

MINUTES
CONSERVATION COMMISSION
HYBRID PARTICIPATION
March 6, 2023

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

ATTENDANCE

David MacWilliams, Chairman	Present
Norman Cheever, Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Brian Drenen, Commissioner	Absent
Jerry Patria, Commissioner	Present
Kevin Solek, Commissioner	Absent
Andrew Reardon, Commissioner	Present

PUBLIC COMMENTS

Michelle Pratt, 15 Berkshire Avenue, stated that there needs to be a balance between Conservation and the recreational community at North Pond. Closing the beach front shoreline to the public will not be in the best interest of the residences.

MINUTES

Vice Chairman Cheever made a motion to approve the minutes of February 6, 2023. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes
Andy Reardon yes

Norm Cheever yes
Kevin Solek yes

PUBLIC HEARING

Anatoliy Ovdiychuk, Owner

NOI 19 FOSTER ROAD DEP # 292-0411 Chairman MacWilliams opened the continuation of the Public Hearing. Mr. Ovdiychuk submitted revised plans as the Conservation Commission asked that the entire structure be moved outside of the 50 foot buffer. The Appeals Board has issued a dimensional variance, but it is still under the 20 day appeal period, and the septic system has not been approved by the Board of Health. Mr. Brown, DPW Director, stated that their project at the location has been completed. The existing structure, a mobile home, will be removed entirely and demolished off site. As there were pending issues with the lot, Commissioner Solek made a motion for a continuation

until the next scheduled meeting. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes
Andy Reardon yes

Norm Cheever yes
Kevin Solek yes

NEW BUSINESS

200A Hillside Road Mr. Saltmarsh was not available to attend the meeting. The request for a Determination of Applicability will be continued until the next scheduled meeting.

Order of Condition Extensions The DPW requested 3 Orders of Conditions:

1. DEP # 292-0251 The NOI is for treatment of the lakes for invasive species. Commissioner Patria made a motion to allow a 3 year extension on the Order of Conditions. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes
Andy Reardon yes

Norm Cheever yes
Kevin Solek yes

2. DEP # 292-0295 The NOI is for the Southwick DPW to conduct necessary improvements or repairs on Public Right of Ways including paved and underground areas. Vice Chairman Cheever made a motion to allow for a 3 year extension. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes
Andy Reardon yes

Norm Cheever yes
Kevin Solek yes

3. DEP # 292-0296 The NOI is for the area south of Iroquois Drive for the maintenance of the canal brook to remove debris to retain a water flow. Vice Chairman Cheever made a motion to allow for a 3 year extension. Commissioner Reardon seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes
Andy Reardon yes

Norm Cheever yes
Kevin Solek yes

141 Congamond Road Mr. Eggleston attended the meeting and apologized to the Commission for not coming to the Conservation Commission before doing work inside of the 50 foot buffer zone. The work was to install a 6 foot fence to the south neighboring property to help prevent erosion. There were also 3 bushes removed near the shore. The neighbor did approve the work and Mr. Eggleston stated that he will inform the commission prior to any work being done in the future. There was also the issue of the reports from Mr. Eggleston as the Erosion Control Monitor. Mr. Eggleston will begin submitting the monthly reports beginning this week. There had been no new information on the dye testing of the public sewer system. Commissioner Solek commented that he appreciated all the work being done to improve the business and made a motion to accept the revision of plans as submitted at this meeting. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Norm Cheever yes
Kevin Solek yes

Andy Reardon yes

Sofinowski Land Preserve Ms. Mryssa Cook-Obregon attended the meeting as a member of the Agricultural Commission to request that the Conservation Commission assist with payment of the posts for the enter and exit signs. Ms. Cook-Obregon would like to use posts similar to the one installed on the Solek property. An estimate cost is \$105.00. The Commission currently has a credit with IBS for materials that could not be used at the Granville Gorge. Vice Chairman Cheever made a motion to allow the Agricultural Commission to use the credit for the sign posts. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Norm Cheever yes

