



City of Westfield Municipal Conservation Commission

APRIL 25, 2023 AT 6:30PM
WESTFIELD CONSERVATION COMMISSION
MEETING MINUTES

RECEIVED

AUG 23 2023

WESTFIELD CITY CLERK

Conservation Commission members in attendance: Chairman David Doe (DD), Vice Chairman James Murphy (JM), Carl Grobe (CG), Robert Florek (RF), Lauren DiCarlo (LD) Also, in attendance: Anna Meassick, Director of Conservation and Christina Ramos, Conservation Clerk

1. CALL TO ORDER

Chairman Doe calls the meeting to order at 6:30 PM and takes attendance. All Commissioners are present.

2. OPEN PARTICIPATION

Chairman Doe asks if any members of the public who would like to address the Commission concerning items not subject to public hearing.

Abigail Mahoney and Michael Heins Environmental Science Majors, of Westfield State University present Spring 2023, City of Westfield Pitoniak Property: Vegetation Management Plan Proposal.

After the Students presentation, he moves onto item 3, Public Meetings.

3. PUBLIC MEETINGS (RDAs)

- A. 126 Union Street – Powdermill Village LLC
Proposal: Removal of overgrown vegetation along fence line

Adam LaPatin present as representative.

Mr. LaPatin explains they applied to be able to clear the back side of the fence of the invasive vegetation. Mr. LaPatin explains that according to the Department of Urban Development and Housing which will periodically inspect the property would consider the invasive vegetation through the chain link fence a site fail. Powdermill Village gets scored based on their inspections of the property. That score depends on their reoccurring visits and funding. Mr. Lapatin explains that a portion of the invasive vegetation is actually beginning to pull the chain link fencing towards the wetland. Mr. LaPatin explains that he had some landscapers out to view the area, he explains that he wants to give it a buffer zone between wetland and fencing.

Chairman Doe asks if there is a timeframe when they may have the inspection done.

Mr. LaPatin explains what his people are telling him is that it should be soon, how the process works is financing has been signed off on then the inspections start. Financing has been signed off on and they are behind on inspections but it should be soon.

Director Meassick explains that in the application they submitted it was only the left side of the property, but when they did the site visit it was the entire property they walked. She would like some clarification.

Mr. LaPatin explains it is the entire length of back fence that runs the back of the office building and the back corner coming towards the church.

Vice Chairman Murphy ask the representative if there are any dimensions they are planning to use?

Director Meassick explains the landscaper gave dimensions of 4-5ft from the fencing will need to be cleared and maintained.

Mr. LaPatin explains the landscaper only has a very small skid steer about 4ft wide and brush cutter. He can go down one side by the church easier, but once you go down behind the back of the property by hand.

Vice Chairman Murphy explains that he would like to have a dimension plan, measurable so the Commission can make sure it is done correctly and by plan. Would like to see some type of signage or flagging would work. Just something measurable and documented.

Commissioner Grobe asks the 4ft is HUD requirement? Or just a landscaper number.

Mr. LaPatin explains that the 4ft would be easier to clear the area in the future. He explains that there will be no equipment being used in the back area because of the waterline.

Vice Chairman Murphy asks if the drainage has been an issue.

Mr. LaPatin explains that it is ok and when they completed the renovations of the office they added some stone back there and its better.

Chairman Doe explains that the area would need to be flagged before any work to start.

Mr. LaPatin understands and agrees that it will be done prior to work.

Chairman Doe asks if there are any questions from the public. Seeing none, he requests a motion to close the public meeting.

Vice Chairman Murphy motions to close to the Public Meeting. Commissioner Grobe seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

Vice Chairman Murphy motions to issue Positive 5, the area and/or work described on referenced plans and documents is subject to review of the Westfield Conservation Commission, with no NOI required, Negative 3: The work described is within the buffer Zone but will not alter an Area subject to protection given the following conditions. Prior to work, applicant, consultant, and Coordinator shall meet on site to review limit of work, Prior to work, the applicant shall notify the Coordinator at minimum 48 hours before work is to take place, all work along fence line must be complete by hand. At no time is machinery allowed beyond the enclosed area, Post construction, all vegetation cut must be removed from the project site and properly disposed of (i.e. bag and dispose of invasive plants at a licensed landfill or incinerator. Do not dispose of invasive plant materials within jurisdictional area) Commissioner Grobe seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

B. 868 Southhampton Road Unit #22

Proposal: Removal of stumps along Arm Brook, within 50ft No Disturb Zone

Chairman Doe explains that this item was continued from April 11, 2023, had a site visit on April 18, 2023.

Director Meassick explains the pictures of the stumps and the locations on the property and their proximity to Arm Brook. She explains applicant wants to grind down stumps and bring in fill.

Commissioner Grobe asks if the applicant grinds up and fill, that it would be at grade.

