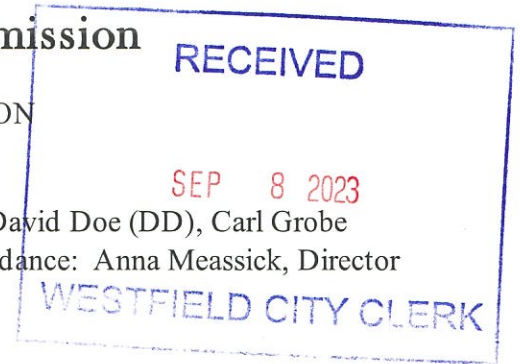




# City of Westfield Municipal Conservation Commission

MAY 23, 2023 AT 6:30PM  
WESTFIELD CONSERVATION COMMISSION  
MEETING MINUTES



Conservation Commission members in attendance: Chairman David Doe (DD), Carl Grobe (CG), Robert Florek (RF), James Prystowski (JP) Also, in attendance: Anna Meassick, Director of Conservation and Christina Ramos, Conservation Clerk

## 1. CALL TO ORDER

Chairman Doe calls the meeting to order at 6:30 PM then takes attendance. Commissioner DiCarlo and Vice Chairman Murphy are not in attendance.

## 2. OPEN PARTICIPATION

Chairman Doe asks if any members of the public who would like to address the Commission concerning items not subject to public hearing.

Rebecca Li of R. Levesque Associates is present on behalf of Sergey Novenko.

Ms. Li explains she is here to ask for permission to perform several perc tests at Bayberry Lane, where there is an active Enforcement Order in place. The applicant would like to know if they can complete some perc test outside of the buffer zone.

Chairman Doe asks what the applicant intentions are after the perc tests are complete.

Ms. Li explains the perc test would be done to determine feasibility to install a septic system and later a house.

Director Meassick explains that the plan being perc tested will help determine where to build the house.

Chairman Doe confirms its outside the 50 ft buffer zone, how many test pits.

Ms. Li explains 3 or 2 perc tests.

Director Meassick explains that it's an item that is exempt under the Act but because there is an open Enforcement Order to cease and desists all work aside from restoration.

Chairman Doe ask the Commission if they have any questions. Seeing none, he asks for a motion.

Commissioner Grobe motions to approve the perc testing out of the 50ft buffer zone.  
Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

He moves onto item 3, Public Meetings.

### 3. PUBLIC MEETINGS (RDAs)

#### *Commissioner Florek Recuses himself.*

A. 1 Woodland Ave

Proposal: Removal of trees in flood zone

James Hall, the homeowner, is present.

Director Meassick asks Mr. Hall if he is willing to amend his application to include determination under the local by-law.

Mr. Hall agrees.

Due to lack of quorum, a vote cannot be made to issue a determination and the item is continued to June 13, 2023.

#### *Commissioner Florek returns.*

B. 216.5 Belanger Rd

Proposal: Building Carport within buffer zone

*Chairman Doe reads the Legal Language*

Gregory Boisvere, the homeowner, is present.

Director Meassick explains she recommends a site visit to make sure the lot is in compliance with the current Order that was issued for the septic system.

Chairman Doe asks if its outside the 50ft buffer.

Mr. Boisvere explains the carport is 20ft by 20ft and 80 ft from the resource area. The erosion controls are still set up from prior work.

Chairman Doe explains that they would like to visit the site.

Commissioner Grobe asks if he has an existing structure closer to the water.

Mr. Boisvere explains that no, his house is close to the water.

Commissioner Florek explains the site and asks what the measurement of the carport.

Mr. Boisvere explains it 20ft by 20ft cartport.

Director Meassick asks if it will be just 4 columns and gravel or pavers.

Mr. Boisvere explains it will be 6 columns and pavers.

Chairman Doe explains we will make need to schedule a site visit and go from there.

Mr. Boisvere asks if there are any other requirements to move forward besides the site visit.

