



# City of Westfield, Massachusetts

Municipal Conservation Commission

February 23, 2021

## REMOTE MEETING MINUTES



Conservation Commission members in attendance: Chairman David Doe (DD), Vice Chairman James Murphy (JM), Thomas Sharp (TS), Carl Grobe (CG), Alex Fagnand (AF) and Cliff Laraway (CL) Also in attendance: Meredith Borenstein, Conservation Coordinator and Colleen Fegan-Nunez, Administrative Assistant.

Chairman Doe reads: *Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield Conservation Commission will be conducted via remote participation. Specific information can be found on the City of Westfield website at [www.cityofwestfield.org](http://www.cityofwestfield.org). For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or online at [westfieldtv.org](http://westfieldtv.org). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.*

### 1. CALL TO ORDER/ROLL CALL

Chairman Doe calls the meeting to order at 6:30 pm. He takes attendance. Commissioner Florek is absent.

### 2. OPEN PARTICIPATION

Coordinator Borenstein states that there was a call from Terry Reynolds, Engineer for Mark and Chris Dupuis, LLC, asking if the Commission would like the Stream Crossing for 1223East Mountain Road to be submitted under the Enforcement Order or if a Notice of Intent should be filed. Although many of the Commission agree that it could be kept under the current Enforcement Order, if no major changes to the location of the crossing are proposed, the Commission asks Coordinator Borenstein to gather more information on the crossing to make a better decision at the meeting of March 9, 2021 at 7:30 PM.

### 3. PUBLIC HEARINGS

**Commissioner Grobe recuses himself and leaves the meeting at 6:32 PM.**

- A. 715 Western Ave/0 Russell Road (33R Parcels 1, 8 and 11)-Westfield State University-DEP File #333-802;NHESP 21-39830  
Invasive Plant Management within wetlands, buffers and floodplain.

Dr. Lauren DeCarlo and Nick Petrenaro are present representing Westfield State University.

Mr. Petrenaro explains that this a student led project, overseen by Dr. DeCarlo, to remove invasive plant species along the Westfield River and the Little River on Westfield State University property. He explains that manual removal will be the bulk of the work but some herbicides will be considered if necessary. Herbicides would be applied by licensed applicators. No root removal is proposed within 10-feet of the river. Commissioner Fagnand suggests to limit the number of students working to 20 at a time.

Commissioner Sharp motions to close the Public Hearing and is seconded by Commissioner Fagnand. JM-Yes, TS-Yes, AF-Yes, CL-Yes, DD-Yes  
The motion passes.

Commissioner Fagnand motions to waive the City fees for the NOI and is seconded by Vice Chairman Murphy. JM-Yes, TS-Yes, AF-Yes, CL-Yes, DD-Yes  
The motion passes.

Vice Chairman Murphy motions to accept the Order of Conditions as written and is seconded by Commissioner Fagnand. JM-Yes, TS-Yes, AF-Yes, CL-Yes, DD-Yes  
The motion passes.

**Commissioner Grobe returns to the meeting at 7:37 PM.**

- B. 459 Russell Road (34R-4)-Tekoa Country Club-DEP File #333-800  
Bank restoration along the Westfield River.

Applicant requests a continuance to March 9, 2021 at 7:30 PM.

Commissioner Fagnand motions to continue until March 9, 2021 at 7:30 PM and is seconded by Commissioner Grobe. JM-Yes, TS-Yes, AF-Yes, CL-Yes, CG-Yes, DD-Yes  
The motion passes.

**4.PUBLIC MEETINGS**

- A. 93 Springfield Road (113-5)-Result in Wellness, LLC c/o Sofia Zanzarella  
Installation of 200-square foot pre-fabricated wood shed in an existing lot within the 100-year floodplain.  
Ms. Sofia Zanzarella is present.

Chairman Doe reads the legal language. Ms. Zanzarella explains that the shed is to provide an outdoor environment for her customers where food will be served. Coordinator Borenstein explains that the Compensatory Storage taken by the shed would be negligible in a flood.

**Chairman Doe loses internet service.**

**Commissioner Sharp motions that Vice Chairman Murphy take over as Chairman at 7:49 PM and is seconded by Commissioner Laraway. TS-Yes, AF-Yes, CG-Yes, CL-Yes  
The motion passes.**

The Commission discusses how permanent the building would be.

