

**MINUTES  
CONSERVATION COMMISSION  
LAND USE MEETING ROOM  
September 11, 2017**

**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 |
| Frank Soleimani, Commissioner  | Absent  |
| Mehmet Mizanoglu Commissioner  | Present |
| Dave Mac Williams Commissioner | Present |
| Brian Drenen Commissioner      | Absent  |
| Brian Pranka Commissioner      | Present |
| Dennis Clark, Coordinator      | Present |

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7:00 Christopher Pratt, Chairman, opened the meeting with a moment of silence in memory of the 9/11 tragedy.

**MINUTES**

Commissioner Mizanoglu made a motion to accept the minutes of 07/17/17. Commissioner Pranka seconded the motion. None opposed, motion passed unanimously.

**HEARINGS**

Mr. Jon Goddard, R. Levesque Assoc.

Mr. Charles Serafin, Property owner

7:15 **RDA 180 Berkshire Avenue - NOI** – Proposed removal for site and beachfront improvements.

Chairman Pratt opened the hearing by reading the public notice as posted in the Westfield News. The property contains an existing single family dwelling and a gravel pathway to the water. The proposed plan is for wooden stairs, a seating area, and a vinyl wall on the lower terrace area. There is an existing shed which will be relocated. Mr. Goddard stated that approximately 25 cubic yards of material will be removed from the flood plain, far in excess of the amount required. Mr. Serafin will be willing to have the compensatory flood plain reserved for another location on the lake. A tree and some scrub brush will also be removed. As of this meeting, Mr. Serafin has not contacted a contractor to determine a specific timeline for construction. It is possible that the construction will be phased depending on the conditions at the time.

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Vice Chairman Kellogg made a motion to close the public hearing at 7:32 p.m. Commissioner MacWilliams seconded the motion. None opposed, the motion passed unanimously.

Commissioner MacWilliams made a motion for to approve the Notice of Intent with an Order of Conditions inclusive of a \$10,000.00 bond. Vice Chairman Kellogg seconded the motion. None opposed, motion passed unanimously.

Mr. Jon Goddard, R. Levesque Assoc.  
Mr. Michael McEleney, Property owner

7:34 **10 Iroquois Drive - NOI** – Proposed installation of a retaining wall and other site improvements.

Chairman Pratt opened the hearing by reading the public notice as posted in the Westfield News. Mr. Goddard presented a plan including vinyl sheeting retaining wall to prevent erosion. Vinyl walls have a minimum impact on the environment. There are also three trees on the property that are rotten and will be removed inclusive of the stumps and roots. Coordinator Clark made note that Michael DeBay, neighbor, issued an email in support of the proposal.

Vice Chairman Kellogg made a motion to close the hearing at 7:44 p.m. Commissioner Pranka seconded the motion. None opposed, the motion passed unanimously.

Vice Chairman Kellogg made a motion to approve the Notice of Intent as presented with a \$10,000.00 bond included in the Order of Conditions. Commissioner Mizanoglu seconded the motion. None opposed, motion passed unanimously.

**56 A Berkshire Avenue – RDA** Coordinator Clark made a request to close the public hearing. The homeowner has not complied with the request for an arborist to evaluate the trees. Commissioner MacWilliams made a motion to close the hearing, and find the project positive. Commissioner Mizanoglu seconded the motion. None opposed, the motion passed unanimously.

## **BUSINESS**

Ms. Anna Antropova, 4 Nicholson Hill Road

Mr. Dana and Mrs. Carol Guay, 173 Mort Vining Road

**Sofonowski Preserve** Coordinator Clark received a complaint from the farmer that maintains and hays the field at the Sofonowski Preserve. The complaint was that horses were loose and not bridled in the hay field and Ms. Antropova was identified as the owner of the livestock. The farmer has an agreement with the Conservation Commission to maintain the field at a minimal charge inclusive of brush hogging the perimeter, fertilizing, cutting and bailing the field. According to Ms. Antropova, the farmer upon seeing her horses that were not bridled in the field advised her that it was not allowed in a loud voice while leaving the tractor running. The farmer stated that the horse hooves were kicking up dirt that was picked up by the mower and bailer. Ms. Antropova took offense to the farmer and stated that the land was a preserve and should be available to all residents. The horses are at the Sofonowski property one to two times a week mostly half way in between the Jim Miles moment and the picnic tables. Coordinator Clark did conduct a site visit and stated though the preserve is owned by the Town, there are still restrictions on its use. Hiking and horses should be kept to the perimeter of the field and on the trails. Mr. and Mrs. Guay stated that the big problem in the preserve is ATV's, mostly from Connecticut, entering the Preserve. Ms. Antropova agreed to keep her horses out of the hayfields and stay on the trails. The Commissioners will be posting the Preserve with new signage in

insure the public is aware of the regulations. There are signs prohibiting motorized vehicles from entering the preserve. The members of the Conservation Commission agreed to post additional signs and make every attempt to stop the vehicle trespassers.

