

MINUTES
CONSERVATION COMMISSION
LAND USE MEETING ROOM
August 6, 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	Present
Mehmet Mizanoglu, Commissioner	Absent
Dave MacWilliams, Commissioner	Present
Brian Drenen, Commissioner	Absent
Brian Pranka, Commissioner	Present
Jerry Patria, Commissioner	Present
Dennis Clark, Coordinator	Present

7:00 Christopher Pratt, Chairman, called the meeting to order saying "Jean we miss you".

MINUTES

Commissioner MacWilliams made a motion to accept the minutes of July 16th, 2018. Commissioner Patria seconded the motion. None opposed, the motion passed unanimously.

PUBLIC HEARINGS

Mr. Michael Mocko, MMEC

Mr. David Greco, Owner

7:05 NOI 63 Tannery Road Chairman Pratt opened the Public Hearing by reading the legal ad as posted in the Westfield News on 07/30/18. Mr. Mocko represented the property owner to build a single family home, driveway and septic system. There is a portion at the corner of the lot that does have wetlands to the north. Proposing to keep a 25 foot buffer and erect a silt fence for erosion control. The house and the septic system are within the 100 foot buffer zone and will include a drain from the dwelling. Approval from the Zoning Board of Appeals will be required for a dimensional variance. Trees and boulders will be used to define an enhanced buffer zone. Commissioner Pranka made a motion to close the Public Hearing. Commissioner MacWilliams seconded the motion. None opposed, the motion passed unanimously.

Commissioner Pranka made a motion to approve the plans as submitted with the inclusion of rocks and/or trees to define the 25' buffer zone, and a \$10,000.00 bond. Commissioner Patria 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, stated that there was a slight improvement after the placement of the timbers. There are plans to put some sand and rocks behind the timbers to further slow the water flow. The catch basins may have been filled in during the construction of the public sewer, thus there is no longer any street drainage from

the roadway to help prevent erosion on the beach. An email from Mr. Grannells indicated that the installation with two infiltrators with 12 inches of stone could minimize erosion. There is an area on Third Street which would allow for a truck to be able to remove debris from the drain on a yearly basis. The estimated cost is \$3,912.01.

Mrs. Elizabeth Patria, 2 Shore Road, appreciate the work being done, however, has some concerns with the extent of the project. The plan to remove some of the beds including the lilac tree could affect her property as it is on a downward slope to the proposed work area. Mrs. Patria would like to see more of an effort for enhancing the natural landscape and existing plantings. Need to look at the total picture. Commissioner MacWilliams questioned if vegetation will need to be replanted. Mr. Davin stated that vegetation could be planted, but consideration would need to be taken to where the Town would need to access the drain for debris removal. Mrs. Patria is concerned with the water diversion impacting their property. Commissioner Pranka suggested to get an actual drawn site plan and to have the DPW oversee and approve the project. The property is actually owned by the Town and there may be an issue relative to insurance for a non Town employee working on Town property. Commissioner Pranka also suggested that the Association pay for a third infiltrator. It is beyond the Conservation Commission prevue to allow members of the Association to dig up the street. Commissioner Pranka made a motion to appropriate funding from the Conservation Commission gift account in the amount of \$4,000.00, pending approval/guidance from DPW and if needed, the Select Board. Commissioner MacWilliams second the motion. None opposed, the motion passed unanimously. Chairman Pratt will discuss the issue with Mr. Grannells.

Mr. Foster, spoke to the Commission stating that because a letter was issued the issue was made into a big project – for what reason? The vegetation will not stop the water. Mr. Foster also made mention that Commissioner Patria is now a member of the “Board” and “it does not look good”. Chairman Pratt did make note that Commissioner Patria did recuse himself from voting on the issue, and in fact did not even make a comment throughout any of the public hearings.

Mrs. Patria made note that Mr. Foster has not attended many of the Association meetings, and she has not missed more than two, thus Mr. Foster may not be aware of pending solutions. Mrs. Patria also made note that Commissioner Patria was asked to be a member of the Conservation Commission before the issue was brought to the Commission’s attention.

Commissioner Patria made note that he did take offense to Mr. Foster’s comments. Chairman Pratt did agree there is no conflict of interest with Commissioner Patria being a member of the South Beach Association and a member of the Conservation Commission, and that Mr. Foster’s comments were not warranted.

Ms. Kate Wilkins, Tighe & Bond
Mr. Jonathan Roberge, Eversource

7:35 _____ RDA Line 1768 – Route 202 to CT State Line Chairman Pratt opened the Public Hearing by reading the legal ad as posted in the Westfield News on 7/30/18. The application is for work along Line 1768 which runs from the Southwick substation (Meadow View Farms) to the Connecticut state line. The area of work is the access road along the line inside of the buffer zone. The resource area was delineated by Tighe & Bond. Coordinator Clark showed slides of previous work that was done and currently being performed under the last RDA submitted from Eversource where it appeared unclear to be buffer area and possibly a resource area. Ms. Wilkins stated that the work was a temporary impact allowed under the Wetlands Protection Act and is covered under an Administrative Consent Order. The Commissioners agreed that a site visit to confirm Tighe and Bond’s delineation would be warranted. Commissioner MacWilliams

made a motion to approve a continuation until 08/20/18. Commissioner Pranka seconded the motion. None opposed, the motion passed unanimously.

