



# TOWN OF WARE

Conservation Commission  
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Meeting Minutes from  
**Wednesday, June 12, 2019**  
Great Hall

- Commission members present:** Mark Swett (Chairman), Thomas Barnes, Dave Kopacz, Dennis Cote
- Commission members absent:** Kristin Rosenbeck
- Public:** As taken from observations and sign-in sheet John Mojocka, Jodi Chartier, Martha Klassanos, David Haines, Rebekah DeCoursey, Stuart Beckley, Claudia Kadra, Julie Nicolliello, Mario Nicolliello, Carl Oberg, Deb Oberg, Neil Jackson, Robert Natario, Calisto Bertin.

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

Tom Barnes leads the Pledge of Allegiance

## 1. Applications

a) RDA 2019-02 by Robert Natario for MassDot

- R. Natario explains that routine road improvement work will be done, and cross sections have been provided.
- No work over the bridges at Flat Brook or Ware River will be performed.

**Motion** by T. Barnes to issue a Negative #2 determination. Seconded by D. Kopacz. So voted. 4-0-0.

b) Order of Conditions 317-388 by Solitude Lake Management for Joseph Sidur, Jr.

- No Representative present.
- Extension of existing Order of Conditions that was previously extended.
- No updated information regarding weeds submitted since 2009.
- Three-year extension requested.

**Motion** by D. Kopacz to grant the three-year extension with the following condition:

1. An updated weed map is provided to the Conservation Department within 6 months.

Seconded by D. Cote. So voted 4-0-0

c) NOI DEP #317-455 by James Leone and Elizabeth Faerm

- Pipe has been inspected by DPW and they have no concerns.
- Pipe has been inspected and contains no leaks and flows to a basin 15-20' from the lake. M. Klassanos provided the Commission with pictures.
- Wet spots formed by downspouts post rain.
- No water in 20' in either direction of rain garden location.
- Depth of garden will not exceed level of lake.
- Piping will be integrated into the patio and leave out downspout locations.

- Test pits will show water table is at the level of the lake.

**Motion** by D. Kopacz to approve Notice of Intent 317-455 with the following condition:

1. Updated plan is to be submitted to the Conservation Department showing downspout locations prior to work commencing.

Seconded by T. Barnes. So voted 4-0-0.

d) NOI DEP #317-447 by East Quabbin Land Trust

- David Haines submitted his report to the Commission:
  - The addition delineation has been conducted and verified.
  - Multiple flags adjusted. Hydraulic soils not present however plan indicators were.
  - Replication areas expanded to compensate for impact adjustments
- M. Swett asks if the trail is still staying at 8' in the areas the impact needs to be minimized. C. Henshaw confirms.
- D. Haines suggests replication sites be fluid and change based on construction difficulties.
- M. Swett asks if details on the ramp have been provided, and if it. A. Choquette provided the previously submitted drawing from the file.
- D. Kopacz states is unhappiness an alternative location for the rail trail location wasn't explored like redirecting on to Upper Church St then Gilbertville Rd.
- C. Henshaw states this is a previously disturbed area. National Grid would not need Conservation approval for their projects on the rail bed.
- D. Kopacz argues the project will bring increase fire risk to the area. M. Swett and T. Barnes disagree.
- C. Henshaw states the project will take two years. The first year will be the upland areas, and the wetland areas. The second year will be replication and conclusion.

**Motion** by T. Barnes to approve Notice of Intent 317-447 as presented with the following condition:

1. Notify the Conservation Department for siltation control inspections at each stage after inspection.

Seconded by D. Cote. So voted 3-0-1. D. Kopacz voted no.

e) NOI DEP # 317-454 by Bertin Engineering for Melink Solar Development

- C. Bertin explains he is representing Ware Solar LLC.
- M. Swett points out that is not the name of the applicant on the Notice of Intent and does not feel comfortable proceeding.
- The applicant was changed with the planning board on May 10<sup>th</sup> but no communication was given to DEP or the Conservation Department.
- D. Kopacz expresses his concerns and wants to move forward. Allowing abutters and the Commission to ask questions.
- T. Barnes questions if the applicant change will impact the ongoing DEP audit.

**Motion** to by T. Barnes to continue until the July 12<sup>th</sup> meeting to verify the correct applicant information and correct the form as necessary, and to contact the DEP regarding the change. Seconded by D. Cote. So voted 3-0-1. D. Kopacz voted no.

f) NOI DEP 317-456 by J&P Engineering Services for MRT Development

- Neil Jackson from J&P Engineering Services presented
- Single-family home is proposed.
- Retaining wall to allow the ground to be leveled
- Neighbors wells will not be impacted

**Motion** by D. Kopacz to approve Notice of Intent 317-456 with the following conditions:

1. Notify the Conservation Department when construction is to commence.
2. Siltation controls are to be inspected by the Conservation Agent following installation.

Seconded by D. Cote. So voted 4-0-0.

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**

4. **Adjournment**

**Motion** by T. Barnes to adjourn at 8:51pm. Seconded by D. Cote.  
So voted 4-0-0.

*Respectfully submitted by Andrew Choquette*

Approved on \_\_\_\_\_ Date

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