**Chairman Doe returns to the meeting at 8:01 PM.**

The Commission requests that Coordinator Borenstein verify that there is Comp Storage available to use for this property under the Planet Fitness NOI.

Commissioner Sharp motions to continue to March 9, 2021 at 7:30 PM and is seconded by Commissioner Laraway. JM-Yes, TS-Yes, CG-Yes, CL-Yes, DD-Yes  
The motion passes.

## 5. ENFORCEMENT

**Commissioner Fagnand recuses himself and leaves the meeting at 8:07 PM.**

- A. 0 South Broad Street (25-1)-Sullivan Westfield Properties Group, LLC  
Sedimentation from gravel parking lot into adjacent Wetland Resource Areas  
Mr. Jeff Bibeau and Todd Douville are present representing Sullivan Westfield Properties Group, LLC.

Mr. Bibeau explains that as a temporary solution some straw bales will be placed at the point of discharge adjacent to the gate. He states that a restoration plan has been submitted which includes removal of the hard pack and fines and replace it with asphalt.

Commissioner Sharp motions to accept the restoration plan as written and is seconded by Commissioner Laraway. JM-Yes, TS-Yes, CL-Yes, CG-Yes, DD-Yes  
The motion passes.

**Commissioner Fagnand returns to the meeting at 8:30 PM.**

- B. 394 Northwest Road (23R-5)-William Barry  
Vegetation removal within the 200-foot Riverfront Area to Cook Brook without a permit.

Coordinator Borenstein states that the property owner has been in contact with her. She states that after the snow melts, this will need to be revisited and site visits scheduled.

Vice Chairman Murphy motions to send a Cease and Desist letter and is seconded by Commissioner Grobe. CG-Yes, JM-Yes, TS-Yes, CL-Yes, AF-Yes  
The motion passes.

## 6. DISCUSSION

- A. 551 North Road (70R-20)-Armbrook Assisted Senior Living Residences-DEP-File #333-747

Request for extension of Order of Conditions

Mr. Ron Fortune and Ms. Gail Ceresia are present.

Coordinator Borenstein states that the remaining work is removal of mulching, remove erosion controls and maintain some of the stormwater basins that were installed. She states that she would like to do a site visit. Ms. Ceresia is unsure as to when the work will be completed. She states that due to COVID-19 all work has stopped.

Vice Chairman Murphy motions to approve the extension request for two years and is seconded by Commissioner Fagnand. JM-Yes, AF-Yes, CG-Yes, TS-Yes, CL-Yes, DD-Yes

The motion passes.

- B. 0 South Meadow Road (Map 28R Parcel 6) –DEP File #333-452  
Request for Certificate of Compliance

Coordinator Borenstein states that the work allowed with this OOC was not completed. It was for two tobacco barns that were never built. She is looking to close the Order of Conditions.

Commissioner Fagnand Motions to approve the Certificate of Compliance and is seconded by Commissioner Grobe. CG-Yes, TS-Yes, JM-Yes, AF-Yes, CL-Yes, DD-Yes  
The motion passes

- C. 91 East Mountain Road (Map 36R Parcel 10) – DEP File #333-427  
Request for Certificate of Compliance

Coordinator Borenstein states that this is an old project to demo an old building on hospital grounds and it was completed.

Commissioner Fagnand Motions to approve the Certificate of Compliance and is seconded by Commissioner Grobe. CG-Yes, JM-Yes, TS-Yes, AF-Yes, CL-Yes, DD-Yes  
The motion passes

## 7. OTHER ITEMS

- A. Minutes of February 22, 2021.

Vice Chairman Murphy motions to approve the minutes of February 22, 2021 and is seconded by Commissioner Laraway. JM-Yes, TS-Yes, CL-Yes, AF-Yes, CG-Yes, DD-Yes

The motion passes.

7. MOTION TO ADJOURN

Commissioner Fagnand motions to adjourn at 8:46 PM and is seconded by Commissioner Sharp. CG-Yes, TS-Yes, CL-Yes, AF-Yes, JM-Yes, DD-Yes  
The motion passes.

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A true record, Attest:  
Colleen Fegan-Nunez  
Westfield Conservation Administrative Assistant

APPROVED