

**MINUTES
CONSERVATION COMMISSION
HYBRID PARTICIPATION
August 15, 2022**

OPENING: The regularly scheduled meeting of the Conservation Commission opened at 7:00 via hybrid. 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	Absent
Brian Drenen, Commissioner	Present
Jerry Patria, Commissioner	Present
Kevin Solek	Present

PUBLIC COMMENTS

Maryssa Cook-Obregon 126 South Loomis Street Ms. Cook-Obregon made a statement as a member of the public. Ms. Cook-Obregon was removed from the Conservation Commission after 3 years of service by the Select Board. Ms. Cook-Obregon made a statement of appreciation for being able to work with the Commissioners for the Town of Southwick and thanked all the individual members/employees of the Commission including Chris Pratt former Chairman who was also removed from the Committee. Ms. Cook-Obregon expressed an interest in continuing to participate as a private citizen “signing off with gratitude”. Chairman MacWilliams applauded the contribution Ms. Cook-Obregon made and is making to the Town. It was unfortunate that the Conservation Commissioners were not consulted in the decision. As of this meeting, there is no sworn in Conservation Commissioner replacement for Ms. Cook-Obregon.

MINUTES

Commissioner Drenen made a motion to accept the minutes of July 18, 2022. Commissioner Solek seconded the motion. The roll call vote of the Commission was unanimous in favor.

David MacWilliams	yes	Brian Drenen	yes
Jerry Patria	yes	Kevin Solek	yes

Chairman MacWilliams made a motion to accept the minutes of August 1, 2022. Commissioner Patria seconded the motion. The roll call vote of the Commission was unanimous in favor.

David MacWilliams	yes	Brian Drenen	yes
Jerry Patria	yes	Kevin Solek	yes

PUBLIC HEARINGS

Mr. David Berry, Installer

RDA 7 Logie Lane Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in the Reminder Publication on August 4, 2022. Mr. Berry presented a repair septic system design that is approximately 75 feet from Bordering Vegetated Wetlands. The placement was due to the limited lot size and the location of the well and neighboring wells. The rear of the property has an upgrade slope that is not conducive to the installation of a septic system. Commissioner Solek made a motion for a negative determination with the inclusion of a silt fence and hay bales replacing the waddle as noted on the plans. Commissioner Patria seconded the motion. The roll call vote of the Commission was unanimous in favor.

David MacWilliams yes

Brian Drenen yes

Jerry Patria yes

Kevin Solek yes

Arturas Ribinskas, Owner

RDA 157 Feeding Hills Road Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in the Reminder Publication on August 4, 2022. Mr. Ribinskas presented a plan showing a play scape – which is already in place – and a nature walk both of which are in the Riverfront area and Buffer Zone. The play scape is above the septic system and Mr. Ribinskas will put either wood chips on the ground or seed the area. The Commissioners were in favor of grass not wood chips. At this time, there was not enough information relative to the walk way relative to length, type of material to be used etc. Chairman MacWilliams tabled the RDA until more information can be presented.

NEW BUSINESS

Enforcement Noble Steed Violation Coordinator Pooler, Chairman MacWilliams and Commissioner Patria conducted a site visit to the location and noted areas of concern. There is a silt fence that is displaced causing erosion and silt to enter the stream. Mr. Saltmarsh, owner, was present at the site visit and was of the understanding of the measures that need to be taken to rectify the violations. Fining will begin as of this meeting, however, if all issues are corrected by Friday August 19th, the fines will be forgiven. Ms. Erica Rossini, owner of lot #16, questioned if she was responsible for fines. Ms. Rossini installed a silt fence to prevent erosion from going out into the roadway. The Commission assured Ms. Rossini that the sub-division owner would be liable for the fining. Ms. Rossini would be responsible to submit a Notice of Intent for her property provided any development occurred within the Conservation Commission's jurisdiction.

Greg Hamelin – Erosion Control Monitor 5 Silvergrass Lane DEP # 292-0408 Commissioner Solek made a motion to accept Mr. Hamelin as the Erosion Control Monitor of the project. Commissioner Drenen seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes

Brian Drenen yes

Jerry Patria yes

Kevin Solek yes

14 Shore Road Coordinator Pooler issued a fine for the property owner for non payment relative to the LPP program. The property owner was notified by certified mail and did not respond within the required 7 day period. Fines are \$50.00 per day for docks and \$25.00 per day for boats.

Kline Road Culvert Replacement DEP # 292-0408 Chairman MacWilliams read an email from Mr. Randy Brown, DPW Director, requesting two minor modifications to the Notice of Intent. The first is for a 5 year effective date instead of the standard 3 years due to financing, and the removal and replacement of the 4 maple trees. The trees to be replaced will be evaluated by Coordinator Pooler at the time of construction. Commissioner Patria made a motion to accept the modifications. Commissioner Drenen seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes

Brian Drenen yes

Jerry Patria yes

Kevin Solek yes

141 Congamond Road Chapter 91 License Chairman MacWilliams read a notice of an application for a Chapter 91 License, which includes two separate docks with 20 slips each from DEP. One for transient vessels and the other for rental purposes. The docks have been reviewed by LMC who noted that the length of the dock (specifically the one on the north side) could possibly cause a navigation hazard and is located very close or could change the no wake zone. The Commissioners reviewed the former owner's Chapter 91 License and made a notation that the proposed docks should not exceed in length the formerly approved docks, which according to the records is 110 feet. The proposed docks are 150 feet long. Mr. Norm Cheever, LMC stated that the Chairman is currently issuing a letter noting the potential issues. Mr. Cheever also asked that the Conservation Commission take into consideration the length of the proposed docks. Fred Gore, 40 Birchwood Road, made note that the old docks were on Google Earth. Michelle Pratt, 152 Berkshire Avenue stated that the original docks were more than 110 feet. Diane Gale, 5 Point Grove Road questioned if the issue was under Conservation jurisdiction. Chairman MacWilliams stated that it was not, but the Conservation Committee is the administrators of the LPP. Chairman MacWilliams will compose a letter to Christine Hopps, DEP for Waterways Licensing noting the consensus of the Committee members.