Chairman Doe explains that they will know more once they go out and do a site visit.

Chairman Doe asks if there are any other questions from the audience, seeing none he entertains a motion to continue to the next meeting.

Commissioner Grobe motions to continue to June 13,2023 meeting. Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

#### 4. PUBLIC HEARINGS (NOIs)

##### A. Amendment to 149 Neck Road – DEP File #333-813

Alicia Mayer, Woodward and Curran present as representatives for City of Westfield DPW.

Ms. Mayer explains they are requesting an amendment for limit of work. Westfield Gas and Electric requested that they utilize the existing transformer for the proposed building. They are required to extend the limit of work 1,400 square feet to trench for the electronic conduit iwithin existing grass area and all disturbance will be returned to existing conditions.

Chairman Doe asks if it's an already a grass area, also asks if they revised their compensatory storage calculations.

Ms. Mayor explains that there will be no fill in this area it will be returned to existing conditions. The additional cubic feet they are adding a vault under an existing transformer. The is the cubic footage of the new vault. The existing compensatory basin accounts for it, so no changes need to be made.

Chairman Doe ask the Commission for any further comments, seeing none he asks the public for any comments on this item, seeing none he requests a motion to approve the amendment.

Commissioner Grobe motions to approve the amendment for 149 Neck Road. Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

##### B. 70 Lockhouse Road – DEP File #333-831 Proposal: Truck Terminal in buffer zone

Rebecca Li, R. Levesque Associates is present as the representative along with Murabdek Usmonov, the property owner.

Ms. Li explains the project is a continuance from a month ago and a site visit has been held. They have received comments from DEP, Westfield City Engineering, and a peer review from McMahan Associates. All comments and concerns have been corrected and agreed to. The project was presented in front of City Council the previous week and some revisions were made per some of their concerns, specifically a request to make the parking lot paved instead of hard-packed gravel. Mr. Usmonov agreed to paving the lot instead to alleviate concerns for hazardous material.

Chairman Doe asks Director Meassick if she has had a chance to go over the revised plans.

Director Meassick explains that they just came in right before the meeting, so not yet.

Ms. Li explains that the only change was the site being paved.

Chairman Doe ask Ms. Li to go through the DEP comments.

Ms. Li reads through the DEP comments and provides solutions.

1. Some of the proposed work appears to be in the riverfront Area, which is not noted in the NOI. This reviewer came to this conclusion based on LIDAR data as well as georeferencing the submitted plans into ArcMap. Answer: Work has been removed from the riverfront area
2. Stormwater Standard 5 would appear to apply to this project, as a site with land use with higher potential pollutant loads. Answer: Ms. Li explains they have incorporated that comment and have upsized the water quality unit to the next model up to account for 1 inch of water quality volume and adjusted the great invert to accommodate that 1 inch per standard 5. They have revised the stormwater report accordingly to account for this being an LUHPPL site.
3. Stormwater standard 6 is likely applicable. Arm Brook, the perennial stream to the north, is a cold-water fishery resource, which is considered a critical area. The Commission must decide if Standard 6 applies. Answer: all site improvements and stormwater discharge is outside the 200 ft jurisdiction area of Arm Brook there for standard 6 is not applicable.
4. A statement must always be included in the stormwater report as to whether the competent soils professional has found that the soils that the soils found on site are consistent, or not, with the NRCS soil survey. Answer: This statement was provided in the original stormwater report under section 2.3 basically stating the soil on site vary from what is per NRCS, they completed test pits throughout the site and are confident in what type of soil exist and that would be all under appendix B.
5. Apparently, there are HSG C soils here, this reviewer recommends the use of construction period sediment traps for compliance with Stormwater Standard #8. Also. For compliance with stormwater standard #8 and with the requirements found at 310CMR 10.5(6)(b) where it states that "The order shall impose conditions to control erosion and sedimentation within resource areas and buffer zone", the Commission may consider requiring that runoff calculations be submitted for the point in time for each phase of the project where the most soils are exposed. Answer: This has been added and pointed out on the plan.
6. TSS removal calculations need to be reviewed. Answer: The TSS removal calculations for the extended dry detention basin have been revised accordingly per the Massachusetts Storm water handbook section for bio retention areas to receive 90% TSS removal credit you may use a combination of 8 inches of gravel followed by 3-5ft of sod for sheet flow this type of filter strip is specified on the bio-retention area detailed on D-4.
7. There was no information in the Appendix I section of the Stormwater report regarding low impact development considerations. Their response, Appendix I of the Stormwater report considers various low impact development considerations including reducing impervious surfaces, disconnecting stormwater sheet flow paths, and treating stormwater

