

**MINUTES
CONSERVATION COMMISSION
REMOTE PARTICIPATION
June 1, 2020**

OPENING: The remote Zoom meeting is being held in pursuant to the Governor Baker’s March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. c.30A, 18 and the Governor’s March 15, 2020 order imposing strict limitation on the number of people that may gather in one place.

Christopher Pratt, Chairman	Present
Dave MacWilliams, Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Absent
Brian Drenen, Commissioner	Present
Brian Pranka, Commissioner	Present
Jerry Patria, Commissioner	Present
Maryssa Cook-Obregon	Present
Dennis Clark, Coordinator	Present

Also in attendance:

Norman Cheever & Deb Herath – Lake Management Committee

Richard Zito – Contractor

Paul Murphy – Lake Resident

Chairman Pratt opened the meeting at 7:00 p.m. and announced the Commission’s name, time and date of the meeting and that the meeting was being recorded.

MINUTES

Commissioner Patria made a motion to accept the minutes of 05/18/2020. Vice Chairman MacWilliams seconded the motion. The roll call vote is as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

DISCUSSION

Ms. Deb Herath and Mr. Norman Cheever, Lake Management Committee joined the meeting to discuss irrigation from lake waters to farmers. Chemical treatment was performed to the South and Middle Ponds and is dependent on water temperature for optimal treatment results. However, while the treatment is conducted, the water should not be used for irrigation purposes for a short period of time. Farmers who use the water were not notified in a timely manner of the restriction. Commissioner Cook-Obregon, who is also a member of the Agricultural Committee, obtained a list of farmers that use lake water and will work with the Lake Management

Committed to establish and maintain contact information for a timelier notice. The treatment is usually during the month of May of each year.

PUBLIC HEARING

Mr. Richard Zito, Contractor

RDA 105 Point Grove Road Chairman Pratt opened the Public Hearing by reading the legal ad as posted in the Westfield News/Reminders Publishing. Mr. Zito virtually attended the meeting representing the property owner William Gould. The project is for replacement of existing stairs, removal of a tree, and adding an additional paver walkway approximately 25 feet from the water's edge. Mr. Zito presented a map that did not show the detail of work, nor the location of the tree that needs removal. The Commissioners requested a revised plan will also need to include the inclusion of silt fencing along with the type and location. Chairman Pratt made a motion to approve a continuation of the Public Hearing until the next scheduled meeting on June 15, 2020. Commissioner Cook-Obregon seconded the motion. The roll call vote was as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

BUSINESS

Request for a Certificate of Compliance DEP # 292-0343 Coordinator Clark conducted a site visit of the location and found silt in the dry stream bed, some minor erosion and the area for replication to be established. The request will be reviewed again at the next scheduled Conservation Commission meeting on June 15, 2020.

Franklin Land Trust 49 South Longyard Road A baseline documentation report was composed by the Division of Fisheries and Wildlife. The parcel of approximately 61 acres will be under a Conservation restriction. The Conservation Commission will oversee the provisions and may make changes to the restrictions in the future if needed. The Commissioners approved of the document.

LPP ISSUES

101 Lakeview Street – Annual Removal of Dock Variance Request Members of the Conservation Commission along with the Harbor Master conducted a site visit on May 22, 2020. The dock was in poor condition and according to the new owner, has not been out of the lake for years. Commissioner Patria made a motion to approve the Variance Section 6.2 Annual Removal of Docks with additional conditions:

1. Reflective cones shall be placed on the ends and middle of the docks for safety during the winter months.
2. This variance is only valid for the existing structure for the 2020 Boating Season
3. When this dock is removed from the water it shall be replaced with a removable dock that shall be removed yearly by December 1st.

Vice Chairman MacWilliams seconded the motion. The roll call vote was as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

A letter will be issued to the property owner stating the details of the variance.

99 Lakeview Street Members of the Conservation Commission along with the Harbor Master conducted a site visit on May 22, 2020. The property owner submitted an LPP application for three docks and 7 vessels. The application was reviewed by the Commission. It was noted that the dock layout sheet was not done to scale and that the widths of the docks was not included in the calculations. Also, the vessel owner names, and registration numbers needed to be included on the application. Mr. Desjardens will be requested to resubmit the layout sheet with the correct dimensions and designate where each vessel will be located on each dock. Commissioner Pranka made a motion to issue a letter to the property owner for additional information. Commissioner Patria seconded the motion. The roll call vote is as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

