



# City of Westfield, Massachusetts

## Municipal Conservation Commission

January 26, 2016  
MEETING MINUTES

Conservation Commission members attending: Chairman David Doe, Henry Bannish Jr., Thomas Sharp, James Phillips, Jason Bean and Cheryl Koval. Absent: Jim Murphy. 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 - N/A

3. PUBLIC MEETINGS

A. 139 Rider Road – Jeff Richardson

Project: Removal of 2 trees, along with stumps, and re-grading the area.

Mr. Richard is present and explained his plan to remove 2 large pines trees and re-grade the area using stone to convey road run off towards Horse Pond.

Coordinator Leigh displayed photos of the trees and the area next to the house foundation where the current path of water from the street flows to the pond.

Mr. Richardson proposes to work on the project in two phases:

Phase I: removal of the trees this year.

Phase II: re-grade the area next year or before the RDA would expire.

The commissioners discussed the proposal with Mr. Richardson and told him that in order to approve the RDA at this point, more information is needed. They specifically require a consultant's plan and details of the planned re-grading.

Commissioner Sharp motioned and Commissioner Koval second to a continuance until the next meeting on February 9, 2016 at 6:30 pm. AIF

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 1-12-16. The applicant requests another continuance.

Coordinator Leigh says that since the ground is frozen, a soils evaluation of wetland delineation is difficult.

She recommends waiting until soils are thawed to confirm delineation.

If the Commission requests to include soils data, the applicant requests a letter from the Commission explaining the reason for the delay.

Commissioner Bean pointed out that soil samples have not been submitted as promised by the applicant's consultant.

Commissioner Sharp motioned and Commissioner Bannish second to a continuance to February 9, 2016 at 6:30pm. AIF



5. ENFORCEMENT

A. 19 Fairview Street

Violation: Dumping in wetland

The commissioners performed a site visit on 1-21-16.

Chairman Doe said the fill is approximately 100 ft. long x 50 ft. wide x 48 ft. deep.

Coordinator Leigh proposes to have the landowner obtain 2 estimates for removal of the fill within 30 days.

She will mail an Enforcement Order to cease and desist, requesting estimates; installation of a chain and a "No Dumping" sign. The order will also require the land owners to appear before the commission on February 23, 2016.

Commissioner Bannish and Commissioner Phillips second approval of taking those actions. AIF

6. DISCUSSION - None at this time.

7. COMMISSION DISCUSSION

A. Regulations & Procedures Q & A

B. Minutes

Commissioner Bannish motioned and Commissioner Koval second to approve the minutes of January 12, 2016. AIF

C. New determination condition proposed regarding property access

Coordinator Leigh proposed a general condition to add to all determinations:

"Representatives of the Conservation Commission and its coordinator shall have the right to enter and inspect the area(s) subject to this Determination at reasonable hours to evaluate compliance with the conditions stated in this Determination."

Commissioner Bannish motioned and Commissioner Phillips second to accept the addition to conditions.

8. MOTION TO ADJOURN

Commissioner Phillips motioned and Commissioner Bannish second to adjourn the meeting at 7:12pm. AIF

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A true record, Attest:

Ruth Dunn

Westfield Conservation Administrative Assistant