at its source, maximizing open space, minimizing disturbance, protecting natural features, enhancing wildlife habitat.

8. A logbook must be kept and made available for Commission or MassDEP review upon request post certificate of compliance issuance. This item should be discussed at the hearing as this requirement is frequently not met by an owner. Answer: Understood.
9. To help ensure that Conservation Commission have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L. c. 44, section 53g gives Commission authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to decide pursuant to the Wetlands Protection Act, M.G.L.c.131 sec.40 and 310 CMR 10.00.

Chairman Doe asks if there are any questions from the Commission.

Commissioner Grobe asks if the area is now being paved instead of gravel, how will that affect the sheet flow of water into the wetland.

Ms. Li explains in their initial analyses they considered the whole area to be paved, they treated this area as pervious, so nothing changed. The runoff is still going to get conveyed via low points and get sent to the water quality unit then to get discharged into the extended dry detention basin.

Commissioner Florek asks if there is a post construction maintenance plan, will there be someone monitoring the site for trash.

Ms. Li explains that as far as stormwater goes, they have a long-term O&M plan included in the report.

Mr. Usmonov explains that they will have a person on site monitoring and cleaning every day.

Director Meassick explains that the City Council wants paved and the Commission always prefer gravel to limit disturbance. There is conflict with what City Council wants and what the Commission actively practices. Do the recharge calculations reflect those new changes?

Ms. Li explains they considered the entire parking lot pervious just because the nature of the gravel it must have some level of compaction, not necessarily loose gravel. Yes, that was considered in the recharge calculations.

Director Meassick explains that paving the whole parking lot is not low impact per standard 4.

Ms. Li explains it is an odd shape there were a lot of site constraints and we wanted to make sure there was enough moveability and at the same time keep the limit of work within reason.

Chairman Doe explains that the Commission just received the peer review and haven't had time to review it.

Ms. Li explains before the City Council meeting, they did receive an email from Joe Keitner, Assistant City Engineer, explaining that he was satisfied with the comments incorporation and changes made to the 70 Lockhouse Rd. project. If there was anything that he missed it will be able to be addressed. Also Ms. Li explains they received a letter from McMahan Associates who did the peer review and explaining they gave 3 additional comments that they have since been

addressed. The comments won't impact the design and the recommend approval contingent to above mention items to be resolved. Ms. Li reads those comments to the Commission.

Chairman Doe asks if there are any other comments or questions from the Commission.

Commissioner Grobe asks Director Meassick if she feels comfortable with the responses to the comments from everyone or does she need more time to look over them.

Director Meassick explains they have been explained well and walked through, did have a question on basin to the southeast or southwest.

Ms. Li explains that the topography slopes south to north, when putting in the parking lot you are going to have some low points. There will be a low point adjacent to the south of the access road which they mitigated any ponding with this infiltration trench. Not a basin but something to mitigate run off from the south.

Director Meassick explains in short, all the water follows the same way.

Ms. Li answers yes.

Chairman Doe explains that he would like to continue to the next meeting to allow time to read in detail the peer review reports. He asks if there are any comments or questions from the audience.

