



City of Westfield, Massachusetts

Municipal Conservation Commission

July 12, 2016
MEETING MINUTES

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SEP 15 2016

WESTFIELD CITY CLERK

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

1. CALL TO ORDER

Chairman Doe called the meeting to order at 6:30pm

2. OPEN PARTICIPATION – N/A

3. PUBLIC MEETINGS

A. 56 City View Boulevard – Joseph & Valerie Zelez

Project: Construction of single family residence, driveway, septic system and site grading.

The meeting was continued from 6-28-16. The applicant requests a continuance to July 26, 2016 at 6:30pm.

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

B. 237 Dox Road – Jonathan Horning

Project: Reconstruction of sun porch and construction of new deck.

Mr. Horning is present and is asking for a work and ordinance determination.

He said that the sun porch reconstruction would be done within the existing footprint of the building. The sun porch will be 10'x40' and the mud room will be 9'x16'.

Coordinator Leigh displayed site photos showing the location of the work in relation to the resource area (pond).

Commissioner Bannish motioned and Commissioner Phillips second to close the public meeting. AIF

Commissioner Bannish motioned for a recommendation of:

a. Negative 3 (work) with conditions:

- i. Prior to any work, silt fence shall be installed between the work area and the pond; and
- ii. No materials generated from this project shall be placed beyond the silt fence;
- iii. All soils shall be at least 75% stabilized (loamed and seeded if necessary) prior to removing the erosion controls.

b. Positive 5 (ordinance) with "No Notice of Intent required"

Commissioner Murphy seconds the recommendation. AIF

- C. City wide – City of Westfield/ Casey Berube
Project: Vegetation Management Plan (VMP)
Casey is the Deputy Superintendent of DPW and is present to describe the work which involves mechanical clearing of invasives and possible chemical application to noxious weed, i.e. poison ivy wrapped around trees. He submitted a Yearly Operating Plan which indicates the types and locations of the plants. It also provides a time line of proposed activity.
Coordinator Leigh said that the restrictions are governed by the State under ROW Management, 333 CMR 11.0. A table was provided to the commissioners.
Casey said that some changes have been made to the VMP and will submit a final copy to the Coordinator before the next meeting.
Commissioner Sharp motioned and Commissioner Phillips second to a continuance to July 26, 2016 at 6:30pm. 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.
This hearing was continued from 6-28-16.
Mike Mocko, Environmental Consultant is present and provided stamped updated plans. He apologized for the length of time the hearings have been postponed citing the death of the property owner and subsequent probation.
The construction of a turnaround driveway for utility trucks was requested by the city. It is located adjacent to the wetland replication area.
The commissioners have concerns regarding the wetland replication location. They are concerned about contamination ice melt and oils from vehicles. Keeping snow and road debris from being plowed into the wetland when the pavement is 15' from the wetland line is another concern.
There was a lengthy discussion about salt and restrictions. The commissioners advised Mr. Mocko to contact the DPW department to discuss the salt issues.
Chairman Doe asked about grades from left of driveway and the front of the house. Mr. Mocko said the grade from left of driveway is 168-176; and the grade at the front of the house is 178 or 12%.
The commissioners required stakes to mark 100 foot line and recommended a guardrail, placement of boulders, or signs.
Coordinator Leigh suggested requiring signage at the entrance to identify the wetland.
Commissioner Bannish motioned and Commissioner Sharp second to a continuance to July 26, 2016 at 6:30pm. AIF
- B. 403 West Road – Roger Martineau – DEP File #333-735
Project: Construction of a single family residence.
The hearing was continued from 6-28-16. The applicant requests a continuance to July 26, 2016 at 6:30pm.
Commissioner Bannish motioned and Commissioner Murphy second to approve the continuance. AIF

5. ENFORCEMENT

- A. 0 Fowler Road – Yuriy & Eugene Rudenko
Violation: Non-compliance with Determination of Applicability.
Coordinator Leigh reports that no action is needed and she is waiting for health department approval for the proposed well.

6. DISCUSSION

- A. Montgomery Road – Assessor Parcels 60R-2 & 60R-4
Request to approve and accept Conservation Restriction
Property owner Fran Wackerbarth and Atty. Brad Moir are present to describe the property.
Atty. Moir said it is approximately 100 acres with a brook in the front of the parcel. He said the City Council, through the CPA, appropriated \$95,000 for the Conservation Restriction; \$5,000 went to the Winding River Association for administration; City Council also donated \$2,000 for the base line study.
Fran’s parents, Eloise and Earl Peyton lived on the property for a very long time. The purpose of the restriction is to provide scenic, landscape, wildlife habitat and brook protection. It prevents building on the property and limits access to non-motorized vehicles.
Atty. Moir said it also reserves the right to hay and mow the 400 feet of frontage. He said the next steps, pending Conservation approval, are approval from the Mayor, back to City Council; and then it goes to Boston for approval.
Commissioner Sharp motioned and Commissioner Bannish second to accept and approve the Conservation Restriction as presented. AIF
- B. 23 Northwest Road – oil spill clean up
Coordinator Leigh reports that the property owner has a garage where he stores oil in barrel which leaked into a drain in the garage; it exited to a drain in the road. DPW personnel had directed an environmental company to clean up the area. As such, the majority of spilled oils had been removed. Soils will be tested for additional cleanup.

7. COMMISSION DISCUSSION

- A. Regulations & Procedures Q & A
Coordinator Leigh said the speaker has confirmed that he is coming the meeting on August 9th to discuss fencing in a flood zone.
- B. Minutes
Commissioner Phillips motioned and Commissioner Bannish second to approve the minutes of June 28, 2016. AIF

8. MOTION TO ADJOURN

Commissioner Bannish motioned and Commissioner Murphy second to adjourn the meeting at 7:51pm. AIF

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A true record, Attest:
Ruth Dunn
Westfield Conservation Administrative Assistant