Mr. Lawrence Rodrigues, property owner
Mr. Ryan Nelson, R. Levesque & Associates

7:50 RDA 9 Berkshire Avenue Chairman Pratt opened the public hearing by reading the legal ad as posted in the Westfield News on 07/30/18. Mr. Rodrigues is proposing the construction of a deck, and was advised by the Building Department to have the plans reviewed by the Conservation Commission. The structure is 10 feet within the outer riparian of Great Brook, and within a buffer area. Commissioner MacWilliams made a motion to find a negative determination on the project. Commissioner Patria seconded the motion. None opposed, the motion passed unanimously.

Mr. Ryan Nelson, R. Levesque & Associates

8:11 NOI 11 Nicholson Hill Road Chairman Pratt opened the public hearing by reading the legal ad as posted in the Westfield News on 07/30/18. Mr. Nelson presented a plan showing a “group home” approximately 30 feet wide by 90 feet long, walkout basement, paved driveway with ample parking for employees and residents. There is an intermittent stream with vegetated wetlands going through the property with no proposed work within the 50 foot buffer zone. Grading will be done to accommodate the walk out basement. At this time there is no DEP number for the filing, and the Commissioners agreed that a site visit is warranted. Question from the audience was of the footage relative to jurisdiction, the location of the wetlands flagged, and the flow of the septic system. Chairman Pratt stated that the Southwick By-Laws are more stringent than State law, and Commissioner Pranka stated that septic systems can flow into a wetland but will be filtered to a clean water status before entering the wetland. Another comment from the audience was the existence of Eastern Box turtles on the site. Chairman Pratt noted that proof is required, and the audience members have constructed dwellings in the location of an alleged endangered species. A request for a study to be done on the habitat was made from the audience. Chairman Pratt noted that the State is the one who delineates endangered species locations. Also from the audience, the road was not noted on the plans as a “scenic road”, which is not an issue for Conservation Commission. Megan Arnold, 8 Nicholson Hill Road would like to preserve the neighborhood and not like to see a business in the neighborhood. Anne Listro, 14 Nicholson Hill Road stated that there is a problem with drainage onto the road. Again, from the audience, the dwelling is “institutional looking and the neighbors do not want it”. Commissioner MacWilliams made a motion to approve continuing the hearing until 08/20/18. Vice Chairman Kellogg seconded the motion. None opposed, the motion passed unanimously.

DISCUSSION/REVIEW

84 Point Grove Road – The Conservation Commission is awaiting a letter from DEP. The Town has issued stickers for the dock and registered vessels.

159 Berkshire Avenue - Chairman Pratt and Coordinator Clark conducted a site visit to evaluate the property. There is a ditch on the rear of the property that was dry. There is no ongoing conservation violations at this point, but there may be some issues relative to zoning.

180 Berkshire Avenue The Conservation Commission viewed pictures of the project. Commissioner Pranka made a motion to approve the Certificate of Compliance and to release the bond. Commissioner MacWilliams seconded the motion. None opposed, the motion passed unanimously.

Waver of First Refusal College Highway Brzoska Property Commissioner MacWilliams made a motion to wave the Right of First Refusal. Commissioner Pranka seconded the motion. None opposed, the motion passed unanimously.

Kuldek Brothers Coordinator Clark stated that there has been no update as of this meeting.

Enforcement Order DEP # 292-0297 – Baltazar Contractors Coordinator Clark stated that this Enforcement Order is still active.

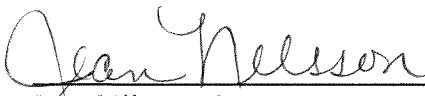
Sterrett Farms / Sofinowski Signs to be installed by DPW Coordinator Clark stated that the Town Right of Way has been delineated, and the signs are at the DPW garage for installation once the locations are marked.

107 South Loomis Street – Building Inspector Violation Notice Coordinator Clark made note of a letter that was issued by the Building Inspector relative to running a business in a residential area. Coordinator Clark will conduct a site visit with the Building Inspector.

Vandalism Southwick Country Club Resource Area There is no new information from the Police Department.

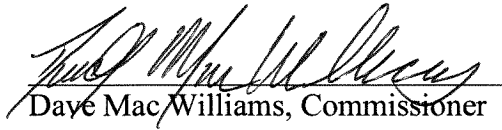
Granville Gorge effects of dam removal Coordinator Clark conducted a site visit with head of the Ecological Restoration Division from Boston. Sediment has migrated south which was deemed a short term issue. The Conservation Commission agreed that the sediment should be removed. Coordinator Clark will issue an email to Mr. Scott Jackson and Ms. Beth Lambert requesting the removal of the sediment to keep it from washing down stream.

Respectfully submitted,



Jean Nilsson, Secretary
cc:

Select Board
Town Clerk

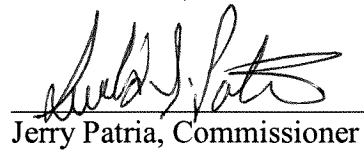
Christopher Pratt, Chairman



Dave MacWilliams, Commissioner




Brian Drenen, Commissioner



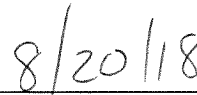
Jerry Patria, Commissioner

Seth Kellogg, Vice Chairman

Mehmet Mizanoglu, Commissioner



Brian Pranka, Commissioner



Date