



City of Westfield, Massachusetts

Municipal Conservation Commission

May 10, 2016
MEETING MINUTES

RECEIVED

JUN 15 2016

WESTFIELD CITY CLERK

Conservation Commission Members attending: Dr. David Doe, Chairman, Henry Bannish, Jr., Vice-Chair, James R. Murphy, Thomas Sharp. Absent: Dr. Jim Phillips and Jason Bean.
Conservation Staff: Karen Leigh, Conservation Coordinator & Ruth Dunn, Administrative Assistant.

1. CALL TO ORDER

The Chairman called the meeting to order at 6:33pm.

2. OPEN PARTICIPATION

Chairman Doe asks if anyone would like to address the commission regarding items not currently on the agenda.

Jon Goddard from RLA addressed the commissioners regarding a bond reduction request from A.J. Virgilio Construction. He was advised to call the Coordinator to be added to the agenda for the next meeting.

Brian Hoose, 60 Arnold Street, former city counselor for ward 3, addressed the commissioners regarding the need for stairways on the levee to access Whitney Park. He was advised to speak with other departments.

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 April 26, 2016. The applicant requests a continuance to June 14th at 6:30pm.

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

B. 403 West Road – Roger Martineau – DEP File #333-735

Project: Construction of a single family residence.

The hearing was continued from April 26, 2016.

There was a problem with the NHESP filing, and RLA is working with them to resolve the issue.

Jon Goddard, representative from RLA, requests a continuance to May 24th, at 6:30pm.

Commissioner Bannish motioned and Commissioner Sharp second to approve the continuance. AIF

- C. 457 East Main Street – Lane Barry & DEI Property Management LLC – DEP File #333-736

Project: Repaving and repair/replace two (2) catch basins in Bordering Land Subject to Flooding.

Mr. Goddard from RLA is present with Lane Barry to discuss the project which involves paving (to existing grade) of 3180 square feet of floodplain.

Pot hole filling and catch basin repairs are also scheduled to take place.

Jon indicated the locations of repairs on a plan.

He reports that the repair/replacements will take a week in total.

Coordinator Leigh discussed protection for the basin repairs. Mr. Goddard said that sediment sacks and silt socks will be utilized.

Commissioner Bannish motioned and Commissioner Murphy second the close the public hearing. AIF

The commissioners reviewed the general conditions; special conditions; and agreed on a bond amount of \$1000.

Commissioner Murphy motioned and Commissioner Bannish second to approve the Orders of Conditions. AIF

5. ENFORCEMENT

- A. 0 Fowler Road – Yuriy & Eugene Rudenko

Violation: Non-compliance with Determination of Applicability.

Jon Goddard, from RLA, is present representing the Rudenkos.

The commission conducted a site visit on 4-29-16. The commissioners recommend replacing some stone marks with larger stones.

Commissioner Sharp also recommends the use of Conservation signs to clearly identify the boundaries.

The commission will allow the topped trees to be cut down, and the downed trees removed.

The above actions must be done before the contractors can begin work on the residence.

- B. 0 Fairfield Avenue – Helen Socha

Violation: Fill in a wetland.

- C. 0 North Road – Gary Boisseau

Violation: Fill in a wetland.

Mark Reed from Heritage Survey is present along with Rachael St. Onge Boisseau and Dan Nitzsche from GZA.

Coordinator Leigh distributed a letter from Mr. Nitzsche regarding the delineation.

Mr. Nitzsche reported flagging two wetlands (A and B) isolated wetlands and classified them as bi-law wetlands.

Mr. Reed reported the presence of woodchips in Wetland A and said that the chips would be raked out of the area and removed from the buffer zone.

Commissioner Sharp recommends the installation of wetland signs to ensure that future owners are fully aware of the limits.

Coordinator Leigh also suggested the recording of the wetland delineation plan with the deed to further ensure owner awareness.

Mr. Reed said that the work will be performed in 30 days and a letter will be sent to the commission.

Mrs. Boisseau said that she and her husband didn't realize that these were wetland areas and take full responsibility and assure full compliance.

Commissioner Bannish motioned and Commissioner Murphy second to approval of the above recommended actions to be taken. AIF

- D. 264 Union Street – Doug Fuller/Fuller Construction
Violation: Cutting vegetation in a wetland and buffer zone.
No action is required. The Order required delineation submitted by 5-24-16.
- E. 495 East Main Street – Gomes Construction
Violation: Paving in a floodplain without a permit.
Coordinator Leigh reports that Commissioner Murphy alerted her to paving that occurred in the floodplain. She contacted the construction company and requested a narrative on the project including volumes of materials removed and installed. The narrative was submitted and indicated that 500 square yards of materials were removed and replaced in kind.
Neither Mr. Gomes nor Mr. Dias-Fernandes, Property Manager for the Verizon Store, was aware that the property was in the 100 year flood zone.
Commissioner Murphy asked for the letter to be revised to include the 1-1 cubic volume replacement.

6. DISCUSSION

- A. Botticello Revocable Trust
Consensus of City of Westfield Departments is to pass on taking this restriction due to the fact it is already in permanent protection, would require work on the part of the city, and has liability issues.
Chairman Doe recommends for the Commission to pass on taking restriction/donation. AIF
- B. Contract Signature Authority Sign off request from purchasing department.
This item was tabled until the next meeting.

7. COMMISSION DISCUSSION

- A. Regulations & Procedures Q & A
- B. Minutes
Commissioner Sharp motioned and Commissioner Bannish second to approve the minutes of April 26, 2016. AIF

8. MOTION TO ADJOURN

Commissioner Sharp motioned and Commissioner Bannish second to adjourn the meeting at 8:00pm. AIF

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A true record, Attest:

Ruth Dunn

Westfield Conservation Administrative Assistant