

MINUTES
CONSERVATION COMMISSION
HYBRID PARTICIPATION
April 3, 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 There were no public comments.

MINUTES

Commissioner Patria made a motion to accept the minutes as amended of 3/20/23. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Jerry Patria	yes
Andy Reardon	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes		

Anatoliy Ovdiychuk, Owner

19 Foster Road DEP # 292-0411 Chairman MacWilliams opened the continuation of the Public Hearing. Mr. Ovdiychuk presented a revised plan showing the location of the proposed 30 foot lawn as the limit of work and 3 monuments approximately 30 feet apart. Chairman MacWilliams and Coordinator Pooler did conduct a site visit. There is enough room to move the mobile home away from the 100 buffer for disassembling. Mr. Ovdiychuk questioned the need for a bond. Chairman MacWilliams explained the purpose of bonds and noted that none have been waved in these circumstances in the past. As there was no further discussion, Commissioner Patria made a motion to close the Public Hearing. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Jerry Patria	yes
Andy Reardon	yes	Mehmet Mizanoglu	yes

Commissioner Reardon made a motion to approve the project as presented with notification of Coordinator Pooler when the mobile home is being moved, the standard Order of Conditions and a \$10,000.00 bond. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Mehmet Mizanoglu yes

Mr. James Jaron, Owner

188 Berkshire Avenue RDA Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on 3/22/23. Mr. Jaron presented a plan showing the location of 5 hemlock trees for removal with the stumps remaining. The trees will be replaced with planting from an approved list. The closest tree is approximately 40 feet from Lake Congamond. Coordinator Pooler and Randy Brown, DPW Director, did conduct a site visit at the location and found one tree with previous cutting damage and the remaining 4 trees were healthy. Commissioner Reardon made a motion for a negative determination on the project. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Mehmet Mizanoglu yes

157 Feeding Hills Road Coordinator Pooler related information on an application for a modification of the Special Permit by the Planning Board to be reviewed by the Conservation Commission for comments prior to the Public Hearing. Chairman MacWilliams made note that the owner had not complied with the plans as presented for the Notice of Intent application. The structures, located within the 200 foot flood plain, that are constructed were supposed to be open gazebos. They were constructed as closed buildings with windows and electricity. There was also a play boat structure that was installed prior to the owner obtaining permission. As the owner already misrepresented their intent, Chairman MacWilliams stated that the Conservation Commission will not take any further action until he has a discussion with Jon Goddard, Town Planner.

221 Mort Vining Road Coordinator Pooler stated that the property owner came to the Conservation Commission office to get an update on the potential sale of the property. There are two lots that total approximately 90 acres, one of which is landlocked. The parcel containing frontage is mostly a wetland towards the road. As the location is near the Sofinowski Land Preserve, the Conservation Commission may be interested in purchasing the land for the purpose of preservation. The sale price would be dependent on an appraised value. Coordinator Pooler suggested a site visit with members of the Conservation Commission, CPC, Agricultural Commission, and members of the Select Board and will coordinate a date and time.

Mr. Dwight Scott, Developer

28 Noble Steed Mr. Scott attended the meeting concerning a potential lot to be developed (formerly Lot # 14). Coordinator Pooler presented an overview of the property throughout the years and made note that sometime in 2021 – 2022 the lot was clear cut within the buffer zone. There is a silt fence at the location that will need to be correctly installed. Mr. Scott proposed to do plantings of trees that are on the approved list (possibly 20 white pines) to replace the ones that have been removed. Commissioner Mizanoglu made a motion to accept the mitigation in accordance with an approved list as provided by Coordinator Pooler. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Mehmet Mizanoglu yes

Mr. Serge Zhvellcor, Owner

8 Rising Corner Mr. Zhvellcor presented a unique plan as part of the land he owns is in Agawam, and a portion is in Southwick. The septic system is in Agawam, and the dwelling will be in Southwick. There is a wet area along the roadway which does not contain wetland, vegetation, and at times contains water and at other times is dry. Agawam does not have any Wetland Bylaws, but Mr. Zhvellcor has noted a silt fence along the wet area that will remain during construction.

Vernal Pool Coordinator Pooler is making arrangements for a walk and talk with a Fish & Wildlife Biologist. There is no specific date or time as of this meeting, but it may be scheduled on April 10th.

Oak Ridge Estates DEP # 292-0409 Coordinator Pooler was advised by Mr. Stinson, DEP, that there was an error on the Order of Condition. The error was minor and could be corrected by inserting a hand written note. Chairman MacWilliams made a motion to correct the error as directed by Mr. Stinson. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Norm Chever yes

200A Hillside Road DEP # 292-0322 The property owner was not in attendance, thus the request for a Certificate of Compliance will be continued.

FY Budget 2024 Chairman MacWilliams met with a member of the Finance Committee who related that the request for cameras and porta-potty will be denied. However, the salary conversion for the secretary position is still under consideration.

Woodland Ridge Chairman MacWilliams related information about the conservation land in the development that was inundated with bitter sweet. A landscape business was contacted and gave a quote of \$1,200.00 to remove from the property including the route system. There is funding available in either the FY 23 budget or the Conservation gift account. Commissioner Mizanoglu made a motion to approve the expenditure. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Mehmet Mizanoglu yes

Commissioner Mizanoglu made a motion to adjourn the meeting at 8:31. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Andy Reardon yes

Jerry Patria yes
Mehmet Mizanoglu 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