



City of Westfield  
Municipal Conservation Commission  
MARCH 28, 2023 AT 6:30PM  
WESTFIELD CONSERVATION COMMISSION  
MEETING MINUTES

RECEIVED

By City Clerk at 3:36 pm, 8/31/23

Conservation Commission members in attendance: Chairman David Doe (DD), Vice Chairman James Murphy (JM), Carl Grobe (CG), Robert Florek (RF), Lauren DiCarlo (LD) and Thomas Sharp (TS). Also, in attendance: Anna Meassick, Conservation Coordinator and Christina Ramos, Conservation Clerk

### 1. CALL TO ORDER

Chairman Doe calls the meeting to order at 6:30 PM and takes attendance. All Commissioners are present.

Vice Chairman Murphy motions to move item 8D out of order. Commissioner DiCarlo Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes, DD-yes.

The motion passes.

Commissioner Sharp explains he wanted to take this item out of order because of the number of people in attendance. He gives everyone in attendance the background of what the Community Preservation Committee can do to help the community with funding projects in town.

Commissioner Sharp ask another committee member who is attendance to introduce herself.

Cindy Gaylord introduces her self as Chairperson of the Historical Commission representing them in the Community Preservation Committee.

Commissioner Sharp explains that each commission needs to have one representative and a backup. He addresses the Conservation Commissioners and ask them to consider joining the Community Preservation Committee. He explains that it's a great feeling to be able to give people money to complete and improve parts of this town. He explains how sad it is that the community doesn't know about this opportunity and hopes that using this platform gets the word out.

Vice Chairman Murphy motions to move to regular agenda order. Commissioner DiCarlo Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes, DD-yes.

The motion passes.

### 2. OPEN PARTICIPATION

Chairman Doe asks if any members of the public who would like to address the Commission concerning items not on the agenda. Seeing none, he moves onto item 3, Public Meetings.

### 3. PUBLIC MEETINGS (RDAs)

A. 126 Union Street – Powdermill Village LLC

Proposal: Removal of overgrown vegetation along fence line

Coordinator Meassick recommends Continuing to April 11, 2023 because there is no representative present.

Vice Chairman Murphy motions to continue to April 11, 2023. Commissioner Florek Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes, DD-yes.

The motion passes.

#### 4. PUBLIC HEARINGS (NOIs)

##### A. 86 Court Street – Baystate Hospital – DEP File #333-828

###### *Chairman Doe reads the legal language*

Ryan Nelson from R Levesque Associates Inc. is present as the representative.

Mr. Nelson explains the project is adjacent to the hospital. The project involves removing driveway and demolish the house, removing the foundation and filling the holes 18-foot grade. Also, a fence surrounding the property will be taken down. There is a BVW located to the south, DEP had some comments status of the wetland and what it borders. Mr. Nelson explains he delineated the property a few years ago and the wetland connects to city drainage catch basin. DEP comments on the activity being minor or not because they are in the buffer zone.

Vice Chairman Murphy asks what the dimensions of area are, also confirms the house location by describing the parking area near the ER with a lower elevation.

Mr. Nelson explains yes, it's the wetland in the back of the property.

Commissioner Grobe wants to make clear that the fence is within the 50ft buffer zone and the rest of the demolition will be outside of the 50ft buffer zone.

Mr. Nelson explains yes; all the demolition is outside of the 50ft buffer zone except a portion of the fence is within the 50ft buffer zone. The driveway is outside of the 100ft buffer zone.

Vice Chairman Murphy ask about the time line of the project, how long is it going to take and where is the storage area for equipment.

Mr. Nelson explains there are a lot of factors and hasn't heard from the hospital about a time line and would assume this year. There is plenty of room out front for dumpsters and trucks onsite.

Coordinator Meassick ask if there is any plan for invasive species since the fence is going to be removed.

Mr. Nelson explains he saw it in the winter time and hasn't inspected the area recently.

Harry O'Reil owner of 8 Cycle street is in attendance, ask if there will be any shrubbery planted and is there an existing well or septic tank being removed.