Chairman Doe explains yes it will be to grade and grass grown.

Chairman Doe asks if there are any questions from the public. Seeing none, he requests a motion to close the public meeting.

Vice Chairman Murphy motions to close to the Public Meeting. Commissioner Grobe seconds. LD-yes, CG-yes, RF-yes, JM-yes, DD-yes.

The motion passes.

Commission Grobe motions to issue Negative 2: The work described in the request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a notice of intent, subject to the following conditions: Prior to work, erosion controls shall consist of a row of entrenched (6inches deep) and staked siltation filter fabric fencing measuring no less than 15 inches high, Prior to work Director of Conservation shall review and approve erosion controls. Upon approval, work may begin. Whether from on-site or off-site, any fill used in connection with this project shall be clean granular material essentially free of masonry, stumps, frozen clumps of earth, wood, tree branches, trash and waste material. All fill brought in shall not change grade or elevation within the river front area, Post work, no materials from work shall remain on site. Post work, the Conservation Department shall be notified when all work is completed. Erosion control shall remain in place until approval is granted to remove is by the Director or Commission. Positive 5: The area and/or work described in the request is subject to review by the Westfield Conservation Commission. No NOI is required. Commissioner Florek seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

C. 280-282 East Main Street – Chase Bank

Proposal: Parking lot improvements

Chairman Doe reads Legal Language

Giovanni Cesar from Stonefield Engineering present as a representative.

Mr. Cesar explains the applicant looking to retro fit that existing bank tenant space. The applicant is proposing minor exterior improvement make sure its in compliance with federal ADA regulations. Looking to remove existing parking spaces and sidewalk along the ADA path

to the main entrance. Replace them in terms of the slope to maximum ADA requirements by the federal government. Not proposing major disruptive activity throughout the site. Looking to maintain existing drainage patterns, reuse the Drive through ATM.

Commissioner Grobe asks if the applicant is proposing to remove parking area and sidewalk.

Mr. Cesar explains that only a portion of the parking area which is 3 parking spaces highlighted are not compliant with federal regulations. Looking to remove them and regrade them at grade to make sure they are up to grade.

Commissioner Grobe asks if the grading would be different.

Mr. Cesar explains very minor, just to make sure they are complying.

Vice Chairman Murphy asks if the applicant will be milling.

Mr. Cesar explains full asphalt replacing.

Vice Chairman Murphy explains they will be milling out and replacing, typically require that the applicant keep record of mill spoils been removed and what was replaced as new.

Chairman Doe asks the Director of Conservation if she has been over to that site.

Director Meassick explains yes, she has numerous times.

Commissioner Grobe explains that it is flood plain so should they make sure there is not change in grade or elevation.

Director Meassick explains yes, as long as they are going to bring it to grade. ADA regulations.

Chairman Doe asks if there are any questions from the public. Seeing none, he requests a motion to close the Public Meeting.

Commissioner Grobe motions to close the Public Meeting. Commissioner DiCarlo seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The Motion passes.

Commissioner Grobe motions a Negative 2: The work described in the request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filling of a Notice of Intent, subject to the following conditions: Prior to work, the Conservation Department shall be notified at minimum 48 hours ahead of time, Post work, there shall be no change in elevation or grade of pavement. Contractor shall meet flush with existing asphalt and maintain existing drainage patterns, the limit of disturbance shall not exceed 970sqft. If adjustments are made, this must be reported to the Director of Conservation immediately. Soil and material removed from the site shall be disposed of in accordance with requirements under the law, any fill brought in shall be certified clean fill, Positive 5: the area and/or work described in the Request is subject to review by the Westfield Conservation Commission. No NOI is required. Vice Chairman Murphy would like to add item 4 and 5 are related anything that is removed be measured and anything brought in be measured so

we track of the volume. Commissioner Florek seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

- D. 133 Old County Road
Proposal: Removal of trees along intermittent stream

Chairman Doe reads Legal Language

Robert Walters III, Home Owner present as a representative.

Mr. Walters explains that there are 2 huge pine trees that he wanted to remove that are outside of the 100ft buffer zone. Spoke with Ryan Nelson from RLA and he said to submit an RDA and that the way the grade is the northwest point of the house drops off the shed so it is starting to settle. He did have some of the trees tagged and would like to extend up to 25ft but not further but it puts him about 60ft from the stream. He will like to bring some fill after the trees are taken out.

Director Meassick asks if the applicant is going to remove the stumps.

Mr. Walters explains the trees that are outside the buffer zone yes those will be ground down, nothing in the actual buffer zone will not be ground down.

Chairman Doe explains that he would like to do a site visit to get a better idea of what trees he wants to take down and how close they are to resource area.

Commissioner Grobe asks the applicant about how many trees he would like to take out.

