

MINUTES  
CONSERVATION COMMISSION  
HYBRID PARTICIPATION  
March 4, 2023

**ATTENDANCE**

Christopher Pratt, Chairman	Present
Norman Cheever, Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Jerry Patria, Commissioner	Present
Kevin Solek, Commissioner	Present
Andrew Reardon, Commissioner	Present
Dennis Clark, Commissioner	Present

Chairman Pratt opened the meeting at 7:00 PM by announcing the date, time and members in attendance.

**MINUTES**

Vice Chairman Cheever made a motion to accept the minutes of 2/5/24. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	yes
Dennis Clark	yes		

**Public Comments:** There were no public comments.

Mr. Jeff Smith, Salvini & Associates

**Noble Steed Request for an Extension NOI # 292-0280** Mr. Smith requested an extension of the existing Order of Conditions. The Planning Board has also been involved with the subdivision including the incomplete installation of sidewalks. However, the Conservation Commission only has jurisdiction relative to the silt fencing and wetlands. Commissioner Clark suggested obtaining information from the Planning Board and possibly obtaining legal counsel. There is a Conservation Restriction on the open space section that would just address allowing any more disturbance of wetlands. Mr. Smith will contact Mr. Stinson, DEP, for more specifics relative to the water quality and a time period for extensions, how to file for the extension and also inquire if a Public Hearing will be required.

**Brian LeDuc Johnson Brook** Coordinator Pooler stated that Mr. LeDuc requested information concerning property located across from the Shell station. However, Mr. LeDuc was not in attendance. There had been an NOI on the property back in the 1980's for the installation of culverts. A Certificate of Compliance was issued in 1994. Mr. LeDuc was questioning how the compliance was

approved for what clearly is not working for the driveway crossing after/during heavy rain. There could have been several factors which the current Commissioners would have no knowledge of.

**Chapter 91 Dock Issues** Vice Chairman made a presentation of the research on Chapter 91 State issued licenses, which is required to be filed with the Hampden Country Registry of Deeds. Of all the docks on Lake Congamond, Vice Chairman Cheever found only 12 to be current and recorded. If a dock is not licensed by Chapter 91, the owner is responsible to obtain a Local Permitting Program permit. If a property owner does obtain a Chapter 91 license, it can come with restrictions such as a time limit, allowable transfer, removal during winter etc. Vice Chairman Cheever will work with the permits being issued for the 2024 boating season and continue to research/update the licenses.

**Local Permitting Program (LPP)** There have been several issues with docks remaining in the lake after "ice out" - December 1st. It has not been a harsh winter, thus there was limited ice to impact the docks. Pictures of docks that remained in the water this past winter and a reminder of the LPP regulations concerning "ice out" was reviewed by the Commissioners. Commissioner Mizanoglu made a motion to approve the letter which will be sent out to all applicants of the LPP that have docks. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	yes
Dennis Clark	yes		

Vice Chairman made note of docks in North Pond that were not removed. The lakefront owner of one of the docks issued an email stating that it will not be removed as the season is almost beginning. Commissioner Clark made a motion to begin fining the owner from the date the certified mail letter was received until the 2024 LPP application is submitted and paid. Vice Chairman seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	abstained
Kevin Solek	yes	Andy Reardon	yes
Dennis Clark	yes		

Another North Pond resident did apply for and receive an Annual Removal Variance in 2020 and was under the impression that the document was valid for all the following years.

**1 Hudson Drive DEP# 292-0410** Commissioner Reardon recused himself as a Conservation Commission member to make a presentation. Mr. Reardon is in the process of beginning the next phase of installation. There will not be a silt fencing upgradient to the abutting property. The emergency overflow on the plan would not have any negative effect on the project. Mr. Reardon also requested that he be appointed Erosion Control Monitor. Commissioner Clark made a motion to allow the project to go forward. Chairman Pratt seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	abstained
Dennis Clark	yes		

**Fire Department Tree Removal** Coordinator Pooler was contacted by the Fire Department concerning the removal of a tree that would be used for practice. As the tree was near a wetland, the Fire Department did chose another location.

**Social Media** Coordinator Assistant Caron applied to the Select Board for his social media plan on Facebook. Mr. Caron will made a presentation at the next Select Board meeting.

**Sofinowski Stargazing** The Select Board notified Coordinator Pooler that the request could proceed on a trial basis and a time limit such as April to July. A letter will outline the limitations and requirements of the individual making the request. Ms. Gale, 5 Point Grove Road, also made note that a sign could be placed on the dashboard of the vehicle identifying the individual in the event a Police Department requires an investigation. Commissioner Clark made a motion to accept the proposal. Commissioner Solek seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	yes

**Granville Gorge** Chairman Pratt measured the roof. Commissioner Solek noted that the panels come in different sizes. The roof will need four 8' X 4' panels which would cost approximately \$280.00. Coordinator Pooler will contact former Commissioner Drenen to inquire where the roofing material for the kiosk at North Pond was purchased.

**Sofinowski Land Preserve** Commissioner Solek spread the woodchips at the site, and will return after the ground is dryer to smooth out the access roadway.

**North Pond Recycle Update** Commissioner Pooler posed a questioner on options for the recycle bind. The Commissioners agreed that the Girl Scouts will make decision on why type of bin will be used which will be most suitable to them. The bins will be installed by the kiosk and monitored by the Girl Scouts on a one-year trial bases. The bins will also need to be stored during the winter months.

**Budget Hearing** The Conservation Commission is scheduled for their budget hearing on Saturday March 23<sup>rd</sup>.

**107 South Loomis Street** Coordinator Pooler is awaiting permission to use the drone for an areal view of the property. However, after attending a seminar on the use of drones, Coordinator Pooler was advised that the best way to investigate the complaint was to contact the property owner. Commissioner Clark suggested the use of Kate Bednez who has worked with the owner before. Ms. Bednez's consultant fees can be paid through the Conservation Commission budget.

**31 Sam West Road** Coordinator Pooler stated that there was no update as of this meeting.

**13 Berkshire Avenue** Coordinator Pooler reported that the beginning process to obtain funds to transfer the property to the Town of Southwick is on the Warrant Article for the Annual Town Meeting.

Commissioner Solek made a motion to adjourn the regular meeting at 8:31 p.m., and go into Executive Session Pursuant to M.G.L. Chap. c. 30A, Exception#4 and not to reconvene into Open Session. Commissioner Patria seconded the motion. The roll call vote was as follows:

Chris Pratt	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	yes
Dennis Clark	yes		

Respectfully submitted,

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Jean Nilsson, Secretary

cc:  
Select Board  
Town Clerk

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Christopher Pratt, Chairman

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Norman Cheever, Vice Chairman

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Mehmet Mizanoglu, Commissioner

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Jerry Patria, Commissioner

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Kevin Solek, Commissioner

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Andy Reardon, Commissioner

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Dennis Clark, Commissioner

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Date