



TOWN OF WARE

Conservation Commission

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Meeting Minutes from
Wednesday, July 10, 2019
Selectmen's Meeting Room

Commission members present: Mark Swett (Chairman), Thomas Barnes, Kristen Rosenbeck

Commission members absent: Dennis Cote, Dave Kopacz

Public: As taken from observations and sign-in sheet Claudia Kadra, Barbara Gurka, Alfred Gurka, Bernard Wilson, Paul Chartier, Jim Kadra, Rene Piche, John Majocho, Jodi Chartier, Julie Nicolliello, Anna Marques, Martha Klassanos, Megan Sinclair, Lori Sinclair, Crystal Norton, B. Wilson, Beverly Wilson, Jennifer Mott, Kevin Ryan, and Calisto Bertin.

Mark Swett called the meeting to order at 7:00 p.m.

Tom Barnes leads the Pledge of Allegiance

1. Scheduled Appearances

a) Alfred & Barbara Gurka

- Anonymous complaint received about pumping water from the unnamed brook to water lawn.
- M. Swett explained the permitting process and that activities that were allowed previously aren't always allowed now without permitting.

2. Applications

a) RDA 2019-03 by Jennifer Lima- Request to withdraw application

Motion by T. Barnes to approve request to withdraw application of RDA 2019-03 by Jennifer Lima. Seconded by K. Rosenbeck. So voted 3-0-0.

b) NOI DEP #317-457 by Scott Silver

- M. Klassanos provided more detailed drawings as requested at the June 12th hearing.
- A. Marques asked the limit of work from the resource area. M. Klassanos explained the limit would be fifteen feet. That will allow the ability to stage material on site.

Motion by T. Barnes to approve Notice of Intent DEP #317-457 as presented. Seconded by K. Rosenbeck. So voted 3-0-0.

c) NOI DEP # 317-454 by Bertin Engineering for Ware Solar LLC

- M. Swett questioned if the applicant discrepancy was corrected, A. Choquette confirmed that the NOI application was corrected with DEP and departmental records.
- C. Bertin presents on behalf of Bertin Engineering
 - Solar Project is proposed on an 80-acre site.

- Flat Brook runs parallel to Greenwich Plains Rd on the proposed site.
- Proposed site consists of approximately 55 wooded acres and ± 20 acres of meadows.
- Approximately 30.62 acres of the site consist of wetlands.
- Delineation and test pits have been completed.
- The area immediately surrounding the pond is designated as a flood plain.
- The larger array will be the only section with tree removal.
- Fence surrounding the array will include small animal migration gap.
- The fence line will be the limit of clearing to the North, and the limit of clearing to the south will be approximately 75 feet from the fence.
- Original access was planned from Howard Rd. However after consulting with DEP, the new access will be over the dam from Greenwich Plains Rd.
- The dam must be widened to allow access and go from three crossings to improving two crossings.
- Howard Rd will no longer be impacted
- Fence line is installed at the 50-foot buffer point.
- Firetruck turnaround provided based off feedback from Fire Department
- Batteries to be installed. M. Swett requested pictures and information on the batteries and racking system to be used.
- Only encroachment of buffer zone is tree cutting and road work.
- Currently working with DEP about heat increases in the buffer zone.
- Infiltration trenches will be used in between rows of panels and designed to hold up to a 100-year storm.
- T. Barnes asks what will be used to protect the cold stream? C. Bertin says erosion controls: straw waddles, silt fences, floating booms.
- Box Culvert and two 20" pipes to improve the existing crossing as repairing the river is beyond the scope of work.
- Property owner will work on beaver control.
- Work to be completed in Fall and winter months,

Motion to by K. Rosenbeck for a peer review to be performed and accept the proposal from JMP Environmental Services. Seconded by T. Barnes. So voted 3-0-0.

- Following the conclusion of the DEP audit, the Commission will want to go over the questions and responses.
- Claudia Kadra reads a report about the dam in question with the Town of Ware labeling it dangerous. Also asks how the work in the area will impact her Vernal Pool. M. Swett explains how the resource areas surrounding vernal pools is determined.
- M. Klassanos asked if what size the infiltration trenches are and if they will be armored. C. Bertin answered they will be 4-feet x 10-feet and armored with gravel.
- An abutter asks why the retention basins are not shown and questions the results of the test pits. C. Bertin explains that with the redesign the basins are no longer

needed. The test pits were done by professionals who would not risk their license to lie.

- J. Chartier asks about the rare muscels and how this may impact them.
- C. Kadra mentions she is still in discussion with NHESP about the wood turtle sighting that was recorded.
- J. Kadra raises concerns that the northern end of the project is within the 100-ft buffer without an alternative analysis provided and concerns that use of herbicide is still listed on the plans.
- M. Swett explains that as this point in the project it is still understandable that the answer to many questions is still unknown.

Motion by T. Barnes to continue NOI DEP #317-454 to the August 14th meeting. Seconded by K. Rosenbeck. So voted 3-0-0.

- d) NOI DEP #317-452 by Ecos Energy- **Continued**
 - Last month of requested 5-month continuance.
 - A. Choquette to reach out to applicant.

2. **Old Business**

- a) Coy Hill Beaver Dam
 - No new imagery yet
 - A. Choquette continues to monitor grants
- b) Wetlands bylaw discussion
 - No discussion.

3. **New Business**

- a) Minutes- March, April, May, June
 - Postponed until August 14th meeting.

4. **Adjournment**

Motion by T. Barnes to adjourn at 8:45pm. Seconded by K. Rosenbeck So voted 3-0-0.

Approved on 8/14/19 Date

Respectfully submitted by Andrew Choquette

Members:

- Mark Swett
- David P. Kopacz, Sr.
- Dennis Cote
- Kristin Rosenbeck
- Thomas H. Barnes
