

MINUTES
CONSERVATION COMMISSION
LAND USE MEETING ROOM
July 2, 2018

OPENING: The regular scheduled meeting of the Conservation Commission opened at 7:00 p.m. Attendance is as follows:

Christopher Pratt, Chairman	Present
Seth Kellogg, Vice, Chairman	Absent
Mehmet Mizanoglu, Commissioner	Present
Dave MacWilliams, Commissioner	Absent
Brian Drenen, Commissioner	Present
Brian Pranka, Commissioner	Present
Jerry Patria, Commissioner	Present
Dennis Clark, Coordinator	Present

7:00 Christopher Pratt, Chairman, called the meeting to order.

Chairman Pratt recognized Jerry Patria as a newly appointed member of the Conservation Commission. Commissioner Patria will take the place of Frank Soleimani, who resigned in April 2018. Commissioner Patria is a lake front resident and Chairman of the Sewer Implementation Committee.

MINUTES

Commissioner Pranka made a motion to accept the minutes of 06/18/18. Commissioner Drenen seconded the motion. None opposed, the motion passed unanimously.

PUBLIC HEARINGS

Mr. Richard and Mrs. Margaret Graveline
7:10 **RDA 24 Veteran Street - continued** Chairman Pratt opened the continuation of the Public Hearing. Mr. & Mrs. Graveline presented a plan for an addition of increasing the size of the existing bedroom, and adding a new bed and bath rooms. The addition will be 12 feet wide and 49 feet long. Mr. Graveline stated that the Building Inspector already confirmed that the set back was adequate. The addition will be on sono tubes approximately 68 feet from the water with grading underneath so as to be level with the existing ground. Commissioner Drenen made a motion for a negative determination provided silt fencing and hay bales are placed around the construction site so no debris will enter the lake. Commissioner Pranka seconded the motion. None opposed, the motion passed unanimously.

7:15 **RDA 45 Miller Road (end of Second Street) - continued** Chairman Pratt opened the continuation of the Public Hearing. Mr. Davin Thomas, 45 Miller Road, requested a waiver of the \$75.00 filing fee as the property in question is part of a beach association and is not actually "owned" by an individual. Chairman Pratt made a motion to waive the fee. Commissioner Mizanoglu seconded the motion. None opposed, the motion passed unanimously. Commissioner Patria recused himself from voting on the issue as he is an immediate abutter to the property. Mr. Davin was able to speak with Mr. Brown and Mr. Faria from the DPW. In previous years, the association has maintained the property including bringing in sand and using machinery. There is a continuous problem with rain water that is causing a substantial ditch and washing sand into the lake. A proposal was made at the previous meeting for installing a plunge pool. Mr. Grannells did suggest via email that an engineered design will be required for the installation of a plunge pool.

Mr. Tim Foster, 38 Miller Road, volunteered to install the plunge pool at no cost to the association. The Conservation Commission members agreed that an engineered plan would not be necessary. Commissioner Pranka stated that the members should not make a final decision until the DPW can submit their recommendation. Until that time, measures such as silt fencing and hay bales can be installed to at least help slow down the erosion so the beach can be used.

Mrs. Liz Patria, 2 Shore Road, presented photographs taken during a heavy rain. It was evident where most of the water was coming from. The pictures did show rail road ties that may be another cause of the erosion. Mrs. Patria stated that the association was doing a great job, but she would like to see the problem fixed that would not cause erosion on her property, and does not disrupt the existing flower beds. Mr. Foster believes that the water is coming from a neighbor above the beach area and suggested a waddle, for erosion control that can be in an "S" shape to slow down the water flow along with hay bales.

Mr. Richard Cross, 5 First Street, was one of many neighbors and association members who attended the meeting. Mr. Cross explained that several years ago there was a catch basin with a 12 inch pipe that diverted the water. It may be possible for the DPW to investigate the location of the catch basin to help solve the erosion problem.

Ms. Deborah Herath, 3 Shore Road, presented a letter from Mr. Brian Samsell, 11 Second Street, who is handicapped and was not able to attend the hearing. Chairman Pratt read the letter in its entirety to the attendees. Mr. Samsell explained that he has made attempts to correct an issue with his driveway that may have caused some of the erosion problem. Ms. Herath, a member of the association, did state that there had been a mention of creating a parking lot, which could cause more of an erosion issue.

Ms. Ann Griskus, 6 Second Street, stated that the association was working diligently for years to maintain the beach and had brought in heavy equipment to fill in the ditch. Hay bales were installed, but removed as a result of a complaint from Mr. Samsell.

Ms. Sabrina Pooler, 12 Third Street, requested if the material already in existence on either side of the ditch can be used to fill it in for safety purposes. The Conservation Commission members agreed that it could. As more information is needed to rectify the situation from DEP, Commissioner Mizanoglu made a motion to continue the Public Hearing. Commissioner Drenen seconded the motion. None opposed, the motion passed unanimously.

Mr. William Maguire

8:10 **RDA 144 Berkshire Avenue** Chairman Pratt opened the Public Hearing by reading the legal as posted in the Westfield News on 6/22/18. Mr. Maguire submitted a RDA to install an 8 foot by 8 foot shed on his property within the 50 foot buffer and flood plain. The shed will be

constructed on site on a level portion of the property. The base will be pressure treated, and not on a concrete pad. Moving it away from the flood plain would require extensive construction and clearing of vegetation. Commissioner Pranka made a motion for a negative determination provided Mr. Maguire contact the Building Department for approval of building the structure within the flood plain. No hay bales or silt fencing will be required due to the existing barrier walls. Commissioner Drenen seconded the motion. None opposed, the motion passed unanimously.