10 Island Pond Members of the Conservation Commission along with the Harbor Master conducted a site visit on May 22, 2020. The Commissioners conducted the site visit in two pontoon boats to investigate if the possibility of docking the boats on adjacent property docks without presenting a navigational hazard or obstructing access. At the site visit The Harbor Master observed that the dock in its current configuration or moved closer to the canal closer would not be a considered a navigational hazard. During the Conservation Meeting Coordinator Clark presented a survey of the current location of the dock for the Karanian property that does not have the required 25 feet when feasible from the neighboring property owned by the Congamond Heights Association. It was also noted at this time that the second Congamond Heights Association dock was also not 25 feet from the other neighboring property line. It was also noted that there is a large tree that is located on the 10 Island Pond shoreline that would need to be removed to relocate the dock presenting a hardship. Also noted was that the water depth in the canal area is shallow in that area. If the dock was moved, it would eliminate or substantially reduce the access to the beached shoreline on the Karanian property. The Commission was informed that the owner recently passed away and they will be dealing with new owners in the future. The Commissioners agreed that the current configuration of the existing dock on 10 Island Pond does not present an impediment to access for the abutter or a navigational hazard.

Commissioner Drenen made a motion to take no enforcement action at this time. Vice Chairman MacWilliams seconded the motion. The roll call vote was as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

The Commission will notify the owners of 10 Island Pond and the Congamond Heights Association as the that the Commission will take no action at this time.

Mr. Paul Murphy, 80 Point Grove Road

80 & 84 Point Grove Road The Commissioners discussed the site visit that was conducted on May 22, 2020 with four members of the Conservation Commission, Coordinator for the Commission, Lake Management Committee Norm Cheevers and the Harbor Master, Kevin Bishop. The Commissioners conducted the site visit in two pontoon boats to investigate if the feasibility of docking the boats on adjacent docks without presenting a navigational hazard or obstructing access. At the site visit it was determined that it would be a navigational hazard to dock both boats on the adjacent docks of 80 & 84 Point Grove Road at the same time. Potential remedies were discussed at the site visit, but no decisions were made. Details of the site visit

were discussed amongst the Commissioners, LMC Representative Norm Cheevers, and Paul Murphy at the 06/01/2020 meeting. It was observed that Mr. Panella, 84 Point Grove Road, has a 55' long dock that is less approximately 26'6" feet away from Mr. Murphy's 80 Point Grove Road 36' long Chapter 91 licensed dock at the closest point. Mr. Murphy stated that he currently has a problem with navigating his vessel onto his dock, but had no issue when Mr. Panella's dock was only 35 feet long. The calculations for shortening the dock was discussed. Water depth was discussed, And, lengthening the dock was also discussed. At the time of this Conservation Meeting it was determined that the dock at 84 Point Grove Road was not a navigational hazard in itself, but if a boat were docked on the north side it could become a navigational hazard for a boat to dock at the 80 Point Grove Road dock. Commissioner MacWilliams made a motion to notify Mr. Panella the he is only allowed to dock his vessels on the south side of his dock thus leaving enough room between the two docks for Mr. Murphy to safely navigate his vessel. Brian Pranka Seconded the motion. Mr. Murphy stated that the resolution would not be acceptable to him. Commissioner Pranka made a motion to close the discussion. Commissioner Drenen seconded the motion. The roll call vote to close the discussion and notify Mr. Panella of the restriction was as follows:

Christopher Pratt	yes	Jerry Patria	yes
David MacWilliams	yes	Maryssa Cook-Obregon	yes
Brian Pranka	yes	Brian Drenen	yes

A letter will be issued to Mr. Panella outlining the decision and allowing for Mr. Panella to resubmit an approved dock design.

Dock Layout Sheet Commissioner Patria created a revised version of a layout sheet for dock design. The revision will include scale of 1 block for every 4 feet, require property line definition, and the maximum dock allowed (75 feet / 600 square feet) whenever possible. The revised form will be included in any new dock application, in the 2021 application process, and have a digital record compiled for future reference.

Open Space Mapping Coordinator Clark is working on updating an interactive open space mapping system. The presentation would include a listing of rules & regulations, specific area details, a location map. etc. This will allow individuals to research various open space locations for recreational purposes and be informed of the existence of open space parcels. Vice Chairman MacWilliams suggested that the interaction have a closer look as expanding the view reverts the program back to the home page. The Conservation Commissioners were all in agreement that the availability of the mapping system will provide more information to the public and allow for the intended use of open space and that Coordinator Clark did a fantastic job setting up the program.

Enforcement Order DEP # 292-0366 Coordinator Clark and Vice Chairman MacWilliams will meet on the site to review the changes that have been made to determine if the conditions of the Enforcement Order have been satisfied.

The next regularly scheduled meeting of the Conservation Commission is 06/15/2020

Respectfully submitted,

Jean Nilsson, Secretary

cc:

Select Board

Town Clerk

Christopher Pratt, Chairman

Vice Chairman MacWilliams

Jerry Patria, Commissioner

Mehmet Mizanoglu, Commissioner

Brian Drenen, Commissioner

Brian Pranka, Commissioner

Maryssa Cook-Obregon, Commissioner

Date