Mary Ann Babinski, 114 Rogers Ave, Westfield Resident.

Ms. Babinski agrees with the Commission taking some time to review all comments and responses from DEP and the peer review.

Commissioner Grobe motions to continue to June 13, 2023 meeting. Commissioner Florek seconds. JP=yes, CG=yes, RF=yes, DD=yes.

The motion passes.

C. 1515 Granville Rd – West Parish Filters – DEP File #333-832  
Proposal: Reconstruction of facility

Dan Nitzsche, from GZA and Kate Hoek, from Hazen & Sawyer are present as the representatives.

Mr. Nitzsche explains they discussed the plan last meeting, work with jurisdiction, buffer zone to BVW and river front area there is one new raw watermain 50-inch line that is going to come down to an access road. For the contractor team to have space to move around there will be about a 515 square foot BVW impact but may not occur if it is possible to move the pipe over a bit but would like to leave the data available. The stream crossing of Cook Brook will be an open cut in the trench, sheet piling in there upgrading of that will be sand bags. The details will be given to the Commission once a Contractor is hired. The intention will be to sandbag the upstream side to let the water rise there will be an open pipe at the edge bank that water will go through pass the excavating site right back into the stream. The stream is rock lined about 2 ft

wide. All the rocks that are being taken out will be put back when it's done. The other work is the riverfront work less than 10% in the riverfront. Proposing riverfront enhancement area at the upstream side 15ft strip on both sides of the stream, going to plant shrubs and trees along that. Mr. Nitzche explains that they have received and responded to DEP comments and if the Commission would like him to go over those comments.

Chairman Doe explains yes please.

Mr. Nitzche explains the DEP comments and their responses that will be attached to the public records.

Chairman Doe asks if there are any questions from the Commission.

Director Meassick explains that the Stormwater report is in special conditions to be submitted before work begins.

Chairman Doe explains that the site visit was informative, he is happy if they can move the pipe over a few feet from the BVW. He asks how long the river crossing work will take.

Mr. Nitzsche explains about a week to a week and a half. All work will take about 30 days.

Chairman Doe asks what the size of the pipe.

Mr. Nitzsche explains it will be up to the contractor, but about 15ft.

Commissioner Florek asks the timetable.

Mr. Nitzsche explains February 2024.

Chairman Doe explains that once they approve this their work time starts.

Ms. Hoek explains there's a few other processes that needs to be done in coordination with this project and getting the Order set was the first one.

Chairman Doe asks if there are any questions/comments from the Commission. Seeing none he asks the audience if they have any questions or comments.

Commissioner Grobe motions to close the public hearing. Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

The Commission goes through the Special Conditions.

Commissioner Grobe motions to issue Order of Conditions. Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

D. 0 Ponders Hollow Rd – The Little River Levee  
Proposal: Repair of culvert

*Chairman Doe reads the Legal Language*

Melissa Cody, from Tighe & Bond is present as representative.

Ms. Cody explains this project area was in front of the Commission last year for some tree removal. The Army Core of Engineers performed an inspection in 2019 finding several deficiencies with the levee, the city has been working to fix those deficiencies. The proposed project is to slip line two culverts through the levee. There is an area on the protected side that water needs to get to the other side. They are hydrologic valves that the water can't back flow. The culverts are in very bad condition, they would like to cut off the deteriorated ends and install a headwall. The existing riprap would be removed and replaced. There is existing access off Ponders Hollow Road. Ms. Cody explains the photos that are being presented. Ms. Cody explains they are in receipt of DEP file number and comments and asks the Commission if they would like her to go over those.

Chairman Doe asks if they can go over the photos again.

Ms. Cody explains the photos, locations, and access point for construction vehicle to come in to work.

Chairman Doe asks how many culverts there are.

Ms. Cody explains there are two. There will be temporary extensions while work is being completed. Work will be done during low flow conditions.

Chairman Doe asks where the headwall will be located.

Ms. Cody explains and points it out on the plans.

