

**MINUTES**  
**CONSERVATION COMMISSION**  
**REMOTE PARTICIPATION**  
**December 6, 2021**

**OPENING:** The regular scheduled meeting of the Conservation Commission opened at 7:00 via Zoom only. Chairman MacWilliams announced the names, time and date of the meeting, and stated that the meeting was being recorded.

**ATTENDANCE**

David MacWilliams, Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Brian Drenen, Vice Chairman	Absent
Brian Pranka, Commissioner	Present
Jerry Patria, Commissioner	Present
Kevin Solek	Present
Maryssa Cook-Obregon	Present

**MINUTES**

Chairman MacWilliams made a motion to table the minutes of November 15, 2021. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Brian Pranka	yes	Maryssa Cook-Obregon	yes
Jerry Patria	yes	Kevin Solek	yes

**BUSINESS**

Chairman MacWilliams made note of the Social Media Policy sent from the Select Board. The Commissioners were asked to notify Chairman MacWilliams when the form was submitted.

**Certificate of Compliance 102 Lakeview Street** The applicant requested the Certificate of Compliance and bond release for the project. Acting Coordinator Clark conducted a site visit and recommended that the Conservation Commission members vote to issue a Certificate of Compliance and release the bond. Commissioner Mizanoglu made the motion. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Brian Pranka	yes	Maryssa Cook-Obregon	abstained
Jerry Patria	yes	Kevin Solek	yes

## **PUBLIC HEARINGS**

Mr. Ryan Nelson, R. Levesque & Associates  
**110, 112, 138R Hillside Road DEP # 292-0390** Chairman MacWilliams opened the continuation of the Public Hearing by making note that Ms. Kate Bednaz was to review the site and create a report noting if all the wetland flags were correct. Mr. Nelson stated that Ms. Bednza would have the report prepared for the December 20<sup>th</sup> meeting and requested a continuation. Commissioner Mizanoglu made the motion. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams    yes  
Brian Pranka        yes  
Jerry Patria        yes

Mehmet Mizanoglu    yes  
Maryssa Cook-Obregon    yes  
Kevin Solek        yes

**Enforcement Order 17-19 Noble Steed.** Chairman MacWilliams stated that the Enforcement Order was issued. The silt fencing has collapsed and a great amount of silt has gone into the wetlands. Chairman MacWilliams and Acting Coordinator Clark conducted a site visit and found no improvement at the location. Acting Coordinator Clark did receive an email from Mr. Saltmarsh stating that the silt fencing was reinforced and the silt had been cleaned. Since then, there was another rain storm which caused the silt fencing to fail and once again deposit silt into the wetland area. Acting Coordinator Clark stated that Mr. Saltmarsh requested more time, and that a plan for cleaning and restoration must be submitted to prevent any more erosion. Mr. Saltmarsh will have the plan that will need to show stabilization and restoration of the wetlands for the next meeting. If no progress is made, there is a potential for fining.

The Commissioners were in agreement with a 2-week extension with monitoring at the site prior to the next meeting. Chairman MacWilliams made the motion for the extension, and Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams    yes  
Brian Pranka        yes  
Jerry Patria        yes

Mehmet Mizanoglu    yes  
Maryssa Cook-Obregon    yes  
Kevin Solek        yes

Mr. Tim Tomko, Creative Exteriors  
**186 Berkshire Avenue DEP # 292-0383** Chairman MacWilliams opened the continuation of the Public Hearing. The proposal is for the demolition and reconstruction of a retaining wall. Members of the Conservation Commission conducted a site visit at the location. Mr. Tomko presented a plan showing the wall that is to be replaced and a stairway in the center of the wall. The existing block retaining wall is approximately 24 inches high and is leaning towards the lake. The construction will include sedimentation fencing with hay bales between the wall and the water. Acting Coordinator Clark noted that the project was in compliance and is taking the wall out of the bank area. There will be no extra fill as part of the Order of Conditions, thus no net loss or gain. Mr. Tomko agreed to place silt fencing above the wall for additional control. The project will be completed within one week depending on the water level and weather temperatures.