Jerry Patria yes

Kevin Solek yes

Andy Reardon yes

Ms. Cook-Obregon also presented a document relative to creating procedures for handling MGL Chapter 61, 1A or 61B Right of First Refusals. Recently property has been sold in which the buyer was not aware of all the Chapter 61 requirements, and the Town Boards and Committees did not have sufficient time to research or make a proposal to the property owner for purchase. There had been a draft of a similar document presented 7 years ago to the Select Board, but it was denied. Ms. Cook-Obregon requested that the Conservation Commission members review the document and made suggestions, edits, and/or endorsements. Mr. Burt Hansen, Chairman of the Agricultural Committee was also in attendance and related information of a discussion with a property owner on Mort Vining Road that is currently in Chapter 61A. As of this meeting, there have been no definite plans to sell the property, but the owner may be interested in preservation and there has been no document submitted to remove the property from Chapter 61A.

Vernal Pool Coordinator Pooler made note that there may be 1 –3 vernal pools on the Sofinowski Land Preserve. However, research needs to be conducted in the night hours before a determination can be made by the State. Mr. Hansen, Chairman Agricultural Committee, stated that he would assist in notifying the neighbors, as he is one, and may request assistance from the students at Southwick High School that may be interested in the process of preservation. Chairman MacWilliams made a motion to allow Coordinator Pooler to proceed with the research. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Norm Cheever yes

Jerry Patria yes

Kevin Solek yes

Andy Reardon yes

OLD BUSINESS

Land Stewardship Report Funding for potential purchase of land could be obtaining through CPC, or the general fund, but will require a vote at a Town Meeting. There are also restrictions on how CPC funds can be used. This is an established practice in other Towns throughout Massachusetts. There may be the option for the Conservation Commission to establish their own account as a stewardship which will not require a Town vote. The stewardship could also obtain funds from donations if directed specifically to the Conservation Committee.

LMC Vice Chairman stated that there was no update from the Lake Management Committee.

DEP # 292-0280 17 Noble Steed Coordinator Pooler added a special provision in the Order of Conditions. *Sabrina – there was no vote on this during the meeting????*

Sub Committee Coordinator Pooler stated that an Open Space Committee will not need approval from the Select Board. Chairman MacWilliams has been receiving encouraging comments from the public about participation. The Conservation Commission will advertise for interested volunteers and will encourage members of other Boards and Committees to join. The members will also need to be sworn in at the Town Clerk's Office. As the meeting will have to be recorded, a volunteer secretary will be needed, or a request will need to be made for a budgeted secretary.

North Pond Meeting with Fish & Wildlife Members at the meeting included Mr. Fox, Selectman, members of the Southwick PD, Coordinator Pooler and Chairman MacWilliams. Plans on what has been done and what needs to be done were discussed. Signs on restrictions will be placed in areas near the rope swing and both parking areas along the roadway and on the beach. Once the signs which include no litter – no erosion – no trash etc. are in place, the Southwick PD are able to charge violators with trespassing. The branch that the rope swing is on will be removed as it is a safety hazard, there is erosion on the egress hill and it is a place where there has been excessive trash. Plants may also be installed where a majority of the erosion is happening. Boulders have also been placed to assist in eliminating motorized traffic, but 2 have been removed which allows the abutter access to the property with his ATV. The police are aware of the trespassing and further steps may be taken such as the installation of a fence. The abutter will be informed by mail of the steps the Town will take to prevent his access. There is also the possibility of restricting access to the shoreline as boats are causing erosion and trash is evident along the shore. There are also two dirt bikes that are destroying the walking trails.

Master Plan Vice Chairman Cheever gave an update on the Master Plan that is 751 pages long with an index for each category.

As there was not further business to discuss, Commissioner Solek made a motion to adjourn the meeting at 9:27. Commissioner Reardon seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Norm Cheever yes

Jerry Patria yes

Kevin Solek yes

Andy Reardon yes

Respectfully submitted,

Jean Nilsson, Secretary

cc:

Select Board

Town Clerk

Dave MacWilliams, Chairman

Norman Cheever, Vice Chairman

Jerry Patria, Commissioner

Brian Drenen, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Andy Reardon, Commissioner

Date