



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082
413.967.9648

Meeting Minutes from
Wednesday, June 9, 2021
Selectmen's Conference Room, Town Hall

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

Commission Members Absent: Peter Toper IV and John Prenosil, Agent

Public in Attendance: Keith Terry, Ana Estridge, Juan Estien, Rick Lotuff, Tom Lewis, Alfred Gurka, Philip Burdick, Adrienne Clark, Hector Peterson III, Nicole Croteau, Anna Marques

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

Meeting called to order at 6:32 pm and the Pledge of Allegiance was said.

APPLICATIONS

DEP #317-440 by Craig Crosby, 26 Wildflower Drive, Parcel 52-1-5

NOI – Request to extend the Order of Conditions three years.

MOTION by Kristin Rosenbeck to extend the Order of Conditions for three years. Seconded by Thomas Barnes. N. Croteau stated there are restrictions on this lot and lots 51-2-6, 51-2-7 and 52-1-11 and owner should do its due diligence. All in Favor 4/0/0.

DEP #317-441 by Craig Crosby, 26 Wildflower Drive, Parcel 52-1-6

NOI – Request to extend the Order of Conditions three years.

MOTION by Thomas Barnes to extend the Order of Conditions for three years. Seconded by Kristin Rosenbeck. No Discussion. All in Favor 4/0/0.

DEP #317-442 by Craig Crosby, 22 Wildflower Drive, Parcel 52-1-7

NOI – Request to extend the Order of Conditions three years.

MOTION by Dennis Cote to extend the Order of Conditions for three years. Seconded by Kristin Rosenbeck. No Discussion. All in Favor 4/0/0.

DEP #317-443 by Craig Crosby, 12 Wildflower Drive, Parcel 52-1-11

NOI – Request to extend the Order of Conditions three years.

MOTION by Thomas Barnes to extend the Order of Conditions for three years. Seconded by Dennis Cote. No Discussion. All in Favor 4/0/0.

DEP #317-452 by Ecos Energy, Monson Turnpike Road *Requested a Continuance*

NOI - Proposed construction of a Large-Scale Ground-Mount Solar Array – Wetland Crossing.

Applicant requested a continuance until next scheduled meeting.

MOTION by Tom Barnes to continue the public hearing until the next scheduled meeting.

Seconded by Dennis Cote. No Discussion. All in Favor 4/0/0.

DEP #317-463 by Bertin Engineering for Melink Solar LLC (*FT Smith*) *Request for Continuance*

NOI - Proposed construction of a Large-Scale Ground-Mount Solar Array on Greenwich Rd

Applicant requested a continuance until next scheduled meeting.

MOTION by Kristin Rosenbeck to continue the public hearing until the next scheduled meeting.

Seconded by Dennis Cote No Discussion. All in Favor 4/0/0.

DEP #317-465 by Bertin Engineering for Melink Solar LLC (*Couture*) *Request for Continuance*

NOI - Proposed construction of a Large-Scale Ground-Mount Solar Array on Greenwich Rd

Applicant requested a continuance until next scheduled meeting.

MOTION by Kristin Rosenbeck to continue the public hearing until the next scheduled meeting.

Seconded by Dennis Cote. No Discussion. All in Favor 4/0/0.

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

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

Applicant requested a continuance until next scheduled meeting. N. Croteau did present peer review comments from BSC Group for the drainage review and appears about 5 or 6 comments need to be addressed.

MOTION by Kristin Rosenbeck to continue the public hearing until the next scheduled meeting.

Seconded by Dennis Cote. No Discussion. Vote 3/1 (Barnes).

RDA 2021-4 0 Doane Road by Sherman & Frydryk for Ana Estien on Doane Road, Parcel 22-39-3

Request for Determination to decide if work depicted on plans is subject to the Wetland Protection Act for construction of a single-family home, septic and well. Work within the 100ft buffer will be resulting from fill associated with the septic system construction.

Revised plans were presented to the Commission. General discussion included the tree houses. The tree houses shown on the plans are outside of the Commissions jurisdiction. Work is on outside 100ft buffer. Commission would like lolly-columns along the limit of disturbance to be installed and will be made part of the approval and the life of the property. (2ft above ground and 4ft in ground). N. Croteau asked about why type of gravel will be placed along the walk-path and if any berms will be installed to stop the material if there is runoff. Applicant relied not sure at this time. Chairman asked if the path will be paved, and Ms. Estien stated no. N. Croteau asked how many trees and what kind will be cut around the garden area as stated on the plan. Ms. Estien stated the least number of trees removed would be better. Vice-Chairman Barnes wanted the Building Official's input on the project. A. Marques had no concerns and will look further into the design when the applicant submits a building permit.

MOTION by Thomas Barnes to issue a Negative 3 Determination with conditions to install 4ft lolly columns along the limit of disturbance. Including any trees over 24 inches in diameter need to have a 2ft stump remain. Seconded by Kristin Rosenbeck. No Discussion. All in favor 4/0/0.

RDA 2021-06 Ware River Group LLC at 2 East Main Street, Parcel 61-0-191

Request for Determination to decide if work depicted on plans is subject to the Wetland Protection Act for the removal of trees and associated debris on a vacant parcel.