Commissioner Mizanoglu made a motion to close the Public Hearing. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams    yes  
Brian Pranka        yes

Mehmet Mizanoglu    yes  
Maryssa Cook-Obregon    yes

Jerry Patria    yes	Kevin Solek    yes
Commissioner Mizanoglu made a motion to accept the project with a \$10,000.00 bond.	
Commissioner Cook-Obregon seconded the motion. The roll call vote was as follows:	
David MacWilliams    yes	Mehmet Mizanoglu    yes
Brian Pranka    yes	Maryssa Cook-Obregon    yes
Jerry Patria    yes	Kevin Solek    yes

Mr. Ryan Nelson, R. Levesque & Associates

**42 Depot Street DEP # 292-0385** Chairman MacWilliams opened the continuation of the Public Hearing. Mr. Nelson submitted the final draft of the project. Units 5 – 12 have shortened driveways thus were moved 10 feet further away from the wetlands, smaller unit size and a 6 foot high fence along the 50 foot Buffer Zone. A Conservation Restriction was also added to the plan eliminating any future activity from taking place behind the fence. Chairman MacWilliams discussed the bond with Mr. Randy Brow, DPW Director, who suggested \$50,000.00 which should cover the cost of any mediation by the Town to the wetlands. Commissioner Cook-Obregon questioned if there was some type of monitoring that will occur once the project begins. Acting Coordinator Clark stated that the Order of Conditions will include the contracting of a monitor who will report to the Conservation Commission until a Certificate of Compliance is issued. Mr. Nelson stated that there would be an association with maintenance that will have restrictions and any potential violations can be reported to the Conservation Commission. Chairman MacWilliams made a motion to close the Public Hearing. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams    yes	Mehmet Mizanoglu    yes
Brian Pranka    yes	Maryssa Cook-Obregon    abstained
Jerry Patria    yes	Kevin Solek    yes
Commissioner Patria made a motion to accept the project with the recent changes, a \$50,000.00 bond, an erosion control monitor in the Order of Conditions, and a Conservation Restriction.	
Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:	
David MacWilliams    yes	Mehmet Mizanoglu    yes
Brian Pranka    yes	Maryssa Cook-Obregon    abstained
Jerry Patria    yes	Kevin Solek    yes

Mr. Ryan Nelson, R. Levesque & Associates

**Lot #5 Honeybird Lane RDA** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 10, 2021. Mr. Nelson explained that the lot is part of The Greens East. Each lot on the subdivision that contains wetlands are required to file a separate notice with the Conservation Commission. Mr. Nelson stated that the plan was as built as the dwelling constructed is already currently occupied and lawn area was created within the 50 foot buffer zone. Mr. Nelson further explained the intent of the RDA is for the lawn to be moved outside of the 50 foot buffer with silt fencing and conservation markers. The “after the fact” RDA is so the lots can be released from the Order of Conditions issued for the subdivision. Coordinator questioned why the proposal was issued as an RDA instead of an NOI. The Notice of Intent requires conditions placed on the parcel under an Order of Conditions. Mr. Nelson explained that the area in question used to be a fairway for

the golf course, so the intent of lawn area had not changed from the original condition. Without issuing an Order of Conditions, there will be no mandate that the area once again is now mowed and become part of a lawn. The Conservation Commission members were concerned with the same issue happening on other lots within the subdivision, for future owners of the properties not realizing that they have a restriction and for the developers that should come before the Conservation Commission to ensure there are no wetland areas on parcels that need to be addressed. Chairman MacWilliams made a motion for a positive determination on the project. Mr. Nelson will have to submit an NOI for this lot which can be scheduled for the next meeting. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Brian Pranka	yes	Maryssa Cook-Obregon	yes
Jerry Patria	yes	Kevin Solek	yes

Mr. Ryan Nelson, R. Levesque & Associates

**Lot #6 Honeybird Lane RDA** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 10, 2021. As in the presentation above, both lots have the same conditions with the exception that lot #6 is currently under construction, and not as of this meeting occupied. Chairman MacWilliams made a motion for a positive determination on the project. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Brian Pranka	yes	Maryssa Cook-Obregon	yes
Jerry Patria	yes	Kevin Solek	yes