Mr. Michael Martin

Mr. Anastasios Karathanasopoulos

8:20 **RDA 58 Hastings Road** Chairman Pratt opened the Public Hearing by reading the legal as posted in the Westfield News on 6/21/18. Mr. Martin presented a plan to level our part of the back yard to install a patio and a swimming pool. There had been extensive water on the property due to excessive beaver activity, which as of this meeting, have been eliminated and the area is dry. Commissioner Pranka made a motion for a negative determination provided no construction takes place in the defined wetlands, and hay bales and silt fencing is installed. Commissioner Mizanoglu seconded the motion. None opposed, the motion passed unanimously.

Mr. Christopher Pratt

8:40 **RDA 152 Berkshire Avenue** As Chairman Pratt is the applicant, he recused himself as Chairman of the Conservation Commission. Commissioner Mizanoglu opened the Hearing by reading the legal ad as posted in the Westfield News on 6/25/18. Mr. Pratt presented a plan where a stairway that has previously washed out is being replaced by a new concrete stairs extending to the bottom of a hill portion of his property within the buffer zone. The stairway will be landscaped on either side with native plantings. Machinery needed for the installation will enter from a neighboring property. Mr. Pratt has already obtained permission from the land owner. Commissioner Pranka made a motion for a negative determination with erosion control (silt fence and hay bales) in place during the construction. Commissioner Patria seconded the motion. None opposed, the motion passed unanimously.

DISCUSSION/REVIEW

154 Berkshire Avenue Dock Violation The property owner received the non-payment notice and has since paid the appropriate fees.

84 Point Grove Road Property owner Michael Panella attended the meeting after receiving a notice concerning a dock violation. There appeared to be some confusion as to the Chapter 91 license that was granted to the former owner. Mr. Panella was under the impression that the license was transferred to him upon the sale of the property. The Conservation Commission members stated that some licenses are transferable and others are not, but any variation from the original license may render it invalid. The initial dock was 36 feet long, and the current dock is approximately 56 feet. Mr. Panella explained that during a dry season, he had a heavy dock which became grounded. That dock has since been replaced by a light weight aluminum dock.

There is only 9 feet of actual lake frontage on this property, but Mr. Panella was granted permission from an abutter have his dock and vessels angled out toward their property. Mr. Paul Murphy, another abutter, stated that the Chapter 91 license at 84 Point Grove Road was not valid because the dock was not in compliance with the originally submitted design of 36 feet. Mr. Panella stated that he would apply for a new Chapter 91 license.

Kuldek Brothers – Conservation Restriction Coordinator Clark stated that the property owners agreed to a deed restriction as they did not obtain a 401 Water Certification. Town Council did compose a letter of agreement which was sent to Mr. Kuldek's Attorney.

Letter to Senator Humason The Conservation Commissioners composed and signed a letter to Senator Humason concerning the Public Land Preservation Act (PLPA). The act will help preserve land within the Town for recreation. The PLPA is intending to preserve land that are for conservation use only, and cannot at a later date be converted to another use.


Sterrett Farm Nature Walk Coordinator Clark stated that R. Levesque was hired to reestablish the boundary lines and stake the right of way. Once the Town right-of-way is established, the Conservation Commission will determine if the tree limbs cutting can be adjusted.

Vandalism – Southwick Country Club Coordinator Clark has not received a report from the Southwick Police Department investigation on the approximately 6 perpetrators who were charged with the vandalism. The perpetrators used recreational vehicles to disturb the wetlands, then posted their activity on Instagram.

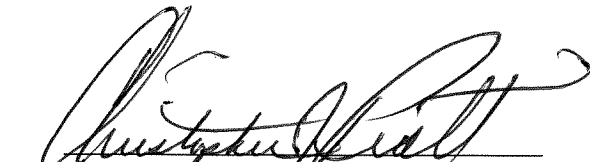
107 South Loomis Street Coordinator Clark stated he will meet with Kate Bednez at the location for a final inspection.

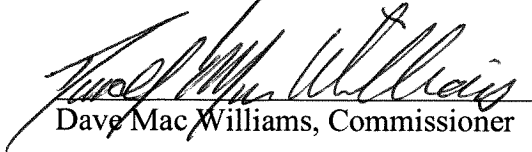
Commissioner Pranka made a motion to adjourn the meeting at 9:10 p.m. Commissioner Patria seconded the motion. None opposed, the motion passed unanimously.

Respectfully submitted,

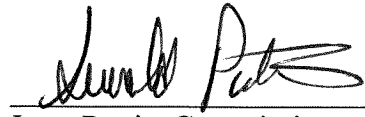

Jean Nilsson, Secretary
cc:

Select Board
Town Clerk


Christopher Pratt, Chairman



Dave Mac Williams, Commissioner

Brian Drenen, Commissioner


Jerry Patria, Commissioner

Seth Kellogg, Vice Chairman

Mehmet Mizanoglu, Commissioner


Brian Franka, Commissioner



Date