



# TOWN OF WARE

## Conservation Commission

126 Main Street, Ware, Massachusetts 01082  
413.967.9648

Meeting Minutes from  
**Wednesday, August 9, 2023**  
Conference Room, Town Hall

### Commission Members:

Mark Swett                      Chair  
Thomas Barnes                Vice Chair  
Kristin Rosenbeck  
Dennis Cote  
Robert Krasnecky

### Staff in Attendance:

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

### Public in Attendance:

Joseph Sidur                141 Gilbertville Rd  
Joel Pentlarge

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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 and led the Pledge of Allegiance.

### **APPLICATIONS**

**Dep # 317-388 –141 Gilbertville Road** – Request for Extension Permit for Order of Conditions – Pond Management.

Mr. Sidur requested a 3-year extension. The board requested a listing of the chemicals used to treat the pond. Mr. Sidur would provide the information for the lake management company and J. Prenosil said he would reach out to them.

**MOTION** by D. Cote to continue DEP 317-141 until September 13,2023. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
R. Krasnecky		Aye
<b>All in Favor. Approved</b>		
<b>5/0/0.</b>		

**DEP #317-463 – Greenwich Road** -by Bertin Engineering for Melink Solar LLC (FT Smith) *Continued*  
 Proposed construction of a Large-Scale Ground-Mount Solar Array on Greenwich Road  
**Applicant requested a continuance until October 2023**

**MOTION** by T. Barnes to continue DEP 317- 463 until October 11, 2023. **Seconded** by K. Rosenbeck. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
R. Krasnecky		Aye
<b>All in Favor. Approved</b> <b>5/0/0.</b>		

**RDA-2023-06 -15 Point View Road-** Applicant is proposing installation of a vegetated paver slope stabilization system.

The commission discussed the scope of the RDA with the Conservation Agent who had no issue with the plan as presented.

**MOTION** by K. Rosenbeck to approve RDA-2023-06 as presented and issue a negative 2 determination. **Seconded** by T. Barnes. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
R. Krasnecky		Aye
<b>All in Favor. Approved</b> <b>5/0/0.</b>		

**CONSERVATION RESTRICTIONS**

East Quabbin Land Trust - Dumas Conservation Restriction

The commission signed the Conservation Restriction document for the East Quabbin Land Trust

**ENFORCEMENT ORDERS**

**Trelleborg/Lamcotec – 247 West Street**

The business is under new management who provided a quote they had received to repair/restore the culvert and bridge. The quote is well out of the budget. R. Mallow inquired if the Commission would be ok with pre-disturbance condition. The board felt if it washes out again a Cease and Desist would be issued. The board clarified that the violation is for riplap dumped into the bank and solely fixing the bank would be a start.

**Joel Pentlarge - 1 Doane Road**

Mr. Pentlarge discussed meeting with an engineer in February of 2023 who had stated they needed to wait until the water level drops to access the situation. MASS DOT sent a letter to survey the property. R. LeMaitre was hired to survey the property 1/3 of the retaining wall is on DOT property with the remaining 2/3 on the Falling Waters Trust property. The board inquired if MASS DOT had given any sort of time line, Mr. Pentlarge said they had not. Mr. Schaffer reported to Mr. Pentlarge that nothing would collapse immediately but cautioned him to not remove vegetation. M.Swett advised waiting until next summer to provide an update since the water levels have been so high this season and agreed that Mr. Pentlarge has done everything he can currently do.

**MOTION** by M. Swett to continue the Enforcement Order to July 25, 2024. **Seconded** by T. Barnes. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
R. Krasnecky		Aye
<b>All in Favor. Approved</b> <b>5/0/0.</b>		

**Jose Ramon Valdez - 42 Bacon Road**

Mr. Ramon did not appear before or contact the board. The commission discussed the railroad crossing and the process to get that approval. M. Swett asked J. Prenosil to contact Mr. Ramon. J. Prenosil clarified the commissions intentions asking if they wanted a restoration of the area, M. Swett replied yes they did.

**ADMINISTRATION**

**Approval of Meeting Minutes – June 14, 2023.** – Tabled until September 13, 2023 (no motion made)

**New Business**

APR- J. Prenosil informed the board he received a restoration update and requested it be discussed September 13, 2023.

**Coy Hill Beaver Impoundment**

J. Prenosil stated he was waiting for a letter from Fish and Wildlife. M. Swett discussed seeing an excavator in the area. A. Marques was told the area had significantly improved with rough areas being filled in with stone and concrete trucks would be coming in.

## Invasive Species Along Rte 9

J. Prenosil discussed the danger of invasive aquatic plants overtaking an area of wetlands along Rte 9 on the MASS DOT right of way.

T. Barnes inquired with S. Beckley about a program to reimburse residents for water. S. Beckley explained that was part of Rural Affairs and it had not gone anywhere.

## ADJOURNMENT

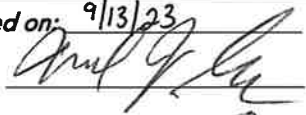
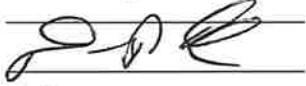


**MOTION** by D. Cote to Adjourn at 7:42. **Seconded** by T. Barnes. No further discussion.

M. Swett		Aye
T. Barnes		Aye
K. Rosenbeck		Aye
D. Cote		Aye
R. Krasnecky		Aye
<b>All in Favor. Approved</b> <b>5/0/0.</b>		

Next scheduled meeting is on September 13<sup>th</sup>, 2023.

Minutes from August 9, 2023  
Respectfully submitted by,

Kristen Jacobsen  
Conservation Commission Administrator

<b>Minutes Approved on:</b> 9/13/23	
Swett	
Barnes	
Cote	
Rosenbeck	
<u>Krasnecky</u>	