Mr. Nelson explains that the applicant does not have plans for plantings yet, they have some plans for the property in the future. There is city sewage and he sure with the demolition permits it will cover that.

Commissioner Grobe motions to continue to April 11, 2023 meeting to conduct a site visit. Commissioner Florek Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes, DD-yes.

The motion passes.

B. Westfield Department of Public Works – DEP File #333-829

Proposal: Bundle NOI for routine maintenance of city properties

*Chairman Doe reads the legal language*

Megan Woytik from Tighe & Bond is present as the representative.

Casey Berube from City of Westfield Department of Public Works is also present as the applicant.

Ms. Woytik explains that she is an environmental scientist from Tighe & Bond and has created this bundle NOI for the DPW. The Bundle Notice of Intent will cover numerous routine maintenance activities which are minor in nature. The purpose of bundling this Notice of Intent will help streamline the process for DPW to conduct their routine maintenance they do without going to the whole procedure with the Conservation Commission. They will still need to notify abutters when they are going to perform an activity in community area. There isn't an exact location for this Notice of Intent it will only be used to cover routine maintenance to up keep city properties.

Mr. Berube wants to thank Ms. Woytik for her hard work with completing this Bundle Notice of Intent. He explains it should have been done years ago but is just trying to go through the proper steps to abide but the Conservation Commission. Being able to call Coordinator Meassick, explain they are going to do work somewhere in the city, and her confirm they are good to go will make the process and timeline better for the city. A bigger project will require a separate Notice of Intent but the minor stuff will be taken care of. Mr. Berube thanks the Commission for understanding and reviewing this matter.

Commissioner Sharp explains that the communication between DPW has improved and thanks Mr. Berube for that. Commissioner Sharp ask if they got in trouble with the state and that's why they had to come up with this Bundle Notice of Intent.

Coordinator Meassick explains that the bundle Notice of Intent was required by DEP after a notice of non-compliance which was issued last year, concerns to beaver management and dam removal.

Chairman Doe ask about page 3 of the Notice of Intent buffer zone and resource area and flooding checked off. Is there a reason why its checked off.

Ms. Woytik explains that yes there was a small area covered under another Notice of Intent.

Chairman Doe ask why under 7B on the form questions about stormwater management and nothing is checked off.

Coordinator Meassick explains that how are you supposed to check out that its exempt because it's a city project. That's why nothing is checked off and it happens a lot with city permitting. She addresses the Commission with a question/statement, could they think of anything else that is routine maintenance that should be address under the Bundle Notice of Intent.

Vice Chairman Murphy ask what triggers filing an NOI from routine maintenance.

Ms. Woytik explains minor things would be in buffer zone and not river front area. Anytime the buffer zone is by itself or a temporary activity like grading, digging occurs it is exempt.

Vice Chairman Murphy ask if paving would fall under this bundled Notice of Intent or another filing.

Ms. Woytik explains paving within a public way is consider minor but if that paving changes the grading than that would need to have RDA filed.

Coordinator Meassick explains that in the bundle Notice of Intent that it noted that there will be no changes in elevation in these situations.

Ms. Woytik agrees yes.

Commissioner Sharp explains that Mr. Berube said that they will communicate with Coordinator Meassick before maintenance and ask if that's correct. He also wants to make sure legal was okay with this as well.

Mr. Berube explains it's a requirement for them to let Coordinator Meassick know before they start any work under the bundle Notice of Intent.

Commissioner Florek questions the time line for some of these projects, whether other permitting is needed and will they prioritize these projects by the seasons.

Mr. Berube explains yes, they will work on projects depending of the weather or different seasons. He will also have a trailer full with erosion controls to be able to address any situations if/when they come up.

Commission Sharp clarifies that this permit could be for 5 years, is there an exit plan if after 2 years the Commission decides this was not a good idea.

Coordinator Meassick explains yes there is a condition, number 26, that allows the Commission to add conditions at anytime.

Vice Chairman Murphy motions to continue to April 11,2023 meeting. Commissioner Florek Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes, DD-yes.

