



City of Westfield, Massachusetts

Municipal Conservation Commission



February 22, 2022

REMOTE MEETING MINUTES

Conservation Commission members in attendance: Chairman David Doe (DD), Thomas Sharp (TS), Carl Grobe (CG), Alex Fagnand (AF), Robert Florek (RF) and Lauren DiCarlo (LD). Also in attendance: Colleen Fegan-Nunez, Clerk.

Chairman Doe reads: *Pursuant to Chapter 20 of the Acts of 2021, certain Covid-19 measures as they relate to M.G.L. c. 30A, §20, the Open Meeting Law, were extended that had been adopted during the State of Emergency. This meeting of the **City of Westfield Conservation Commission** will be conducted via remote participation. Specific information can be found on the City of Westfield website at www.cityofwestfield.org. For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or Channel 12 or online at westfieldtv.org or online at [Youtube.com](https://www.youtube.com) - Westfield Community Programming Channel. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.*

1. CALL TO ORDER/ROLL CALL

Chairman Doe calls the meeting to order at 6:30 PM and takes attendance. Vice Chairman Murphy is not present.

2. OPEN PARTICIPATION

Chairman Doe asks if there are any audience members that would like to address anything not on the agenda. No one unmutes.

3. PUBLIC HEARINGS

- A. 70 Turnpike Industrial Road (49R-8, 49R-3, 55R-6)-Local Ordinance Only (LOO)-James Hardie Building Products, Inc./Carlos Ortiz
Building addition, expansion of the paved parking area and truck access/loading areas within the Buffer Zone to an up-gradient intermittent stream.
Mr. Ryan Nelson of R. Levesque Associates Inc. is present representing James Hardie Building Products, Inc.

Continued from February 8th. Commissioner Grobe and Commissioner DiCarlo went on a site visit. Mr. Nelson reminds the Commission of the project. Mr. Nelson states that none

of the runoff will be directed to the slope. Commissioner Grobe asks where snow will be stored. Mr. Nelson states that there is plenty of space on the north side of the property. Because the comments from the City Engineer need to be addressed the Commission decides to continue.

Commissioner Sharp motions to continue the Public Hearing until March 8, 2022 at 6:30 PM and is seconded by Commissioner Grobe. RF-Yes, TS-Yes, CG-Yes, LD-Yes, AF-Yes, DD-Yes
The motion passes.

4. PUBLIC MEETINGS

- A. 240 Russellville Road (62R-)-Oscar Naula
Installation of a new septic system.
Mr. Oscar Naula is present.

Chairman Doe reads the legal language. Chairman Doe states that this site has come before the Commission previously. Chairman Doe states that he would like to visit the site due to the proximity to the wetlands. Clerk Nunez states that she will arrange it. Chairman Doe asks if there are any questions from the audience. No one unmutes.

Commissioner Grobe motions to continue the Public Meeting until March 8, 2022 at 6:30 PM and is seconded by Commissioner Florek. RF-Yes, TS-Yes, CG-Yes, LD-Yes, AF-Yes, DD-Yes
The motion passes.

5. ENFORCEMENT

- A. 300 Union Street (35R-22)-Custom Railing Metal Fabricators
Violation.

Clerk Nunez states that Mr. Ryan Nelson of RLA has contacted her and asked for an extension.

Commissioner Sharp motions to extend until the ground thaws and is seconded by Commissioner Florek. RF-Yes, TS-Yes, CG-Yes, LD-Yes, AF-Yes, DD-Yes
The motion passes.

- B. 33 Castle Hill Road (14R-53-8)-Willard Kopatz
Violation.

Clerk Nunez states that because the ground is frozen would the Commission extend for this property as well.

Commissioner Grobe motions to continue until March 8, 2022 at 6:30 PM and is seconded by Commissioner Fagnand. TS-Yes, RF-Yes, LD-Yes, CG-Yes, AF-Yes
The motion passes.

6. DISCUSSION

A. 62 South Meadow Road-Anatoliy Danyuk Violation letter.

Clerk Nunez states that she spoke to Mr. Danyuk and he stated that he will get rid of the piles of soil as soon as the ground has thawed, but he may be filing an NOI because his property is sloped toward his house and his basement keeps getting water.

B. 81 Fowler Road-DEP File #333-806-Wally Czerniejewski Revisions to site layout.

Mr. Nelson states that the property owner has decided to flip flop the house so that the driveway is now on the north side of the house. He states that the Limit of Work will remain the same. The Commission expresses concern about the driveway being moved so close to the resource area. Chairman Doe states asks about the retaining wall. Commissioner Florek and Commissioner Sharp feel as though there are too many changes to allow the revisions this evening. Commissioner Sharp asks for a clear list of all of the changes to the plans. They decide on a site visit. Mr. Nelson asks if the site visit can double as a preconstruction meeting. The Commission states that there are two different purposes for a regular site visit and a preconstruction meeting.

Commissioner Sharp motions to continue until March 8, 2022 at 6:30 PM and is seconded by Commissioner Grobe. AF-Yes, TS-Yes, RF-Yes, LD-Yes, CG-Yes, DD-Yes
The motion passes.

7. OTHER ITEMS

A. Minutes of February 8, 2022.

Clerk Nunez states that she has added all of Commissioner Sharps' votes.

Commissioner Sharp motions to approve the minutes of February 8, 2022 and is seconded by Commissioner Grobe. TS-Yes, RF-Yes, LD-Yes, CG-Yes, DD-Yes- AF and LD abstain.

The motion passes.

8. COMMISSION DISCUSSION

A. Regulations and Procedures Q & A-There are none at this time.

B. In person meetings.

The Commission would like to continue the Zoom meetings.

C. Wetland Ordinance Update

Chairman Doe states that he has not heard back about the Ordinance. He states that he believes that the second reading was supposed to be on February 17th.

D. Coordinator Position

Chairman Doe states that there are several applicants that are promising. He states that the interviews will begin in mid-March.

E. Screening Committee

Commissioner Sharp would like send a letter thanking Cliff for his service.

Chairman Doe welcomes Commissioner DiCarlo to the Commission.

Commissioner Fagnand would like it known that he should have recused himself on the first item in the meeting, but because he did not contribute he feels that no error was committed. He states he will be sure to recuse himself at the next meeting.

9. MOTION TO ADJOURN

Commissioner Grobe motions to adjourn at 7:27 PM and is seconded by Commissioner Fagnand. CG-Yes, AF-Yes, TS-Yes, RF-Yes, LD-Yes, DD-Yes
The motion passes.

A true record, Attest:
Colleen Fegan-Nunez
Westfield Conservation Administrative Assistant