

**MINUTES
CONSERVATION COMMISSION
LAND USE MEETING ROOM
January 7, 2019**

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	Absent
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 Chairman Pratt opened the meeting at 7:00 p.m.

MINUTES

Commissioner MacWilliams made a motion to accept the minutes of December 17, 2018. Chairman Pratt seconded the motion. None opposed, the motion passed unanimously.

DISCUSSION/REVIEW

Culvert Granville and Fred Jackson Roads DEP# 292-0362 The members of the Conservation Commission signed the Order of Conditions for the project.

Kudlic Brother – Sunnyside Deed Restriction Coordinator Clark stated that the issue is still being processed by the attorneys and Town Counsel.

Enforcement Order DEP# 292-0297 Coordinator Clark stated that the Army Corps of Engineers signed off on the project. However, the liner has still not been installed.

Rising Corner / Kestrell Land Trust Coordinator Clark presented a plan showing a space for two ADA parking spaces. The DPW will donate material for a 20'x20'reconstituted surface. The ADA path will then be constructed with crushed stone with landings and a turnaround area. Wheel chair gates will be installed which should help with limiting access for all terrain vehicles. Most of the project is in a buffer area, but there are no resource areas associated with the path. A Request for Determination will be filed on the project in March for a more detailed review.

Enforcement Order 61 & 63 College Highway Coordinator Clark presented a video and pictures of the area along the roadway on College Highway. Coordinator Clark, Alan Slessler, Planning Board, Richard Grannells, DPW, and Art Lawler, Building Inspector all attended a meeting to discuss the issue. There is a building permit for two structures, but no permits for the common driveway or stormwater control. The erosion sedimentation is not being managed correctly and is causing erosion and depositing the material on College Highway which is going into the neighboring stream and across the roadway to wetlands. Coordinator Clark stated that the building permits were the first electronic permits, thus some of the existing conditions relative to the location may have been missed. Commissioner MacWilliams made a motion to ratify the Enforcement Order. Chairman Pratt seconded the motion. None opposed, the motion passed unanimously. A copy of the cease and desist order will be certified mailed to the developer. The developer will have until February 4th to submit a plan for erosion and sediment control, and then implement the plan within 30 days.

Fines Coordinator Clark notified the Conservation Commission that fines levied on violators are deposited in the Town's general funds. The Conservation Commission can issue fines for violations such as Enforcement Orders, "ice out" dock removals and nonpayment of docks or registered vessels on the Congamond Lakes. As the Commission and Coordinator Clark do all the work relative to the potential fines, the Commission should benefit from the income the fines could produce. Commissioner Clark will research how neighboring Cities and Towns process fines, and how or if a special account can be established for the income generated from fines.

18 Grandview Street - Spillane Coordinator Clark reported that the dock at the location has not been removed. Mr. David Spillane contacted the Lake Management Committee and is scheduled to meet with them on January 10th. The LPP files do have an application with the dock dimensions from 2008, prior to the LPP inception. Mr. Spillane will need to meet three criteria, 1) the dock is in good condition, 2) it does not create a safety hazard, and 3) the dock has been in existence since before 2010. The Conservation Commission will await a decision from the Harbormaster on the safety issue, and a decision from the Lake Management Committee's meeting.

LPP 2019 Applications The Conservation Commission members reviewed the proposed application for the 2019 dock, vessel, mooring, swim floats and buoy. A cover letter will include a request for updating the simplified license form to update the records originally issued in 2010. The application will be sent to Mr. Grannells as a representative of the LMC, and Chief Bishop as Harbormaster for their approval and signature. The applications will be reviewed for a final draft at the next scheduled meeting, and then issued in February to the lakefront residents in Southwick. The Town of Southwick is in negotiations for an MOU with Connecticut, who will collect fees from their residents, and Saunders Boat Livery, who will issue stickers to the vessels moored at their facility.

21 White Street Coordinator Clark composed a letter to Mr. Ludorf concerning the dock located at 21 White Street. It appears that the waterfront where the dock is located is not deeded to Mr. Ludorf in accordance with the current Town Assessors' records. Mr. Ludorf will need to have proof of ownership before a 2019 dock sticker can be issued.

The next meeting of the Conservation Commission is scheduled for February 4, 2019

Commissioner Pranka made a motion to adjourn the meeting at 8:07 p.m. Commissioner MacWilliams seconded the motion. None opposed, the motion passed unanimously.

Respectfully submitted,

Jean Nilsson, Secretary

cc:

Select Board
Town Clerk

Christopher Pratt, Chairman

Seth Kellogg, Vice Chairman

Dave Mac Williams, Commissioner

Mehmet Mizanoglu, Commissioner

Brian Drenen, Commissioner

Brian Pranka, Commissioner

Jerry Patria, Commissioner

Date