The motion passes.

C. 0 Cycle Street – Cycle Street Redevelopment, LLC

Proposal: Construction of self-storage facility within buffer zone to isolated wetlands, subject to local ordinance only

***Chairman Doe Recuses himself***

Commission Sharp motions to appoint Vice Chairman Murphy as Chair during this item on the agenda. Commissioner DiCarlo Seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes.

The motion passes.

Coordinator Meassick explains, a few of the Commissioners and herself did a site visit headed over to Gold Street to view the wetlands. Two fairly small isolated wetlands they don't classify as isolated land subject to flooding so they aren't protected by the Act. They are filled with trash. Coordinator Meassick recommends the Commission make it a condition for the applicant to clean up the wetlands as part of the Order, maintain them and identify them with a sign, like they normally ask. Based on what has been presented to the Commission it does follow the Ordinance and no reason to deny it or continue to the next meeting.

Ryan Nelson from R Levesque Associates Inc. is present as the representative.

Mr. Nelson explains that last time they met they discuss the plan were waiting on the Engineering department comments. They have addressed those comments and have also had a peer review from McMahon Associates conducted. Had a revised plan set and a report from McMahon Associates on March 24, 2023 that all comments were addressed and they had no further comments. There were minor plan changes regarding storm water basins, and construction items. They have added some snow storage and guardrails to prevent snow from getting pushed over in the winter time. Mr. Nelson agrees with Coordinator Meassick about the debris in the wetland areas that need attention.

Commissioner Sharp ask if the grey rectangles on the plan are the storage buildings, and if this site would be bigger than the one approved on North Road.

Coordinator Meassick gives the storage building dimensions of 4,200 by 7,200 square foot storage units.

Mr. Nelson explains they are maximum 7,400 square feet. There are two units just shy of 5,000 square foot.

Commissioner DiCarlo ask Mr. Nelson if there will be signs up on the edges of the wetland.

Mr. Nelson explains yes, they expected to have that in the Order of Conditions.

Coordinator Meassick questions the sign locations and recommends 50ft change in direction, one at the end of Gold Street.

Vice Chairman Murphy ask Mr. Nelson to show that the sheet flow will go to the infiltration basin.

Mr. Nelson explains the contours, between the building is all pitched and all the sheet water goes to the end of pavement. Swale to the culvert to the storm water basin.

Vice Chairman Murphy ask if there is a stand pipe.

Mr. Nelson no he doesn't believe there is, there is an emergency over flow outlet.

Commissioner Sharp ask if they will be bringing in fill.

Mr. Nelson explains yes; ground water was shallow there so in order to meet the requirement of storm water standards, there needs to be separation from the infiltration basin to ground water. Yes, will be bringing in fill.

Commissioner Sharp explains the peer review is unusual, what triggered that.

Coordinator Meassick explains it was sent to the Engineering Department and they sent it out to a third party.

Mr. Nelson explains it was Planning Broad that requested the peer review.

Vice Chairman Murphy Confirms that all storm water has been approved.

Coordinator Meassick explains it has been through the third-party peer review and it actually lower the discharge rate of water.

Commissioner Sharp ask Mr. Nelson where are they with planning, ask who requested the peer review.

Mr. Nelson explains it was the Planning Broad that requested the peer review and they have only had one meeting.

Vice Chairman Murphy explains that because there was a peer review it supersedes Engineering who would usually does it.

Coordinator Meassick explains it would usually be done by Engineering but they just sent it to a third party to get the work done in a timely manner.

Vice Chairman Murphy ask if there will be fencing around the site. If so where. Will the wetland be fenced.

Mr. Nelson explains yes there will be fencing at the bottom of the slope. There will be a chain link surrounding the site for safety. No, the wetlands will not be fenced.

Commissioner Florek ask if the landscaping plan has changed.

Mr. Nelson explains yes it has, there are some added plantings. North to the project so that abutters will have a row of plantings to block the light and view.