Mr. Walters explains there are about 15 trees, 5 are not in the buffer zone. He points out on the screen which portion the trees are located.

Commissioner Grobe asks the applicant if he could tag the trees before the site visit.

Mr. Walters agrees and will tag the trees coming down before the site visit.

Chairman Doe asks if there are any questions from the public. Seeing none, he requests a motion to continue the May 9th for a site visit.

Commissioner Grobe motions to continue to May 9,2023 meeting to allow a site visit.

Commissioner DiCarlo seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

4. PUBLIC HEARINGS (NOIs)

- A. 70 Lockhouse Road – DEP File #333-831
Proposal: Truck Terminal

Chairman Doe reads Legal Language

Rebecca Li from R Levesque Associates is present as a representative.

Ms. Li explains that the lot is about 12 acres they are only proposing to develop the eastern part, 2.5 acres that abut Lockhouse Road. The site is within the industrial A district so the applicant is

going to the City Council for a special permit. The existing topography slopes from south to north towards the bordering wetlands. Ms. Li explains the site has been historically developed in the past. Access road off Lockhouse Road where there will be a big parking lot for tractor trailers, 5 passenger parking spaces, eastern side will be paved with asphalt western side hard packed or gravel material. Proposing 42 tracker trailer spaces and 5 passenger spaces. Grading plan shows High point towards the middle of the proposed development where the run off from the western side will be collected via catch basin at a low point. The run off from the eastern portion will go towards a bio retention basin. The site has some existing steeper slopes, grading wise they tried to achieve 4 to 1 slope however in some areas it is pretty tight, In those areas they are recommending the erosion control mats. They are working Outside of the no touch 50ft buffer zone for all the improvement including grading, however within the 100 ft buffer. Proposed drainage plan shows western portion slopes towards the low point and the run off will be collected and conveyed to water qualified unit prior to being discharged to extended to a dry detention basin, that's equipped with a sediment forebay. The extended dry detention basin also has an outlet control structure that meters the run off back to the wetlands and 10 ft wide emergency over flow Ms. Li explains that because of the nature of the site and the topography sloping from south to north they have created a low point south of the extended dry detention basin, therefore they are proposing a catch basin to mitigate any water that may pond as a result of the low point and direct the run off to the north of the basin. To the eastern side of the site the run off is being conveyed to the bio retention basin, where it has a vegetative filter strip prior to entering the basin also equipped with an outlet control structure that will meter the run off. Proposed an infiltration trench that will collect, and direct the run off under the access road towards the wetland. The only utility proposed is electric there will be 3 light poles to provide safety lighting. Ms. Li explains that the landscaping plan, they are trying to maintain the vegetative buffer as much as possible and limit the amount of clearing. They are proposing plants within the bio retention basin that are in accordance with Massachusetts DEP handbook. Foot candles are at 0 around the property line. Ms. Li explains that they are waiting for comments from the City Engineer, would like to continue to the next meeting to allow for those comments and a site visit. Ms. Li explains that they have received comments from the DEP and if the Commission would like their intended disposition to them.

Chairman Doe ask the Commission if they would like to hear those now or after the site visit.

Vice Chairman Murphy ask how many comments are there.

Director Meassick explains just a few, mostly due to storm water issues.

Ms. Li explains there is one that she would like to bring up some of the work appears to be done in riverfront area which is not noted in the Notice of Intent. Ms. Li reads the complete comment from DEP. Ms. Li explains that their wetland scientist Ryan Nelson has delineated the bank of the stream that runs to the north of the site. The buffer of the 200ft river front area does cut across a portion of where they are proposing some improvements. Ms. Li explains they are planning on pulling that back so they won't be in river front.

Vice Chairman Murphy ask what is on the site currently.

Ms. Li explains it is mostly vegetation.

Vice Chairman Murphy asks what type of wetlands they are dealing with here.

Director Meassick explains BVW, intermittent streams and river front area.

Vice Chairman asks the dimension of the stream.

Ms. Li explains the site plans and says they can be delineated and shown to the Commission on the site visit.

Vice Chairman Murphy asks if this item has gone before Planning or any city departments.

Ms. Li explains it will be on the agenda for City Council on May 18, 2023 for special permit.

Commissioner Grobe asks how much is the addition of this area will change the sheet flow.

Ms. Li explains it will all be discharged back to the same design point. Understanding that they can't increase any of the run off pre vs. post. The run off from the impervious area will be conveyed to one of the two basins. As far as sheet flow it will be reduced just because it has to go through the basin and treatment train before it gets back into the wetland.

Vice Chairman Murphy asks how much that is going to degrade the wetland, forebay on that side.

Ms. Li explains they are providing level spreaders, she explains the forebay and basin on the site plan.

Vice Chairman Murphy asks how they are going to distribute that water to how it was in the past, once it exits the basins.