Mr. Jon Goddard, R. Levesque Assoc.  
Mr. Grigoriy Kovylyak, Property Owner

**107 South Loomis Street** Mr. Goddard presented a restoration plan showing the wetland and buffer areas that were filled in. The plan was composed by Wetland Specialist Kate Bednaz from R. Levesque Associates. There is a small area near the house that is excluded from the restoration plan. Mr. Goddard estimated that only 5% of the total area had been disturbed and may need to modify the restoration plan once excavation begins dependant on approval from the Conservation Commission. Coordinator Clark advised the Commissioners that the DEP has already advised the Commission that they are responsible for following through with this Enforcement Order even though the DEP was initially involved. Commissioner Pranka, who lives near the location, stated that there is a natural spring near the property which keeps the area wet, but the nearby brook has been dry recently and that the replication should start immediately. The restoration is to be self-executed by the Kovylyak's. The woodchip removal will be done with an excavator. Kate Bednaz, the wetland scientist that designed the restoration plan, will be notified so she can be on site for an evaluation.

Commissioner MacWilliams made a motion to accept the restoration plan **as presented**. Vice Chairman Kellogg seconded the motion. None opposed, the motion passed unanimously.

**146 South Loomis Street** The wetland restoration plan that was submitted by Mr. Derosier for this Enforcement Order was approved by the Commission.

Mr. Jon Goddard, R. Levesque Assoc.

**8 Charles Johnson Road** Mr. Goddard stated that Mr. Wilcox is currently working with R. Levesque and the plan was still in progress.

Mr. Jon Goddard, R. Levesque Assoc.

**642 College Highway** Coordinator Clark told the Commissioners that the owner of Tree413 was notified that the Commission would be discussing issuing an Enforcement Order or fine for the violations on 642 College Highway. The owner of the store has been notified previously several times and with certified mail. Mr. Alexopoulos told Coordinator Clark he would be attending the September 11<sup>th</sup> meeting to plead his case to the Commissioners. Mr. Alexopoulos was not present for the meeting.

Commissioner MacWilliams made a motion to issue both an Enforcement Order and a fine of \$300.00. Commissioner Mizanoglu seconded the motion. None opposed, the motion passed unanimously. The Enforcement Order was ratified unanimously by the Commission.

**92 Davis Road** Coordinator Clark reported that temporary stabilization was currently in place as required. A restoration / stabilization was submitted and approved by the Commission for the Enforcement Order. The stabilization shall be in place by the next meeting on October 2<sup>nd</sup>.

The Enforcement Order was ratified unanimously by the Commission.

**Status Reports:**

- 27 Eagle Street – no change
- 5 Kline Road – no change
- 25 Industrial Road – no change
- 2 Iroquois Drive – no change
- 2 Two State Avenue – no change
- 107 Point Grove Road – top soil had been added and grass was planted
- 48 Sheep Pasture Road – no change

Mr. Paul Murphy, 80 Point Grove Road

**North Pond Jet Ski** Mr. Murphy attended the meeting to comment on the jet ski activity on North Pond. Mr. Murphy has lived on the lake for 30 years and has seen many changes. The current band of jet skis on North Pond is being upheld. Mr. Murphy has done research relative to Massachusetts Great Ponds, of which Lake Congamond is one, and stated that there are several violations that are not/or cannot be addressed as enforcement officials cannot be everywhere. The Conservation Commission, as managers of the Lake Permitting Program, is researching properties and permits for compliance issues.

**Goals & Objectives** The Conservation Commission members were requested to submit any input for goals and objectives for fiscal year 2018.

**LPP Issues** Certified letters were issued to Mr. Tom Swain, 51 Lakeview Street and Ms. Tracy Shaw, 48 Lakeview Street concerning dock placement without property owned lake access. Further discussion and request for legal services may be necessary for some of the more complicated land / dock issues.

**Enforcement Order DEP #292-0297 Feeding Hills Road** Commissioner MacWilliams made a motion to table the Enforcement Order until the next scheduled meeting. Commissioner Mizanoglu seconded the motion. None opposed, the motion passed unanimously.

Commissioner Pranka made a motion to adjourn the meeting at 8:27 p.m. Commissioner MacWilliams seconded the motion. None opposed, the motion passed unanimously.

Respectfully submitted,

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Jean Nilsson, Secretary

cc:

Select Board  
Town Clerk

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Chris Pratt, Chairman

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Seth Kellogg, Vice Chairman

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Dave Mac Williams, Commissioner

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Frank Soleimani, Commissioner

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Mehmet Mizanoglu, Commissioner

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Brian Drenen, Commissioner

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Brian Pranka

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Date