Commissioner Sharp agrees with Coordinator Meassick about adding in the Order of Conditions to have the wetland cleaned and maintained. What is the square footage of the isolated wetlands.

Mr. Nelson explains that the property is about 15 and 1/2 acres and they are developing 8 of those acres.

Vice Chairman Murphy ask if the order of construction is in the Notice of intent? Where will the equipment storage and stock piling be located? How long will construction take?

Mr. Nelson explains that there is a construction sequences, Cycle Street should be the location of storage. Unsure of the time construction should take.

Commissioner Florek asked if any of the pavement will be staying.

Mr. Nelson explains no it will not, it is in bad shape.

Coordinator Meassick comments that the two isolated wetlands are being protected. Anything outside of the 100ft and is not the purview of the Commission. It follows all local regulations for the wetlands.

Commissioner Sharp ask since there are a lot of trees coming down for this project if, the applicant would be open to planting some other trees around the city.

Mr. Nelson explains that the trees are not the healthiest and are choked out by invasive.

Commissioner Sharp ask Coordinator Meassick what her vision is of improvements to this resource area.

Coordinator Meassick explains she would love to have all shopping carts taken out, tires and traffic cones. Without going into the wetland, there are a lot of invasive species there. She doesn't feel like there is a lot they can do without using herbicides which she doesn't want used near isolated wetlands.

Mr. Nelson explains there are a few areas that can be cleaned up and native vegetation would have a chance of growing.

The Commission discuss using the Order of Conditions to add in cleaning of the site.

Mr. Nelson ask to make a note to define the location of restoration.

Coordinator Meassick explains it would have to be under the Commission jurisdiction that first 100 feet. Wetlands and buffer zone.

Vice Chairman Murphy, acting chair opens the conversation to the public for participate.

Samantha Gulsvig, 25 Cleveland Ave. She loves her city and thanks Commissioner Sharp for the information at the beginning of the meeting. Why is the homeless not on the list to get out of the wetland. She has worked with homeless for number of years. That's why there is a bunch of trash in the wetlands. She claims that the reason for losing the wetlands is because of industrial development. She is worried about the direct impact that this project, filling, degrading, concrete and removal of vegetation and construction of buildings. What does that mean for changes in the water level and drainage. The Little River Levee is in bad condition, there is no Flood Control Commission right now. Having no plan to replace vegetation will have a negative effect on the ecosystem. She is worried of flooding. She is terrified if the levee breaks water would rushed over to her house.

Commissioner Sharp ask Mr. Nelson will the drainage be improved, will it be worse, or will it be the same.

Mr. Nelson explains that the site will be built up and nowhere near the levee or flooding will be using drainage patterns under the Massachusetts Storm Water Standards, they have to do storm water modeling to determine the maximum sheet flow as it currently today or lesser of discharge. All the water will be rerouted to the basin and made to infiltrated into the ground.

Ronald Gulsvig, 25 Cleveland Ave. All the trash on property why isn't it the property owner not responsible to take care of it now. He's concerned about the levee, about the river that goes all the way around the neighborhood. Doesn't think this project will help it.

Coordinator Meassick explains the levee is currently at almost 100% for draft plans for repair. She has been to numerous meetings about how the City is going to file their Notice of Intent. She understands everyone worries about the levee. This project is not in jurisdiction of the Little River nor even within the flood zone. What she has been told, there is the new 2024 flood study and Westfield has less flood zone now. Westfield is good with their infrastructures.

Karen Orell, 8 Cycle street, she is concerned about the flooding. How many acres of pavement on the project. This site is all impervious surface. Explains the storm water retention area with a house near, no fence around the retention. All the animals will come to drink the water and giving the chance for smaller animals to fall in an drown. She is not happy that is this so close to house where it could cause mold. She is concerned about the wetland being in a residential zone, flooding and run off. Them building on land that it toxic and if we have flooded all the chemicals will get washed into the basement floor apartments and cause mold. Piles and piles of snow and salt melting isn't that going to affect the wetlands. Water coming through the basin into the wetlands, do we let water go into the wetland.

