



City of Westfield, Massachusetts

Municipal Conservation Commission

September 14, 2021

REMOTE MEETING MINUTES



Conservation Commission members in attendance: Chairman David Doe (DD), Carl Grobe (CG), Tom Sharp (TS), Alex Fagnand (AF), Cliff Laraway (CL) and Robert Florek (RF). Also in attendance: Meredith Borenstein, Conservation Coordinator and Colleen Fegan-Nunez, Clerk.

Chairman Doe reads: *Pursuant to Chapter 20 of the Acts of 2021, certain Covid-19 measures as they relate to M.G.L. c. 30A, §20, the Open Meeting Law, were extended that had been adopted during the State of Emergency. 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. For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or Channel 12 or online at westfieldtv.org or online at Youtube.com - Westfield Community Programming Channel. 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 and takes attendance. Vice Chairman Murphy is not present.

2. OPEN PARTICIPATION

Coordinator Borenstein states that Mr. William Parks, director of the Westfield Boys and Girls Club, would like to donate 1.2 acres of land at 0 Knollwood Drive (133-8). It appears that there is a stream and some wetlands on the property. She states that City Council would have to approve acceptance before it would be official. The Commission would like a site visit before they make a decision.

3. PUBLIC HEARINGS

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

Applicant requests a continuance to September 28, 2021 at 6:30 PM.

Commissioner Fagnand motions to continue until September 28, 2021 at 6:30 PM and is seconded by Commissioner Grobe. CG-Yes, RF-Yes, TS-Yes, AF-Yes, CL-Yes, DD-Yes
The motion passes.

- B. 898 Southampton Road (63R 13)-Heritage Residents Association Inc.-DEP File #333-0807

Mobile Home Park Improvements: Paving roadways, new waterlines, and stormwater management within the 200-foot Riverfront Area of Arm Brook.

Applicant requests a continuance to September 28, 2021 at 6:30 PM.

Commissioner Fagnand motions to continue until September 28, 2021 at 6:30 PM and is seconded by Commissioner Florek. CG-Yes, TS-Yes, RF-Yes, AF-Yes, CL-Yes, DD-Yes
The motion passes.

6:37 PM Commissioner Fagnand recuses himself and leaves the meeting.

- C. 1515 Granville Road-Springfield Water and Sewer Commission (SWWC)/Robert Stoops-DEP File # 333-808

Construction of a new clearwell (underground storage tank) and pumping station within the 200-foot Riverfront Area to Cook Brook.

Ms. Melissa Coady of Tighe and Bond is present.

Chairman Doe states that a site visit was completed. Ms. Coady reminds the Commission of the project. She states that no real concerns were raised during the site visit. Coordinator Borenstein states that the Assistant City Engineer has signed off on the stormwater aspect of the project. Chairman Doe asks if there are any questions or comments from the audience. No one unmutes.

Commissioner Sharp motions to close the Public Hearing and is seconded by Commissioner Florek. CG-Yes, RF-Yes, TS-Yes, CL-Yes, DD-Yes
The motion passes.

The Commission decides on a \$5000.00 Bond.

Commissioner Sharp motions to accept the Order of Conditions as written and is seconded by Commissioner Grobe. TS-Yes, CG-Yes, RF-Yes, CL-Yes, DD-Yes
The motion passes.

6:55 PM Commissioner Fagnand returns to the meeting.

- D. 39 Pequot Point Road (280-58)-Erin and Lee Masters-DEP File # 333-809
Replacement of a deteriorating retaining wall in the 100-foot Buffer Zone to Pequot Pond.

Mr. Lee Masters and Ms. Erin Masters are present.

Chairman Doe reads the legal language. Chairman Doe states that a site visit has been performed. Mr. Masters explains the project which includes replacement of a deteriorating retaining wall, removal of an old wooden stairwell and removal of a large Oak tree. He states that the new retaining wall would consist of interlocking concrete blocks. Coordinator Borenstein reads the DEP comments. The Commission discusses the planting plan that will be submitted before start of work. Coordinator Borenstein states that she would like to see native plants on the plan. Chairman Doe asks if there are any questions or comments from the audience. No one unmutes.

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

The Commission decides on a \$2500.00 bond.

Commissioner Fagnand motions to accept the Order of Conditions as written and is seconded by Commissioner Grobe. TS-Yes, AF-Yes, CL-Yes, CG-Yes, RF-Yes, DD-Yes
The motion passes.

4. PUBLIC MEETINGS

- A. 177 Debbie Lane (formerly Gun Club Road) (272-10)-Jody Pasquini
Removal of 13 trees in the 100-foot Buffer Zone.

Chairman Doe reads the legal language. Chairman Doe states that a site visit was completed. Ms. Pasquini explains the project which includes removal of 13 trees. She states that the trees are in poor condition and are very close to her house. Chairman Doe states that the property will not be clear cut to the pond, only 9 trees are in the jurisdiction of the Commission. Coordinator Borenstein states that the trees will be cut but not stumped so erosion should not be an issue. Chairman Doe asks if there are any questions or comments from the audience. No one unmutes.

Commissioner Grobe motions to close the Public Meeting and is seconded by Commissioner Fagnand. TS-Yes, CG-Yes, RF-Yes, CL-Yes, AF-Yes, DD-Yes
The motion passes.