Commissioner Florek asks what the condition of the pipes.

Ms. Cody explains poor, the pipes are original to the levee constructed in the 1950's. They have rotted and slip lining is the prefer method of replacing. Trying to keep the levee in tack is what's most important.

Commissioner Florek asks if they see a problem where the pipe is so bad that slip lining doesn't work.

Ms. Cody explains she doesn't think so and will double check with the engineer.

Chairman asks if the doors are opened by a certain pressure of flow.

Ms. Cody explains yes, but only when they are functional.

Chairman Doe ask for Ms. Cody to go through the different resource areas.

Ms. Cody explains that bank, land under water, riverfront area, bordering vegetation wetland, and bordering land subject to flooding are located on each side. There will be no net fill associated with the project. The area is mapped in estimated and priority resource are for creeper mussel within the Little River. Ms. Cody explains they have submitted the NOI to National Heritage streamlined for review under the Wetland protection Act and endangered species Act.



Chairman Doe ask if they plan on disturbing the bottom of the river.

Ms. Cody explains no they just pulling debris from the surface out, putting the headwall and replacing rip rap.

Chairman Doe asks if the Commission has any questions.

Commissioner Grobe asks how far away from the river will the rip rap be.

Ms. Cody explains that it will go to the end of the head wall.

Director Meassick asks will the rip rap go into the land under water.

Ms. Cody explains that's a good point and it's a DEP comments. She explains that the rip rap will be placed below the high-water line and above the low water line, the area considered to be Bank.

Chairman Doe would like to hear the DEP comments at this time.

1. The Commission must wait to close the public hearing until NHESP has issued its determination. Answer: Ms. Coady explains that they have received their copy and have until June 9<sup>th</sup> for response.
2. The applicant needs to contact the Army Corps for possible permitting of the proposed slip lining of the intermittent streams. Answer: this levee is something the Army Corps inspect and are in support of this design. Chairman Doe asks if this is something that is special to us, or you see it all the time. Ms. Cody explains its special because a lot of other places have a pump station.
3. One cannot have BVW and BLSF in the same footprint. Per 310 CMR 10.57(2)(a)1., it (BLSF) extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland. Clarification of the two different areas. Answer: There is a comment about work in the 100ft of the river front area and limit project status, which is section 4, we identified maintenance of culvert as well of water depending on uses. There are two limit project categories we consider to be relevant to the proposed activities and four performance standards that they have identified that would require the Commissions consideration to be limit of project status. One being bank if you count the culverts as bank there's more than 50 linear ft, wildlife habit and functions of that bank are limited, if you consider the bank of the little river at the median high water than there's 80 linear ft. between the two more along the lines of 40ft total that doesn't have rip rap. Work within the limit in the land subject to flooding, both side of the levee total is about 12,000 square feet it unavoidable and within the limits of the levee. We are asking the Commission to waive that requirement, because it is an area that is altered by human activity. The other two refer to the riverfront area there is not an 100ft wide corridor of natural vegetation, the Levee needs to be maintained free of woody vegetation so that's not feasible. The other has to do with wildlife habitat evaluation for riverfront areas and the riverfront area is in the levee so that's an existing condition that cannot be changed at this location.
4. Is the project subject to Chapter 91? Answer: we are preparing a request for minor modification this is a public works structure. There are provisions that allow for modification within the footprint. The second part of that comment has to do with a note

that was on the original drawings, it's in the response to comment. Surveyors usually note edge of water, that is a snapshot in time and it's a common surveyors note. It is not meant to indicate limits of a jurisdictional area. It has since been removed from the drawings. The second part of this is median annual low water which had been reported at a contour of 130 which is shown on the drawings here. The last two comments are about rip rap that we have discussed already.

Chairman Doe explains that the Commission is still waiting for peer review, MEPA review, and need to schedule a site visit. He ask the Director of Conservation if a peer review is needed.