Mr. Nelson explains about 6 acres paved, yes, its impervious. He explains that the entire property will be fenced. Overall the site isn't located in the flood zone. They can't foresee flood events on site. The snow storage areas are pitched to the east so that won't affect the Wetlands. Water that is going into the basin is set to be an infiltration basin, so the water is set to infiltrate to the soil and recharge the ground water only during a extreme a storm event above the 100 year flood will the water actually surcharge and flow over.

Coordinator Meassick explains that in regards to Ms. Orells concern of the salt going into the wetlands, the Commission can condition a no salt zone.

Patricia Hidden, 13 Cleveland Ave. She hands out a paper with a court case reference. Roadmaster Industries, Inc. V Columbia Mfg. Co., Inc., 893 F. Supp. 1162 (D. Mass. 1995). Ms. Hidden explains she conducted a google search and found this information. Roadmaster wanted to purchase this property but reconsider because of the pollutant contaminated the soil and ground water. She reads a list of contaminates from 1986, side effects, and the amount found. Mostly cancer causing contaminates. She shows the Commission a picture of her daughter who in 2017 was diagnosed with leukemia. She becomes very upset explains that her daughter has finished treatment in 2021 and to hear that they are living so close to carcinogens and toxins



makes her physically ill. Ms. Hidden went back and reviewed the planning board meeting from March 21<sup>st</sup>. She explains that Kristen Mello stated some eye-opening statements that every acre of impervious surface adds 27 thousand gallons of water from rain. At the same Planning Board meeting representative from R.L. Associates said that retention pond at the lowest point of the land. Our neighborhood is at the lowest part of the land and could be a spot for flooding. She asks that they retest the soil and continue this matter until a Flood Control Commission is reinstated.

Commissioner Sharp tells Ms. Hidden she was very brave for her statement.

Coordinator Meassick ask how we comment on that since its outside of our purview, it is on the public record but we can't do anything about that. It's a conversation with EPA. She apologizes to Ms. Hidden for everything she has gone through. Ask if she has read the reports from the EPA and monitoring. Coordinator Meassick explains they haven't missed a single report. Offers to give Ms. Hidden the contact information for EPA.

Kristen Mello, City Council at large and Chair of the Naturel Resource Committee asks to speak next.

Vice Chairman Murphy ask City Council Woman if she is speaking as a City Council member, or public citizen.

Ms. Mello explains yes as a City Councilor, private citizen and the Chair of the Natural Resource Committee.

Vice Chairman Murphy ask if Ms. Mello has the authority to represent the City Council and Natural Resource Committee.

Ms. Mello explains she is the Chair and has the authority to speak from that position.

Coordinator Meassick ask if she has been appointed as a liaison to the Westfield Conservation Commission.

Ms. Mello explains no because it's a public hearing.

Coordinator Meassick explains that she can speak as a member of the public.

Vice Chairman Murphy ask again if she is here as a member of the public or as a City Councilor or Chair of the Natural Resource Committee.

Ms. Mello explains she will be addressing the Commission as a member of the public if that is easier.

Vice Chairman Murphy explains it just needs to be clear her position addressing the Commission.

Ms. Mello explains she spent the weekend going over the reports and had emailed the Chair of the Conservation Commission along with the Conservation Coordinator which she accuses of not giving that information to the Commission. In 2005 a restrictive easement was placed on this property because of a law suit and consent decree from a federal judge about the remediation on

this property. That restriction in 2005 was on the entire 31-acre parcel including the eastern and western half. The new EPA order from 2020 is only on the north eastern part of the parcel. When the purpose of that easement is that nothing will interfere with the integrity of environmental remediation implemented pursuant to the Consent Decree. She reads the prohibited activities under the Decree. Monday, she emailed the Chair of Planning, Planner, Chair of Conservation, Conservation Coordinator and Rob Leveque just so they knew. She explains she called DEP, Deputy Director and the EPA. EPA and DEP claim to meet about it that afternoon, but are still looking into. they are still looking into. Please share with those Commissions that they should halt. Work can't be done without permission from 3 government offices. Ms. Mello is asking for a continuance and claims the Commission needs more information. She also states, if 10 of the members of the public sign a petition and send it to the Secretary of Environment they can ask for a MEPA review of the project.

