



City of Westfield, Massachusetts

Municipal Conservation Commission

January 12, 2016
MEETING MINUTES

Conservation Commission members attending: Chairman David Doe, Jr., Jim Murphy, Thomas Sharp and Jason Bean. Absent: Henry Bannish, Cheryl Koval and James Phillips. Also in attendance: Karen Leigh, Coordinator, and Ruth Dunn, Administrative Assistant.

1. CALL TO ORDER

The Chairman called the meeting to order at 6:30pm.

2. OPEN PARTICIPATION

3. PUBLIC MEETINGS - None at this time.

4. PUBLIC HEARINGS

A. 0 Fairfield Avenue (Parcel #71-1) – Slavik Pylypenko DEP File #333-733

Project: Construction of a single family residence, driveway & wetland replication.

The hearing was continued from 12-22-15. The applicant requests a continuance to January 26, 2106 at 6:30pm.

Commissioner Murphy motioned and Commissioner Bean second to approve the continuance. AIF

5. ENFORCEMENT

A. 19 Fairview Street

Violation: Dumping in wetland

The property owners, Mr. and Mrs. Brodowski were requested by letter to attend this evenings meeting and are in attendance.

Coordinator Leigh displayed photos of the site and recommends that the commission conduct a site visit.

Mr. Brodowski expressed a willingness to work on the cleanup after the site visit occurs.

Chairman Doe asks for a motion to move to Discussion item 6A. Commissioner Sharp motioned and Commissioner Murphy second to the move. AIF

Note for the record: Commissioner Bean recused himself and left the room.



6. DISCUSSION

- A. 333-702 Feeding Hills Road reconstruction project
Mark Cressotti, City Engineer is present to discuss an email response from Dan McCormack from Benesch & Co. regarding the commission's concerns about the construction of stream culvert #3.
Coordinator Leigh displayed photos taken today and the commissioners discussed their concerns that the material provided is not stream conducive.
Mr. Cressotti reiterated Mr. McCormack's response that the construction complies with the permit and what was specified. He said the culvert was embedded with 24 inches of simulated streambed material and that the larger stones were required for stability.
Commissioner Sharp mentioned that Natural Heritage has responded with concerns about the culvert regarding problems with wildlife migration.
Mr. Cressotti commented that the original culvert had consisted of a 36 inch pipe with a 2 foot drop at the outlet, making upstream fish passage impossible.
He and the commissioners agree with Mr. McCormack's opinion that nature and time will allow the stream to flow by filling in the voids.
The commissioners agreed to monitor the stream culvert for improvement and fish migration in the spring and wait until July to discuss any mediation if required.
Coordinator Leigh displayed additional photos regarding some problem areas that need attention. One displayed the need for additional matting on a slope; and the other photo showed pooling and run off into the road.
Mr. Cressotti requested copies of the photos and said that the problems would be addressed with the contractor.

Note for the record: Commissioner Bean returned to the room.

5. ENFORCEMENT

- B. 240 Russellville Road
Deed recording of approved wetland line
Coordinator Leigh reports that Atty. Moir asks if anything else needs to be recorded on the deed, such as a fixed house location.
The commissioners are in agreement that the building envelope is sufficient for the house location.

7. COMMISSION DISCUSSION

- A. Regulations & Procedures Q & A
The upcoming MACC conference was discussed.
- B. Minutes
Commissioner Murphy motioned and Commissioner Bean second approval of the December 22, 2015 minutes. AIF
- C. Conflict of Interest Law for Municipal Employees
Coordinator Leigh requests prompt return of paperwork for Human Resources.

D. New Determination Condition

Coordinator Leigh proposes to add the following general condition to all determinations:

“The commission and its coordinator maintain the right to enter the property to view the proposed project.”

The commissioners recommend looking into the language used by DEP in their Order of Conditions or regulations.

Coordinator Leigh will review the DEP documents.

E. New Special Condition

Coordinator Leigh proposed the following new special condition:

“(post construction replication assessment) The applicant shall have a wetlands consultant assess the replication area and submit a written report to the Commission including the Appendix G: Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Forms and photos of the replication area(s).” This shall be done after the first growing season and continue for five (5) years.”

Commissioner Sharp motioned and Commissioner Bean second approval to the addition of the special condition. AIF

8. MOTION TO ADJOURN

Commissioner Murphy motioned and Commissioner Sharp second to adjourn the meeting at 7:30pm. AIF

A true record, Attest:

Ruth Dunn

Westfield Conservation Administrative Assistant