12 Two States Avenue Potential Violation Coordinator Pooler and Mr. Randy Brown, DPW Director conducted a site visit after a notification of potential work being done within 100 feet of the lake. Pictures were taken from a neighboring property. Mr. Lyle Rotondo, property owner, stated that the work was for an inspection of the septic system. Chairman MacWilliams notified Mr. Rotondo that if work is needed for a septic system repair or replacement, the Conservation Commission must be notified and an RDA or NOI may need to be filed.

16 Grandview Street Stair Replacement Coordinator Pooler presented a photo showing a stairway replacement showing erosion on the banking. There was an RDA for the stairs approved

on 12/20/21. Acting Coordinator Clark suggested via email that erosion control be placed at the base of the stairway. The Commissioners agreed that a silt fence should be in place at the bottom of the slope and along the shoreline. Coordinator Pooler will issue a letter to the owner.

Old Kings Beach The Conservation Commission received a request from a Select Board member to change the name of the beach. The Committee was in agreement not to change an established historical part of the Town.

Sofonoski Land Preserve Chairman Burt Hansen, Agricultural Committee, made note of a suggestion at the previous meeting to clear the area around the ponds. A joint meeting of Conservation and Agricultural Committee members is scheduled for August 28th at 10:00 am to view the property.

Trash Pick Up on Conservation Land Coordinator Pooler noted that the trash was previously picked up by Acting Coordinator Clark and is currently being done by the Town Maintenance Department. Chairman MacWilliams will discuss the issue with Mr. Sutton, Director of Maintenance.

Conservation Land Rules Coordinator Pooler had a discussion with Lieutenant Bannish who stated that rules can only be enforceable if there is a Bylaw relative to the issues. There should be one set of rules for all conservation land with specific exemptions. Chairman MacWilliams will ask for a volunteer, once all members are present, to work with Coordinator Pooler to establish Bylaws for the next Annual Town Meeting vote. However, signs need to be created and posted before the potential approval of a Bylaw.

Additional Meeting The members in attendance agreed that they could be present for the additional meeting on August 29th.

141 Congamond Road Coordinator Pooler conducted a site visit at the location and noted violations of their Order of Conditions including the DEP number sign knocked down, silt fencing was not properly buried. Mr. Eggleston told Coordinator Pooler that the silt fence will be repaired in a week by the contractors. The Conservation Commission members agreed that the silt fencing needed to be in place immediately.

LPP Updates Mr. Norm Cheever, LMC, stated that beaver dams have been removed on the canal, the weir gates have been installed, and the MA portion of the lakes have been photographed and violation letters were issued. There were approximately 17% of property owners in violation. Chairman MacWilliams suggested that the properties in Connecticut also be photographed so information can be presented to the Select Board as they are the ones that have an agreement with Suffield for LPP properties. The Conservation Committee members applauded the great work Mr. Cheever has been doing on behalf of the LPP.

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Alexindra Cichetti, R. Levesque & Associates

Request for a Certificate of Compliance Lot 7 and 21 The Greens A site visit was conducted at the location after the June 21st meeting. These 2 lots were not part of the buffer zone work for the Order of Conditions. The site visit confirmed that the lots were in compliance. Chairman MacWilliams made a motion to issue the Certificate of Compliance for both lots. Commissioner Patria seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes
Jerry Patria yes

Brian Drenen yes
Kevin Solek yes

Alexindra Cichetti, R. Levesque & Associates

Request for a 3 year extension DEP# 292-0363 The previous plans had access to the property from a neighbor, who now will not allow access. The revised plan show an anti-tracking system from the top of the property. The current property owner is willing to secure a \$60,000.00 bond on the property. The construction will begin at the lake level and proceed in phases. A site visit was scheduled for 5:15 on August 28th.

North Pond Coordinator Pooler made note of the trash pickup by volunteers. Michelle Pratt, 153 Berkshire Avenue, noted that the residents when voting on approving the expenditure for the land were told about specific usages and that hunting should be taken into consideration. There was a public outreach on August 13th for the public which was well attended. It was suggested that a guided walk be made available.

Request for a Certificate of Compliance 800 College Highway Coordinator Pooler conducted a site visit and found the property was not in compliance with their Order of Conditions. Since that time, all corrections have been made. Coordinator Solek made a motion to issue the Certificate of Compliance and release of a bond if one was required. Commissioner Patria seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes
Jerry Patria yes

Brian Drenen yes
Kevin Solek yes

Erosion Control Monitor 141 Congamond Road Mr. Eggleston, property owner, agreed to be the erosion control monitor. Commissioner Patria made a motion to approve Mr. Eggleston as the erosion control monitor. Chairman MacWilliams seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes
Jerry Patria yes

Brian Drenen yes
Kevin Solek yes

Chairman MacWilliams made a motion to adjourn at 9:01 p.m. Commissioner Patria seconded the motion. The roll call vote of the Commission was unanimous in favor:

David MacWilliams yes

Brian Drenen yes

Jerry Patria yes

Kevin Solek yes

Respectfully submitted,

Jean Nilsson, Secretary

cc:

Select Board

Town Clerk

Dave MacWilliams, Chairman

Brian Drenen, Commissioner

Jerry Patria, Commissioner

Brian Pranka, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Date