

MINUTES
CONSERVATION COMMISSION
REMOTE PARTICIPATION
December 20, 2021

OPENING: The regular scheduled meeting of the Conservation Commission opened at 7:00 via Zoom only. Chairman MacWilliams announced the names, time and date of the meeting, and stated that the meeting was being recorded.

ATTENDANCE

David MacWilliams, Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Brian Drenen, Vice Chairman	Absent
Brian Pranka, Commissioner	Absent
Jerry Patria, Commissioner	Present
Kevin Solek	Present
Maryssa Cook-Obregon	Absent

Acting Conservation Commission Coordinator Dennis Clark was also in attendance.

MINUTES

Commissioner Mizanoglu made a motion to table the minutes of November 15, 2021. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

Chairman MacWilliams made a motion to accept the minutes of December 6, 2021. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

NEW BUSINESS

Training Requirements Chairman MacWilliams reminded the Conservation Commission members to complete the social media and open meeting law requirements.

Conservation Commission Coordinator Chairman MacWilliams discussed combining the Conservation Commission Coordinator with the CPC Coordinator with Mr. Deedy. The combined positions would increase hours and provide benefits. CPC is on board with the idea and is putting together a job description. A Select Board meeting will be held on January 3rd 2022 to further discuss possibly post the job description.

PUBLIC HEARINGS

RDA 16 Grandview Terrace Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 9, 2021. Mr. Chris McNeil presented a topographical map showing the proposed stairway starting 76 feet from the property line with an abrupt 40 foot slope. A retaining wall with silt fencing was shown within the scope of the work which is 40 feet to the bank. Chairman MacWilliams and Commissioner Cook-Obregon did conduct a site visit prior to the meeting. There will be minimal excavation work and the location of the stairs is in an area already cleared of vegetation. Chairman MacWilliams suggested that a silt fence with hay bales be included at the top of the location to prevent any material from going into the lake. The installation will start as soon as possible. Mr. McNeil will place a slab at 5 feet 7 - 9 inches above the flood plain. The old stairs are iron and will be replaced by pressure treated composite decking with PVC railings with the Sono tubes dug by hand.

Commissioner Patria made a motion for a negative determination on the project. Chairman MacWilliams seconded the motion. There will be no bond on the project. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Mr. Ryan Nelson, R. Levesque & Associates

110, 112, 138R Hillside Road DEP # 292-0390 Chairman MacWilliams opened the continuation of the Public Hearing. Mr. Nelson did not have a chance to review the wetland flags with M. Bendaz and requested a continuation until the next meeting. Chairman MacWilliams made a motion for the continuation. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Mr. Ryan Nelson, R. Levesque & Associates

370 North Loomis Street DEP #292-393 Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 9, 2021. Mr. Nelson presented a map showing a perennial stream that flows parallel to North Loomis Street with wetlands on both sides of the stream along with the outer border of the flood plain and the NHESP habitat. There is another intermittent stream that flows from the rear of the property. The project is for a single family dwelling in the upland area which will require the stream crossing of a metal bridge that will span the entire stream which will have no disturbance of the bordering vegetative wetlands and be about 6 feet above the stream. There will be retaining walls on the entrance and exit of the bridge. NHESP did issue a no take letter and there were no comments from DEP on the project. There will be a rain garden to collect water from the dwelling and any other runoff. Acting Conservation Coordinator Clark made note that Mr. Randy Brown, DPW, would like to review the plan as a culvert was recently installed in this area of North Loomis Street. Mr. Scott Hodges, 176 Granville Road potential owner, stated that the driveway will be gravel with a potential for asphalt near the dwelling. Chairman MacWilliams scheduled a site visit for December 27th. Commissioner Mizanoglu made a motion for a continuation of the Public Hearing. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Mr. Ryan Nelson, R. Levesque & Associates

Lot #5 Honeybird Lane NOI DEP # 292-0394 Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 10, 2021. Mr. Nelson explained that the proposal was submitted as an RDA, but the Conservation Commission found that application positive and required an NOI on the proposal to be able to impose an Order of Conditions relative to the wetland areas. The 50 foot buffer area has remained in a natural state and will include boulders so no future encroachment can take place in the buffer zone. Commissioner Mizanoglu made a motion to close the Public Hearing. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

Commissioner Mizanoglu made a motion to accept the project with the condition of boulders 20 feet on center lining the 50 foot buffer zone and a \$10,000.00 bond. Chairman MacWilliams seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

Mr. Ryan Nelson, R. Levesque & Associates

Lot #6 Honeybird Lane NOI DEP # 292-0395 Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publications on December 10, 2021. Mr. Nelson made the same presentation as on Lot # 5. Chairman MacWilliams made a motion to close the Public Hearing. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

Chairman MacWilliams made a motion to accept the project with the condition of boulders 20 feet on center lining the 50 foot buffer zone and a \$10,000.00 bond. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

OLD BUSINESS

LPP Mr. Norman Cheever stated that the Lake Management Committee voted unanimously to change lake level protocols. There will be no boating at 225.5 feet of lake level with reopening at 224.8 feet. The Conservation Commission will need to approve the protocols. Mr. Cheever also made note of docks that were not removed as of December 1st, “ice out”. The request had been made for a Code Red notice for lakefront property owners, but no call has been made as of this meeting. The boat house is in need of State and Select Board approval. It is within 100 feet of the lake which will require filing with the Conservation Commission.

The dock at 4010 Mountain Road was discovered to have been in place for several years and is not removable. The Lake Management Committee members recommended that the Conservation Commission approve a variance with the conditions of lights and orange barrels be installed at the end of the dock and that a removable dock be installed in the event the existing dock is ever

replaced. A letter will be issued to the property owner. Commissioner Solek made a motion to approve the variance with conditions. Chairman MacWilliams seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Enforcement Order 22 Babb Road Chairman MacWilliams and Acting Conservation Coordinator Clark conducted a site visit with the alleged violator on North Pond. There were several conditions that have been rectified including installing hay bales, removal of silt from the lake shore and repair of the metal fence. Mr. Kirk plans on continuing to make improvements/restorations under the approval of the Conservation Commission.

The Conservation Commission members agreed that Mr. Kirk is in substantial compliance at this time and the Enforcement Order has been satisfied.

Enforcement Order 17-19 Noble Steed. Chairman MacWilliams stated a meeting had been conducted with Saltmarsh Industries with several Town officials to review items of concern relative to deterioration and length of the silt fences. Mr. Saltmarsh submitted a plan to show how the project will be completed. As of this meeting, the resource area has been enclosed with at least one line of waddles and in some place two. Some of the silt was removed from the resource area. Chairman MacWilliams requested that planting be done to bring back some of the natural vegetation. The improvements have satisfied the Enforcement Order. The Conservation Commission will continue to monitor the site which will include a restoration plan. Chairman MacWilliams made a motion that Mr. Saltmarsh was in compliance with the Enforcement Order. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Zoom Meetings The Conservation Commission members agreed to continue Zoom only meetings until at least after the January 3rd meeting due to the high cases of COVID in Southwick at this time.

Commissioner Mizanoglu made a motion to adjourn at 8:28 p.m. Chairman MacWilliams seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Jerry Patria yes

Mehmet Mizanoglu yes
Kevin Solek yes

Respectfully submitted,

Jean Nilsson, Secretary
cc:

Select Board

Town Clerk

Dave MacWilliams, Chairman

Brian Drenen, Vice Chairman

Jerry Patria, Commissioner

Brian Pranka, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Maryssa Cook-Obregon, Commissioner

Date