Rick Lotuff would like the trees to be cleaned up for visual appeal to investors. Chairman ask what the determination about the site was being within the Riverfront. N. Croteau stated the site is listed on the Historical Registry therefore the riverfront is 25ft.

MOTION by Thomas Barnes to issue a Negative 1 Determination. Second by Kristin Rosenbeck. Discussion was made about what number to issue – possibly number 4. Motion by Thomas Barnes to change to Negative 4. Seconded by Kristin Rosenbeck. No Discussion. All in favor 4/0/0.

RDA 2021-07 by Alfred & Barbara Gurka at 16 Lovewell Street, Parcel 62-0-19

Request for Determination to decide if the scope of work alternatives is adequate for work in the Riverfront Area as depicted on the plans for removal of marked trees adjacent to the stream by crane, chipping the brush in the rear of a truck, removing the logs from the premises, and leaving the stumps flush cut to the ground.

Applicant hired Canadian Tree to remove approx. 13 trees from prior storm damage using a crane. Vice-Chairman asked if it was within resource area. No, it is not. Applicant explained the location of the trees to the Commission in further details. No further discussion.

MOTION by Thomas Barnes to issue a Negative 2 Determination with no stump grinding allowed and leaving the base of cut stumps to 1ft. Seconded by Kristin Rosenbeck. No Discussion. All in favor 4/0/0.

RDA 2021-08 by TEC Associates, MA Central Railroad, Right-of-Way

Request for Determination to decide whether the boundaries of resources areas depicted on the plans/map referenced are accurately delineated. This application is a renewal of the wetland delineation along the MA Central Railroad right-of-way.

Tom Lewis presented the application. N. Croteau stated this is a two-step process: TEC submitted the RDA application and under the administration section, TEC presented the Annual Vegetation Control. Tom Barnes asked if the applicant has been on site with Agent Prenosil. T. Barnes stated Dave Kopacz has marked the ties in the past. Tom Lewis stated one changed near Church Street, it was moved it back.

MOTION by Thomas Barnes to issue a Determination of Positive 2A for confirming the accuracy of the resource boundaries and Negative 3 for work in the buffer zone and Negative 5 for exempt activity in riverfront citing exemptions from CMR 10.03(6) and 10.58(6)(a). Seconded by Kristin Rosenbeck. No Discussion. All in favor 4/0/0.

NOI 317-TBD, by Above and Beyond Landscaping and Home Services LCC for Esta Farkas, 112 Shoreline Drive, Parcel 49-0-77

Proposed beach restoration; install plants and control existing runoff/drainage issue using drywells. (Public Hearing was not open due to no DEP File number)

Phil Burdick, Architect presented a colored plan showing exactly the proposed work. House is about 30-40ft from the road down a steep driveway. Approx. 70ft to the water and owner has hip issues. Existing conditions: invasive species near the water. Hemlock on side and rhododendron, weed barrier up front. Drainage will be in ground for heavy rain, which will reduce runoff. Construct a patio area and small beach area with a path to the water. Would like to make planting beds. Slope path with porous material – large stone. Install drain wells to infiltration into ground, approx. 10-12 dry wells. Chairman asked what will be used for walls along the beach area and the reply was fieldstone. Hector Peterson stated silt fence and silt socks will be used for temporary work. Mr. Burdick stated all material will remain on site but just moved within the site. The construction time frame will be short, but the plantings will be completed over a year time. The Commission requested the plan to be updated as noted from DEP comments and discussion tonight showing certain items.

End of Discussion. No Action taken because no DEP File number has been issued. Applicant will return for July 14th meeting with plan revisions.

NOI 317-473, by Coffey Hill Properties, LLC, 75 Coffey Hill Road, Parcel 19-0-47.

Proposed single family home, well, septic, driveway, and associated grading within the 100ft buffer of the BVW. No work is proposed within the 50ft buffer of the BVW.

No representative was present. N. Croteau presented the application to the Commission. Standard single family home construction with proper erosion controls. Commission would like boundary markers will be placed along limit of disturbance and removed grindings from the well drillings.

MOTION by Thomas Barnes to approve the application and site plan, with the boundary marks to be installed along the limit of disturbance and remove grindings from well drillings. Seconded by Dennis Cote. No Discussion. All in favor 4/0/0.

ADMINISTRATION REPORT

A. Approval of Minutes

MOTION to table minutes from May 12, 2021, and approve minutes from April 14th and April 28th, 2021, by Kristin Rosenbeck. Seconded by Thomas Barnes. No Discussion. All in Favor 4/0/0.

B. TEC Associates, MA Central Railroad Vegetation Control Program

Presented the document to Commission as a notification and spoke about this during the RDA Application – see above.

C. National Grid – Pole 4-1 Replacement, Pine Street – No Discussion – No Action Taken

D. Email Notification for treatment to Beaver Lake from Solitude Lake – No Discussion – No Action Taken.

ADJOURNMENT

MOTION to adjourn at 7:38 pm. All in Favor 4/0/0.
Next scheduled meeting is on July 14, 2021.

Minutes from June 9, 2021

Respectfully submitted by,

Nicole Croteau

Conservation Commission Administration

Minutes Approved on:	10/13/2021
Swett	
Barnes	
Cote	
Rosenbeck	
Topor, IV	