



TOWN OF WARE

Conservation Commission

126 Main Street, Ware, Massachusetts 01082
413.967.9648

Meeting Minutes from
Wednesday, May 10, 2023
Selectmen's Conference Room, Town Hall

Commission Members:

Mark Swett	Chair
Thomas Barnes	Vice Chair
Kristin Rosenbeck	
Dennis Cote	

Staff in Attendance:

John Prenosil	Conservation Agent
Stuart Beckley	Town Manager
Anna Marques	Building Commissioner
John Piechota	Parks Dept
Kristen Jacobsen	PCD & Conservation Admin

Public in Attendance:

Mark Stinson, Mass DEP	
David Poppel	79 Beaver Rd
Deborah Poppel	79 Beaver Rd

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

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

APPLICATIONS

RDA-2023-02- Deborah & David Poppel- 79 Beaver Rd

J. Prenosil found no issues.

MOTION by T. Barnes to approve RDA-2023-02 as presented and issue a negative 3 determination. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
All in Favor. Approved 4/0/0.		

ADMINISTRATION

Approval of Meeting Minutes – April 12, 2023.

MOTION by D. Cote to approve meeting minutes from April 12, 2023. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Abstain
K. Rosenbeck		Aye
D. Cote		Aye
All in Favor. One Abstention. Approved 4/1/0.		

Right of First Refusal – Cynthia Turek, Webster Road, Lot 10 & Lot 4

The board discussed the properties identified as Lot 10 (25-0-10) on Webster Road, the 23.817-acre parcel and Lot 4 (31-0-4) the 60.437 acre parcel are being sold by the current property owner Cynthia Turek to Topwits Inc. who proposes to keep the use of the property within 61A.

MOTION by T. Barnes to Waive the Right of First Refusal for Lot 10 and Lot 4 on Webster Road.
Seconded by D. Cote. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
All in Favor. Approved 4/0/0.		

DISCUSSION

Beaver Issues –

The board discussed issues on Beaver Lake. Some residents have installed chicken wore to keep the beavers at bay. Mr. O’Mera is reaching out to residents to see who is having issues with the beavers. D. Poppel discussed the location of a new dam and the destruction caused by the beavers. J. Prenosil mentioned that it is outside of trapping season. T. Barnes encouraged residents harden their properties.

Tree Cutting- Church Street & Gilbertville Rd

J. Prenosil will follow up with the tree cutting activities.

Minuteman – Ware Mill Yard

The board discussed the activities of the Minuteman project at the Ware Mill Yard. The board cited that test wells had been removed and the project seems to be at a standstill until funding is available. The pause in in progress led the board to discuss potential dangers if major flooding occurs and the need for stabilizing vegetation. The board discussed viewing the Order of Conditions that had been issued.

APR- Maple Street Properties

The board discussed the potential violations on the APR/ Street Properties citing issues such as but not only: alteration to the riverfront area, automotive fluids, and untreated stormwater drains.

MOTION by T. Barnes to issue an enforcement order for the Maple Street APR properties..
Seconded by K. Rosenbeck .

Discussion

The board and M. Stinson discussed the issuance of an enforcement order and the alteration to the riverfront area.

The board found:

- Extended pavement where vegetation had once existed
- Grading of riverfront area without a permit
- Paving

M. Stinson discussed the enforcement order and what the board’s desired outcome would be. The board discussed the drafting of an enforcement order by J. Prenosil to be ratified at the next Conservation Commission meeting.

MOTION by T. Barnes withdraws his earlier motion. **MOTION** by T. Barnes for J. Prenosil to draft an enforcement to be reviewed by the DEP regarding violations occurring at the Maple Street properties to be presented during the June 14, 2023, Conservation Commission Meeting at 6:30pm. **Seconded** by D. Cote.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
All in Favor. Approved 4/0/0.		

Town of Ware- Grenville Park Playground 73 Church Street Ware

The Town of Ware seeks to renovate an existing playground within 200’ of the riverfront. The renovation would include the addition of 5 playground structures, woodchip, and poured in place surface. The board advised filing an NOI. M. Stinson suggested filing an RDA with a provision for plantings. The town also discussed the possibility of adding a split rail fence near the embankment to prevent children from travelling down the embankment.

The town asked if it would be possible to meet prior to the next meeting. The board agreed to meet Wednesday May 31, 2023 at 6:30pm.

ADJOURNMENT




MOTION by D. Cote to Adjourn at 7:38. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
All in Favor. Approved 4/0/0.		

Next scheduled meeting is on May 31st, 2023.

Minutes from May 10, 2023
Respectfully submitted by,

Kristen Jacobsen
Conservation Commission Administrator

Minutes Approved on:	
Swett	
Barnes	
Cote	
Rosenbeck	