Director Meassick explains no need for a peer review but asks Ms. Cody about the rip rap management because it needs to be free of vegetation. Is there a proposed method.

Ms. Cody explains that there has not been, but the city will continue long term O&M under their bundled NOI.

Chairman Doe ask if there are any other culverts/pipes in any other parts of the levee.

Ms. Cody explains not that she is aware of but can ask.

Director Meassick asks if the 7 stumps will come out in this project or will that be another one.

Ms. Cody explains that those will be part of this project and back filled loam and seeded.

Chairman Doe asks if the Commission has any questions, seeing none he asks the audience if they have any questions.

Kathy Hillman, Westfield Resident, raises her hand.

Ms. Hillman ask how the flaps to the valves going to affect the structure when being removed and how will they stop all the debris from going into that pipe.

Ms. Cody explains that maintenance has been sporadic, part of the long-term maintenance will take of any debris going in and coming out.

Ms. Hillman asks what about the animals in that area, how is the construction going to affect them.

Ms. Cody explains it's about 3-5wks of work and hopefully the animals will not like the noise and not come around during construction.

Ms. Hillman asks about a possible beaver lodge down in the levee.

Director Meassick explains that is no longer there, they aren't causing any additional affect to the already footprint.

John Beltrandi, Westfield City Councilman, present.

Councilman Beltrandi explains that they did a visit there and it is in very bad condition and should have been done a long time ago.

Commissioner Grobe motions to continue to June 13, 2023 meeting for a site visit.  
Commissioner Florek seconds. JP=yes, CG=yes, RF=yes, DD=yes.

The motion passes.

- E. 302 East Main Street and 28 Verona Street – DEP File #333-833  
Proposal: Retail and storage building in flood zone

*Chairman Doe reads Legal Language.*

Rebecca Li, R. Levesque Associates representative present.

Ms. Li explains the project site is in the bordering land subject to flooding therefore compensatory flood storage is needed to offset the new improvements. The compensatory flood storage required will come from offsite credit due to demolition of 2 Acusteny Ave as well as onsite storage created by lowering the grade. She explains the site plans and compensatory storage table. There is a building and garage onsite that will be demolished. Explains the elevation of displacement. Ms. Li explains the DEP comments and they're figuring out how to address these comments.

Chairman Doe ask what the existing store is.

Ms. Li explains Wagner Floor and Rug.

Chairman Doe asks about the existing building there they are going to take down and build a storage building.

Ms. Li explains yes, the existing building and garage will be taken down.

Chairman Doe ask where Asucntey Ave in relation is to this property, is it the the house right behind old gas station.

Ms. Li explains it's the house right behind Wagner Floor and Rug.

Chairman Doe explains that they will need to do a site visit. He asks the Commission if they have any questions, seeing none he asks the audience if they have any questions, seeing none he entertains a motion to continue.

Commissioner Grobe motions to continue to June 13, 2023 meeting for a site visit.  
Commissioner Florek seconds. JP=yes, CG=yes, RF=yes, DD=yes.

The motion passes.

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

- A. 10 & 15 Campanelli Drive – DEP File #333-830 - Robert DeMarco  
Proposal: Review and approval of delineation

John Rock, from Aerotek, is present as the representative.

Mr. Rock explains there was a site visit, all the wetland boundaries were reviewed and would like to close this up.

Chairman Doe asks if the Commission has any questions. Seeing none he asks the audience for any questions, seeing none he entrains a motion to close the public meeting.

Commissioner Grobe motions to close the public meeting. Commissioner Florek seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

Commissioner Grobe motions to approve the delineation. Commissioner Prystowski seconds. JP-yes, CG-yes, RF-yes, DD-yes.

The motion passes.

## 6. ENFORCEMENT ORDERS

### A. 65 Butternut Road Violation: Dumping of fill in wetland

Andrey Krasun, the homeowner, is present.

