded by D. Cote, no discussion, All in Favor 4-0.
- b. A. Marques stated a lawyer is requesting an Estopple deed for 9 Wildflower Drive and believes this is simply a Certificate of Compliance is needed. Chairman asked for confirmation prior to any documents being released.

ADJOURNMENT


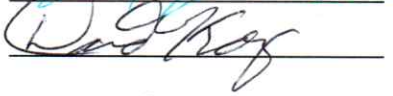
Motion by M. Swett to adjourn at 8:35pm. Seconded by D. Kopacz, All in Favor 4-0.

Next meeting is scheduled for January 8, 2020 at 7:00 pm.

Minutes from December 11, 2019

Respectfully submitted by,

Nicole Croteau
Assistant to the Director of
Planning & Community Development

<i>Minutes Approved on:</i>	
Swett	
Kopacz	
Cote	_____
Rosenbeck	_____
Barnes	