**RDA 260 Granville Road** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on November 24, 2021. Mr. Rudolph Larosa, homeowner, is looking to repair/replace the septic system. Mr. Larosa is working with Dave Berry Construction for the repair/replace and was under the impression that the project would be within a wetland buffer area but was not even aware that a Public Hearing was being held for the proposal. Mr. Berry was not in attendance. Acting Coordinator Clark did have a plan and noted that the installation would be far enough away from any wetlands but did not show any erosion control. Acting Coordinator Clark advised a negative determination with the inclusion of a silt fence during construction. Commissioner Pranka made a motion for a negative determination with the inclusion of silt fencing. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Brian Pranka	yes	Maryssa Cook-Obregon	yes
Jerry Patria	yes	Kevin Solek	yes

**RDA 16 Grandview Terrace** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 9, 2021. However, it was made note that the RDA was not listed on the agenda due to a clerical error. Acting Coordinator Clark made note that as it was not on the agenda, the Public Hearing could not take place. Ms. Lana Wentworth, owner, explained that the replacement stairs were within 40 feet to the waterline and needed to be installed for safety reasons. Mr. Mcneil will need to dig footings, but

if necessary, they will be dug by hand. Chairman MacWilliams assured Mr. Mcneil that the RDA will be on the agenda for the next meeting.

**Enforcement Order Ratification 22 Babb Road** Chairman MacWilliams explained the situation at the location including the creation of a trail for moto cross vehicles. The property owner contacted Chairman MacWilliams and presented a verbal plan including hay bales for erosion control. Acting Coordinator Clark stated that the Conservation Commission will work with the property owner to rectify the issue, have the “dirt bike” track removed and come in with a plan on how to remove silt from the resource area. The Conservation Commission agreed to ratify the Enforcement Order. The roll call vote was as follows:

David MacWilliams    yes

Mehmet Mizanoglu    yes

Brian Pranka    no vote

Maryssa Cook-Obregon    yes

Jerry Patria    yes

Kevin Solek    yes

Chairman MacWilliams made a motion for a two week extension for the presentation of the plan.

Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams    yes

Mehmet Mizanoglu    yes

Brian Pranka    no vote

Maryssa Cook-Obregon    yes

Jerry Patria    yes

Kevin Solek    yes

**Enforcement Order Ratification 17-19 Noble Steed** Chairman MacWilliams asked if any member had a question on the property. There were none. The Conservation Commission agreed to ratify the Enforcement Order. The roll call vote was as follows:

David MacWilliams    yes

Mehmet Mizanoglu    yes

Brian Pranka    no vote

Maryssa Cook-Obregon    yes

Jerry Patria    yes

Kevin Solek    yes

**LMC** Mr. Cheever researched if a Chapter 91 license was issued to 4010 Mountain Road and found no records for the license. The issue is on the agenda of the Lake Management Committee. The property is in Connecticut, and may not be subject to Chapter 91 regulations. Lake Congamond is a Massachusetts Great Lake, thus Connecticut does not have jurisdiction. Connecticut residents are liable for the LPP renewal which is paid for by the Town of Suffield. However, a Chapter 91 license does allow for leaving docks in the water year round. The original request for the owner of 4010 Mountain Road was for a variance to leave the dock in year round.

As there was no further business to discuss, Commissioner Patria made a motion to adjourn the meeting at 8:48. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams    yes

Mehmet Mizanoglu    yes

Brian Pranka    no vote

Maryssa Cook-Obregon    yes

Jerry Patria    yes

Kevin Solek    yes

Respectfully submitted,

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Jean Nilsson, Secretary  
cc:

Select Board  
Town Clerk

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Dave MacWilliams, Chairman

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Brian Drenen, Vice Chairman

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Jerry Patria, Commissioner

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Brian Pranka, Commissioner

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Mehmet Mizanoglu, Commissioner

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Kevin Solek, Commissioner

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Maryssa Cook-Obregon, Commissioner

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Date