



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082

413.967.9648

Meeting Minutes from

Wednesday, March 8, 2023

Selectmen's Conference Room, Town Hall

Commission Members:

Mark Swett	Chair
Thomas Barnes	Vice Chair
Kristin Rosenbeck	
Dennis Cote	
Peter Topor	Absent

Staff in Attendance:

John Prenosil	Conservation Agent
Robert Watchilla	PCD Director
Kristen Jacobsen	PCD & Conservation Admin

Public in Attendance:

Glenn Krevosky (remote)	Terry Smith
Lucas Wright	Richard Lotuff
A.Marques	Attorney Richard Maynard (remote)

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. Topics may have been taken out of order according to posted agenda.

PLEDGE OF ALLEGIANCE

T. Barnes called the meeting to order at 6:30 pm and led the Pledge of Allegiance.

APPLICATIONS

DEP #317-463

MOTION by D. Cote to continue DEP # 317-463 to May 10, 2023, at applicants request. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
P. Topor		Absent
Four in Favor. One Absent. Approved 4/0/1.		

DEP #317-484: G. Krevosky reviewed the improvements and plan for the rain garden to address water coming off Route 32. J. Prenosil found the plan to be sufficient, meet all criteria, and be an improvement over existing conditions.

MOTION by T. Barnes to approve DEP # 317-484 (Notice of Intent). **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
P. Topor		Absent
Four in favor. One Absent Approved 4/0/1.		

ADMINISTRATION

Approval of Meeting Minutes – December 14, 2022. The minutes from December 14, 2022, were not presented at this meeting.

Approval of Minutes – February 8, 2023

MOTION by K. Rosenbeck to approve the minutes from February 8, 2023. **Seconded** by M. Swett . No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
P. Topor		Absent
Four in favor. One Absent Approved 4/0/1.		

DISCUSSION

Ware Mill Yard-

R. Lotuff , L. Wright, Attorney Maynard, and the board discussed concerns for the Minuteman Project taking place in the Ware Mill Yard.

- Condition of right of way and penstocks
- Proposed location of new sewer lines and their potential interference with existing penstocks
- Communication with Minuteman owner
- Materials onsite
- Location in 100-year flood plain
- Remains of burned building
- Parking lot
- Elevation
- Height of foundation
- Test wells
- Location and redistribution of fill material.
- Installation of steel plates in right of way

J. Prenosil explained the criteria that the Conservation Commission reviews regarding the review of plans.

J. Prenosil and T. Barnes explained that the Wetlands Bylaw was not ratified and therefore could not be enforced.

R. Watchilla clarified the Special Permit conditions and that the abutters notices were sent out properly.

Attorney Maynard clarified that the sewer line would not be shared.

Maple Street-

DEP had received an anonymous complaint of a bulldozer on the property. J. Prenosil contacted Mr. Buelow who stated there was not nor had there ever been a bulldozer onsite. The board discussed the process of determining if it was in violation.

Beaver Issue –

Pleasant Street

Doane Road- Den washed out

North Street- (under bridge)

T. Smith and the board discussed the process in which beavers may be removed.

ADJOURNMENT

MOTION by T. Barnes to Adjourn at 7:35. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Absent
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
P. Topor		Absent
Three in favor. Absent Approved 3/0/2.		

The board suggested inviting the owner of the Minuteman project and Rick Lotuff to the next Conservation Commission meeting on March 8, 2023.

ADJOURNMENT

MOTION by D. Cote to Adjourn at 6:48. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Absent
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
P. Topor		Absent
Three in favor. Absent Approved 3/0/2.		

Next regular scheduled meeting is on March 8th, 2023.

Minutes from February 8th, 2023
Respectfully submitted by,

Kristen Jacobsen
Conservation Commission Administrator

Minutes Approved on: 03/08/2023

Swett _____
Barnes _____
Cote _____
Rosenbeck _____
Topor, IV _____