Mr. Krasun explains that he has reached out to few agencies and hasn't heard anything back. His son also hasn't had any luck.

Commissioner Florek asks if he is actively looking for a company to help him out.

Mr. Krasun explains yes and goes through his log of calls. His son has also drove to a few places and they all said they would call him the next day.

Director Meassick asks what companies he has called.

Mr. Krasun explains he reached out to RLA, Tighe and Bond and another place on Court Street with no luck.

Director Meassick explains she will reach out to them as well to try and help the homeowners. She asks the homeowner to come back to the June 13<sup>th</sup> meeting.

Mr. Krasun agrees.

### B. 0 Pontoosic Road Violation: No Forestry cutting plan in place

John Beltrandi, the homeowner, is present.

Mr. Beltrandi explains that since the last time they were here the state forester has come out and developed a cutting plan and it was submitted to the state about a week ago. The state forester is coming back out tomorrow to make a revision to accommodate 61A. When he was here the last time, he gave the Commission an area they were delineating for a nursery. To do that it has to be 5 acres and it was 4.6 acres. All he did was taken a little more space closer to the house to make

it 5 acres. When the forester comes back out and double checks some issues and then work with his forester.

Chairman Doe asks when he plans to start working.

Mr. Beltandi explains they would like to start soon lower portion and the other portion in fall.

Commissioner Florek asks if he wanted to do more than 5 acres or stay at 5 acres.

Mr. Beltrandi explains that 5 acres is more than enough.

Chairman Doe thanks him for the update.

C. 55 Egleston Rd

Violation: clearing of trees in riverfront area

Chairman Doe explains they were just waiting for a narrative.

Director Meassick explains she received it and its good to close.

Commissioner Grobe motions to close the Enforcement Order. Commissioner Florek seconds. JP=yes, CG=yes, RF=yes, DD=yes.

The motion passes.

D. 11 and 19 Pontoosic Rd

Violation: Clearing of vegetation along Great Brook and NHESP habitat

Jeff Smith of Salvini Associates is present as the representative.

Director Meassick explains that bristly buttercup doesn't bloom until late summer and is waiting to see the limit of the endangered species.

Mr. Smith explains that he got ok with NHESP to go ahead do the assessment just have to send them how he will do it. Bristly buttercup flowers in late summer most butter cup starting around now into late summer. He flagged the annual high water on Great Brook and during the winter the wetland delineations will be completed. While he's out there he will look for the buttercup species and monitor their growth.

Chairman Doe ask why the buttercup doesn't flower till late fall.

Mr. Smith explains it flowers later and grows from a singular root system. He explains how the buttercup grows. He thinks that there are about 6 species.

## 7. EMERGENCY CERTIFICATION

A. 733 Montgomery Road

Emergency: washout of driveway causing hazardous conditions

Jeff Smith of Salvini Associates is present as the representative.

Mr. Smith explains that this house has a driveway near a culvert. Sheet flow that comes into the driveway and it has become to erode the driveway. What they would like to do is regrade the driveway and stabilize the driveway with core logs and crushed stone. Says he spoke with a contractor this morning and they want to replace a culvert while they are there fixing the driveway. They were in process of doing a NOI and they contacted him for the driveway.

Chairman Doe asks if it's near the turnpike.

Mr. Smith explains that it's the last house on the street before it turns to Wyben.

Chairman explains the emergency certification is just to stabilize the driveway.

Mr. Smith explains he would like to do both projects at the same time.

Commissioner Florek explains it's a separate filing.

Commissioner Florek motions to ratify the Emergency Certificate. Commissioner Grobe seconds. JP=yes, CG=yes, RF=yes, DD=yes.

9. MOTION TO ADJORN

Commissioner Grobe motions to adjourn the meeting at 8:47pm. Commissioner Florek seconds. JP=yes, CG=yes, RF=yes, DD=yes.

The motion passes.

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A true record, Attest:

Conservation Clerk Christina Ramos