



City of Westfield, Massachusetts

Municipal Conservation Commission

February 23, 2016
MEETING MINUTES



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

1. CALL TO ORDER

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

2. OPEN PARTICIPATION

Chairman Doe asks if anyone would like to address the commission regarding items not currently on the agenda. There being no items brought forward the Chairman proceeds to their next agenda item.

3. PUBLIC MEETINGS

A. 403 West Road – Mark & Evelyn Strasfeld

The request for approval of wetland delineation was continued from 2-9-16.

A site visit is tentatively scheduled for Friday 2-26-15 at 9:30am to review the delineation (weather permitting).

Commissioner Bannish motioned and Commissioner Murphy second to a continuance until March 8, 2016 at 6:30pm. AIF

Note for the record: Chairman Doe recused himself from the next item and left the room. Vice – Chair, Henry Bannish, Jr. lead the hearing.

4. PUBLIC HEARINGS

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

The construction of a single family residence, driveway & wetland replication hearing was continued from 2-9-16.

Representative for the applicant, Mike Mocko of Michael Mocko Environmental Consultant is not in attendance this evening.

He had electronically submitted revised plans regarding the re-location of flag numbers 3, 4, 5 & 6.

A site visit will be scheduled to review the changes to the flag locations.

Commissioner Sharp motioned and Commissioner Bean second to a continuance until March 8, 2016 at 6:30pm. AIF

Note for the record: Chairman Doe returned to the meeting.

- B. Abandoned Rail ROW – south of Westfield River – Aaron Bean/Westfield Gas and Electric Cooperative DEP File #333-734
Project: Natural Gas pipeline installation.
Chairman Doe opened the hearing by reading the legal language in accordance with the provisions of the Massachusetts General Laws, Chapter 131, Section 40. Representative Alec MacLeod of Northeast Land & Water, LLC is not present due to the inclement weather.
The commissioners reviewed the plans that had been submitted to clarify the exact location of the work to be performed.
Audience members also reviewed the plans for orientation of the site location. Commissioner Murphy motioned and Commissioner Bannish second to a continuance to March 8, 2016 at 6:30pm. AIF

5. ENFORCEMENT

- A. 19 Fairview Street – Raymond Brodowski
Violation: Dumping in wetland
Mr. and Mrs. Brodowski are present and provide the commission with two cost estimates for removal of yard debris and waste.
Chairman Doe asked if access has been blocked and Mr. Brodowski said that his car is blocking access.
Chairman Doe said that the commissioners will review the estimates with Coordinator Leigh and discuss options before the next meeting.
- B. 246 Russellville Road – Estate of Wayne Cowles
Violation: Wetland alteration
Chairman Doe acknowledges receipt of a letter from Stan Tenerowicz requesting release of the Enforcement Order. He says that the boulders have yet to be placed; and the commission needs to walk the property to see the improvements. For those reasons, the enforcement order will remain open.
- C. 0 Fowler Road – Yuriy & Eugene Rudenko
Violation: Non-compliance with the Determination of Applicability.
Chairman Doe said that Coordinator Leigh received a call regarding clearing and tree cutting on the property.
He said that the commission will issue an Enforcement Order with the following requirements:
- a. Hiring environmental consultant;
 - b. Having consultant re-establish wetland line in the field to determine if any cutting done in the wetland or just in the BZ;
 - c. Commission to review re-established wetland line in the field; and
 - d. Restoration plan to be submitted for approval by March 8, 2016.
- The landowners are present and said that they stayed out of the wetland, and misunderstood about what they could do in the Buffer Zone.
The commissioners discussed ways to prevent these incidents in the future.
Rob Levesque said that the wetland has been surveyed and could be re-created by the survey points.

6. DISCUSSION

- A. 130 Union Street – Lenox Homes, LLC DEP File 333-588
Rob Levesque of RLA is present representing Andrey Korchevskiy, the newest developer of the property. He requests a Certificate of Compliance for the completed work under the Orders of Conditions (which has expired).
Rob provided an overview of the changes from the original NOI filing plans. He said datum for flood maps and studies had changed, resulting in less BLSF on the property and the limit of BLSF is further away from the recently constructed units than shown on the older plans. He said based on the changes in elevations, there is a significant amount of flood plain storage surplus.
Chairman Doe reports that the commission has received the request form, As-Built plan and request letter.
Commissioner Bannish motioned and Commissioner Murphy second to approve the issuance of a Certificate of Compliance. AIF
Commissioner Sharp motioned and Commissioner Murphy second to approve the release of the \$10,000 bond. AIF

7. COMMISSION DISCUSSION

- A. Regulations & Procedures Q & A
B. Minutes
Commissioner Bannish motioned and Commissioner Murphy second the approval of the minutes from February 9, 2016. AIF

8. MOTION TO ADJOURN

Commissioner Bannish motioned and Commissioner Murphy second to adjourn the meeting at 7:05pm. AIF

A true record, Attest:
Ruth Dunn

Westfield Conservation Administrative Assistant