Kim Hatch, 28 Cleveland Ave., she explains she is a concerned neighbor. Asks about the retention ponds, being at a lower elevation. She explains she was given contradicting information. She explains that at the Planning Board meeting they discussed two different entries into the parcel.

Vice Chairman Murphy explains that would be something for the Planning Board, he asked before so they had an idea of where things were going to be stored.

Ms. Hatch explains her area of concerns are preventing pollution, this area is highly contaminated. She claims 6-8 tubs buried, she is unsure of where, full of paint stripper and old paint from bicycles are seeping into the soils and wetlands.

Commissioner Sharp ask where she got that information.

Ms. Hatch explains she rather not give her source and wants to protect her source. She is also concerned about protecting the wildlife, habitat, ground water supply and impervious surface that's being added. Now she is scared about having contaminated soil. Her home is over 100 years old, lead in the basement and when it rains they have water coming into the basement. They have white mold, flooding is the issue. Ground water supply, flood control, retention pond which is at a lower elevation. This is not an emergency, why are the building in the 100 ft buffer, why are we filing the wetland. She explains all the soil is contaminated and request they continue this until Westfield has a Flood Control Commission and a storm water coordinator and they test all the soil and remove the supposed tubs of contaminates.

Vice Chairman Murphy ask the public if there are any other concerns.

Joe Gulsving, 25 Cleveland Ave, who introduced his self as Ronald Gulsving earlier in the meeting, asks if the water goes in there but the water does have an outlet into the wetlands.

Mr. Nelson explains the water isn't going to flow up hill and they have a catch basin. He explains that they can't let storm water leave the site. The peer review showed the project was in compliance.

Coordinator Meassick explains to the Commission that they can only continue, or deny a hearing on two circumstances. If one, they break the law on the Wetland Ordinance and the second is they don't provide enough information in relating to the Wetland Ordinance.

Commissioner Sharp explains that the Commission should take their time to review all the information they were presented today. He isn't able to process it all this quick.

The Commission discuss the best way to handle this issue with the contamination of soil, how the Commission should handle the application.

Coordinator Meassick explains the information she has from EPA and their reports.

Ms. Mello interrupts to explain the 2020 relaxation of restriction is only for the shaded are for the eastern property. The 2005 restriction easement is for the whole 31 acres that used to be one combined Columbia factory.

Coordinator Meassick explains again the reasons that the Commission can continue this application: if they could not meet the performance standards or cannot provide the evidence that they can meet the standards. The Commission cannot deny or continue because the information submitted by the applicant is sufficient to described the site, the work and the affect of the work in the interest identify in the Act or Ordinance.

Vice Chairman Murphy explains what about the 13-71 of the Ordinance that it calls for the burden of proof. He reads the Ordinance.

Commissioner DiCarlo ask if there is a restriction on chemicals that can be stored in the storage area.

Coordinator Meassick explains that restriction is from the Planning Broad, but they do have a condition for hat as well.

Commissioner Florek ask if they can monitor what was being brought in and out.

The Commission discuss possibly having it as a Condition to show proof before work that they have confirmation from EPA that the soil isn't contaminated.

Commissioner Sharp motions to continue to April 11,2023 so the applicant can give information about contamination of soil and will their impact affect the wetlands. Commissioner Florek Seconds. RF=yes, CG=no, TS=yes, JM=yes, LD=no.

The motion passes. 3-2

Commissioner Sharp motions to take a five-minute recess. Commissioner Grobe seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes.

Vice Chairman Murphy motions to reappoint Chairman Doe as Chair. Commissioner Grobe seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes.

***Chairman Doe Returns***

Vice Chairman Murphy motions to move to item 6 Enforcement Orders. Commissioner Florek seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes., DD- yes.

