



# TOWN OF WARE

## Conservation Commission

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Meeting Minutes from  
**Wednesday, July 12, 2017**  
Board of Selectmen's Meeting Room

Commission members present: Mark Swett (Chairman), David P. Kopacz, Sr., Kristin Rosenbeck

Commission members absent: Dennis Cote

Public: As taken from observations and sign-in sheet: Tom Barnes, Corey Kookan, Donald Frydryk, Lois Lopatin, Robert LeMaitre, Bernie Bergeron

Mark Swett called the meeting to order at 6:30 p.m.

### 1. Applications

- a. Request for 3-yr Extension to current Order of Conditions, DEP#317-395 by Solitude Lake Management  
For the continued maintenance of the aquatic vegetation in Beaver Lake.

**Motion** by Mark Swett to approve the 3-yr extension on the Order of Conditions. Kristen Rosenbeck seconded. So voted 3/0/0.

- b. RDA 2017-02 by Don Besancon and Sherman & Frydryk, LLC  
Proposed development to consist of a single family home on Lot 27, Coldbrook Drive

Don Frydryk presented the proposed project and requested a negative determination.

**Motion** by K. Rosenbeck for a negative Determination #1. Dave Kopacz seconded. So voted 3/0/0.

- c. RDA 2017-03 by Lois Lopatin  
Proposed upgrade of the subsurface disposal system on 25 Horseshoe Circle

Robert LeMaitre presented the project for applicant Lois Lopatin. Location of septic to be replaced is 50 feet from the lake as indicated on plans. It is a simple replacement and approved by the BOH (Board of Health) one month ago. D. Kopacz asked for a description of controls for the protection of the lake. It was answered that straw bales or silt socks will be utilized. Area will then be mulched and seeded. D. Kopacz recommended a row of straw bales.

The old shallow well is abandoned and measures will be taken to prevent it from being used in the future, as it was polluted years ago.

**Motion** by D. Kopacz for a negative Determination #3. K. Rosenbeck seconded. So voted 3/0/0.

- d. NOI DEP#317-\_\_\_\_\_ by East Quabbin Land Trust, Inc.  
Creation of an accessible trail using the area near the ½-mile of Mass Central Rail Trail former railroad bed off 221 Church Street. (continued to next hearing pending DEP#)
- Action will be taken to schedule a site visit prior to the next meeting. The site visit for this proposed project will be in conjunction with the required annual site inspection/visit.

- e. RDA 2017-04 by Corey Kooken for TRC  
For the proposed installation of a ground-mounted photovoltaic solar system on land consisting of 8.8 acres along Belchertown Road, Parcel/Lot Number 21-0-22
- Corey Kooken explained the proposed project. It will include the installation of 3 utility poles. 27 SF will have a permanent impact.

**Motion** by D. Kopacz for a negative Determination #3. K. Rosenbeck seconded. So voted 3/0/0.

- f. Certificate of Compliance for Order of Conditions, DEP#317-296 by Atty. Ann M. Parizo  
Above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

**Motion** by D. Kopacz to issue a Certificate of Compliance. K. Rosenbeck seconded. So voted 3/0/0.

- g. Revised NOI, previously submitted NOI dated 4/27/2015, DEP#317-423 by Todd Marion, MRT Development  
Amended plan for Lots 10&11 on Coldbrook Drive.

MRT presented amended NOI. There is a potential buyer for 2 lots. The plan used to show a shared driveway but was not the best scenario. Now a better option is available. Working with DEP and finishing up on the requirements. Pending BOH review, a new location may be required for the septic however the amended NOI with regards to septic still falls within the same guidelines (leachfield, limits, valid percs)

Proposed house would be in same location within parameters. If changes were to happen, more possibly it would entail moving away more from the wetlands.

D. Kopacz requested an as-built to be submitted with changes/revised location to facilitate an easy and clear Certificate of Compliance.

The crossing will consist of a simple 12" culvert pipe. Natural boulders on either side, silt fence and haybales as shown.

**Motion** by D. Kopacz to approve the amended NOI 317-423 with the added Special Condition within the Order of Conditions that references the Consent Order from DEP and that the BWV replacement area on Lot 10 and that work to it shall be in accordance with the revised Site Plan based on the Final Report 4-17-17 submitted to MassDEP at their request. K. Rosenbeck seconded. So voted 3/0/0.

2. **New Business**

a. *Canadian Tree Experts asked for confirmation on Site Inspection Requests.*

D. Kopacz replied that they were conducted and that the paperwork will be filed.

b. *Concerns from citizens/residents*

Concern was raised over an area on Old Belchertown Rd, across from Sigel Rd – request was made to keep an eye on it.

There was a question brought up regarding an Oakwood trailer violation.

c. *Outstanding issues*

D. Kopacz to validate beach markers at Beaver Lake for a Certificate of Compliance to be issued at a future meeting.

d. *New member*

D. Kopacz made motion to recommend appointment on the Conservation Commission for Tom Barnes. K. Rosenbeck seconded. So voted 3/0/0.

3. **Adjournment**

**Motion** by K. Rosenbeck to adjourn at 7:25 p.m. Seconded by D. Kopacz. So voted 3/0/0.

*Respectfully submitted by Anna S. Marques*

Approved on 8/9/17  
Date

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