Commissioner Sharp motions a Negative 3 with conditions:

1. Trees may be cut but not stumped and stumps shall remain in place.
2. The Commission will be notified when the work will take place.
3. Each tree shall be replaced with two native shrubs.

4. The Commission shall approve the native tree or shrub species before installation.

5. Lawn will not be installed in the Buffer Zone.

and is seconded by Commissioner Grobe. TS-Yes, CG-Yes, RF-Yes, AF-Yes, CL-Yes, DD-Yes

The motion passes.

7:53 PM Commissioner Fagnand recuses himself and leaves the meeting.

B. 1515 Granville Road-Springfield Water and Sewer Commission (SWSC)/James Laurila Request for Jurisdictional Status of the Sedimentation Basin and its Upstream and Downstream Channels.

Ms. Jennifer Doyle-Breen of AECOM is present representing SWSC.

Chairman Doe reads the legal language. Ms. Doyle-Breen explains the project which is a determination only of the jurisdictional status of the Sedimentation Basin and its Upstream and Downstream Channels. She states that the Commission has no Jurisdiction on the Upstream Channel because it is surrounded by uplands it is intermittent, but the Downstream Channel would be jurisdictional. The Commission would like a site visit. Chairman Doe asks if there are any questions or comments from the audience. No one unmutes.

Commissioner Sharp motions to continue until September 28, 2021 at 6:30 PM and is seconded by Commissioner Grobe. TS-Yes, CG-Yes, RF-Yes, DD-Yes

The motion passes.

8:31 PM Commissioner Fagnand returns to the meeting.

5. ENFORCEMENT-There are none at this time.

6. DISCUSSION

A. 34 First Street-Jeanette Peretti-DEP File 333-799

Request to remove 5 trees outside of the limit of work, due to construction activities and site constraints.

Coordinator Borenstein states that at the preconstruction meeting it was discovered that more trees need to be removed. She states that the landowner is building a new home and is concerned that the trees will fall on her new home. The Commission discusses taking limbs off of the trees instead of a complete removal. Coordinator Borenstein states that the trees are not on the bank. Commissioner Florek states that he will go look at the trees before the next meeting. Chairman Doe asks if there are other comments from the Commission.

Commissioner Sharp motions to continue until September 28, 2021 at 6:30 PM and is seconded by Commissioner Florek. AF-Yes, TS-Yes, RF-Yes, CG-Yes, DD-Yes
The motion passes.

- B. 0 Russellville Road (67R-33) -DEP File # 333-772-Sergey Kafanov
Request to remove 3 trees outside the limit of work, to install electrical poles per Westfield Gas and Electric.

Coordinator Borenstein states that the Westfield Gas and Electric needs the trees removed to put in the electrical poles and lines. She was told that going directly through the wetland was the least invasive option. She asked if there were other options and the G&E representative stated that this was the best option. Ms. Mona Friberg, a neighbor, states that the landowner has been removing trees that she believes should not have been removed. The Commission decides on a site visit.

Commissioner Fagnand motions to Continue to September 28, 2021 at 6:30 PM and is seconded by Commissioner Grobe. TS-Yes, RF-Yes, CG-Yes, AF-Yes, DD-Yes
The motion passes.

- C. 141 Wyben Road (67R-33)-DEP File #333-506-Colin D. Neylon
Request for Certificate of Compliance.

Chairman Doe states that a COC had been issued in 2003 but not recorded.

Commissioner Grobe motions to re-issue the COC and is seconded by Commissioner Fagnand. CG-Yes, TS-Yes, RF-Yes, AF-Yes, DD-Yes
The motion passes.

- D. East of 65 Honey Pot Road (in the roadway)
Ratify Emergency Certification for replacing a culvert by the Westfield DPW.

Commissioner Fagnand motions to ratify the Emergency Certification and is seconded by Commissioner Grobe. CG-Yes, TS-Yes, RF-Yes, AF-Yes, DD-Yes
The motion passes.

- E. North of 120 Honey Pot Road (along the roadway)
Ratify Emergency Certification for stabilizing the washed out road and adjacent slope by the Westfield DPW.

Commissioner Fagnand motions to ratify the Emergency Certification and is seconded by Commissioner Sharp. CG-Yes, TS-Yes, RF-Yes, AF-Yes, DD-Yes
The motion passes.

7. OTHER ITEMS

A. Minutes of July 27, 2021 and August 10, 2021

Commissioner Sharp motions to accept the minutes of July 27, 2021 and is seconded by Commissioner Fagnand. CG-Yes, TS-Yes, AF-Yes, DD-Yes
The motion passes.

Commissioner Sharp motions to accept the minutes of August 10, 2021 and is seconded by Commissioner Fagnand. CG-Yes, TS-Yes, AF-Yes, RF-Yes, DD-Yes
The motions passes.

8. COMMISSION DISCUSSION

A. Regulations and Procedures Q & A-There are none at this time.

B. Wetland Ordinance Update

Coordinator Borenstein states that she and Chairman Doe spoke to the City Solicitor about the changes to the Ordinance.

Commissioner Grobe motions to approve the current draft of the Wetland Ordinance and is seconded by Commissioner Fagnand. CG-Yes, TS-Yes, RF-Yes, AF-Yes, DD-Yes
The motions passes.

9. MOTION TO ADJOURN

Commissioner Fagnand motions to adjourn at 9:05 PM and is seconded by Commissioner Grobe. CG-Yes, TS-Yes, RF-Yes, AF-Yes, DD-Yes
The motion passes.

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