## 6. ENFORCEMENT ORDERS

### A. 65 Butternut Road

Violation: Dumping of fill, depositing soil, excavation, and disturbance of vegetation

Coordinator Meassick explains that there is no update, recommends that the Commission include law enforcement or sheriff's office to deliver the letter.

Vice Chairman Murphy motions to have Coordinator Meassick redeliver notice with a Sheriff's deputy. Commissioner Grobe Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes., DD- yes.

The motion passes.

### B. 51 Egleston Road

Violation: Clearing of trees within river front area

Coordinator Meassick explains there are no updates.

Vice Chairman Murphy motions to go back to regular order of the agenda. Commissioner Grobe Seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes., DD- yes.

The motion passes.

## 5. ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION (ANRADs)

### A. 121 Medeiros Way and 0 Timberswamp Road – DEP File #333-823

Proposal: Review and confirmation of delineation

Ryan Nelson from R Levesque Associates Inc. is present as the representative.

Mr. Nelson explains the applicant/owner is requesting the determination of wetland boundaries and partial of the perennial stream that runs through the properties. There was a site visit in October. The high-water delineation has not changed, but the boarding vegetation wetland flags were. Beavers were removed during legal season, in January. Another site visit showed the same.

Coordinator Meassick recommends approving the delineation.

Commissioner Grobe motions to approve the delineation as accurate. Vice Chairman Murphy seconds. RF-yes, CG-yes, TS-yes, JM-yes, LD-yes., DD- yes.

The motion passes.

## 7. CERTIFICATE OF COMPLIANCE

- A. 106 City View Road – Andrew Liptak – DEP File #333-794  
Permit: Construction of home

Chairman Doe explains they did a site visit saw the driveway and ask for any comments from the Commission or Coordinator.

Andrew Liptak home owner, is present.

Mr. Liptak explains he has photos and narrative for the Commission to view in considering issuing the Certificate of Compliance.

Commissioner Grobe motions to issue Certificate of Compliance. Commissioner Florek Seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes., DD- yes.

The motion passes.

***Chairman Doe Recuses himself***

Commissioner Sharp motions to appoint Vice Chairman Murphy as Chair. Commissioner DiCarlo Seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes.

The motion passes.

- B. 231 East Main St - Aldi – DEP File #333-796  
Permit: Compensatory Storage

Coordinator Meassick updates the Commission that everything has been done correctly.

Vice Chairman Murphy questions why the Engineering Department is going out and doing peer reviews.

Coordinator Meassick explains they just got their assistant City Engineer. Compensatory storage signs are there and everything is good on the site.

Commissioner Florek motions to issue Certificate of Compliance. Commissioner DiCarlo Seconds. RF=yes, TS=yes, CG=yes, JM=yes, LD=yes.

The motion passes.

***Chairman Doe Returns***

Commissioner Grobe motions to reappoint Chairman Doe as Chair. Commissioner Florek Seconds. LD=yes, JM=yes CG=yes, TS=yes, RF=yes.

**8. COMMISSION DISCUSSION**

- A. Review and approval of January 24, 2023 Minutes.

Commissioner Grobe motions to approve meeting minutes from January 24, 2023. Vice Chairman Murphy seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes., DD- yes.

B. Review and approval of February 14, 2023 Minutes.

Commissioner Grobe motions to approve meeting minutes from February 14, 2023. Commissioner Florek Seconds. RF=yes, CG=yes, TS=yes, JM=abstained, LD=yes., DD- yes.

C. Earth Day

Coordinator Meassick explains the Earth Day schedule and ask the Commission to be available to help run the different areas of cleanup.

Commissioner Sharp wants to address the Commission, He explains that this will be his last meeting with the Conservation Commission. He gives thanks to the Commission for all the years and the knowledge and wishes them all well.

9. MOTION TO ADJOURN

Commissioner Sharp motions to adjourn the meeting at 9:11pm. Vice Chairman Murphy seconds. RF=yes, CG=yes, TS=yes, JM=yes, LD=yes., DD- yes.

The motion passes.

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A true record, Attest:

Conservation Clerk Christina Ramos