Ms. Li explains that any site development they have to treat the run off and follow Massachusetts Storm Water Handbook, infiltrating it would be the #1 choice but this site has shallow ground water and the soil are very poor, a lot of silty loam. That's why they have suggested this extended dry detention basin in leu of the infiltration basin. They are providing ground water recharge to the extent practicable.

Vice Chairman ask if they have done soil borings already, is it clay on top and sand onto of premeal layer.

Ms. Li explains yes, they have done soil borings and its fill with a clay layer and silty layer.

Chairman Doe ask if there are any other questions.

Chairman Doe ask Ms. Li if they could mark out the 200ft distance from the river and the 50ft, 100ft from the wetland. Also, at the major junctions around the periphery could they put some stakes.

Vice Chairman Murphy asks if they could also bring a 1:40 print to the site for viewing.

Commissioner Grobe asks how many tractor trailers do they think they would have there at a time.

Ms. Li explains that they are enough parking for 42, not all of them will be tractor trailer that are coming and going, some spaces will just be for trailers used for temporary storage. She is unsure of the percentage of the time they will be there. Late at night moving in and out.

Commissioner Grobe asks if there is a mechanism that will catch the oil or gas leaking from the trucks before it gets into the wetlands.

Ms. Li explains yes water quality unit on one side and the other side the vegetative buffer, but one of the comments from DEP was that they have to make sure the Best Management Practices associated with site. They will be revisiting that just to make sure that everything is accordance with the handbook. Sediment forebay should be able to take out a lot of that oil or gas.

Chairman Doe asks if there will be a building or truck maintenance at this site.

Ms. Li explains no and if he wants to change that he will need to come back to the Commission.

Vice Chairman Murphy asks if there will be refueling there.

Ms. Li explains no there will not be.

Commissioner Florek asks if there will be any fencing around the site.

Ms. Li explains there was no fencing proposed but if the Commission sees that as needed it can be address.

Director Meassick explains that there should be some type for fencing near the retention basin.

Ms. Li explains there is a guardrail to protect the vehicle from the steep slopes and to keep the snow being pushed into the basin.

Vice Chairman Murphy asks if there is a place for the snow to be held.

Ms. Li explains that she will have to ask the applicant and see what his plan is, she is unsure if his plan is to truck it off site.

Chairman Doe ask if there is any comments or questions from the public.

Craig Stevens member of the public, Has a question. He explains he is a landscaper and was wondering how collecting the water and cleaning it. What happens when it rains heavy, will it just get to capacity and over flow.

Ms. Li explains the storm management system is designed for a 100-year storm. There is an emergency overflow, outlet control structures.

Mr. Stevens explains he has put those release values on a project with 100-year basin. Just curious because he is seeing more them.

Chairman Doe asks if there are any other question see none, he ask for a motion to continue.

Commissioner Grobe motions to continue to May 9,2023 meeting to allow a site visit.

Commissioner Vice Chairman Murphy seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

B. 34 First Street – DEP File #333-799

Director Meassick explains that the project has an update. The property owner is working on getting as built plans. She explains that there have been getting a few complaints about the apron that was repaved is going into the water.

Chairman Doe asks if it's on Hampton Ponds

Director Meassick explains yes.

Vice Chairman Murphy explains that it was a fairly large house, he thought they were using primal bricks.

Director Meassick explains that they issued an enforcement order last year, they were using the primal bricks. The work described on the previous plans is different than the plans that were approved.

Chairman Doe explains that it sounds like they need to do a site visit.

Director Meassick explains that she has been out there, not recently but last year when they issued the Enforcement Order. Plans were revised on 3/8/2021 revised paved apron was added.

Chairman Doe explains that they will need to wait to receive a request for Certificate of Compliance.

Commissioner Grobe explains that any project may have been built differently than it was proposed. Agrees with Chairman Doe that they should wait to receive the COC before trying to make a visit.

Chairman Doe ask if there are any more questions from the Commission, seeing none he then asks if there are any questions from the public, seeing none he moves to item 5.

5. ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION (ANRADs)

- A. 10 & 15 Campanelli Drive – DEP File #333-830 - Robert DeMarco
Proposal: Review and approval of delineation

Dr. John Rockwood from Ecotech, is present as representative.

Dr. Rockwood explains that he is a Chief Environmental Scientist, they delineated the property and Kelly Engineering submitted the ANRAD application for Campanelli. He said that there was a request for the buffer zone be added to the plan so they did.

Director Meassick explains that she never received hard copies just the digital copies.

Dr. Rockwood explains that he will get the hard copies but the only difference is the buffer zone was added. He explains that the parcels that are adjacent 10 & 15 Campanelli. There is a large wetland system, 2 streams, the forest green lines are boarding vegetative wetlands associated with those streams, large forestry swamp and then gets more open meadow type of habitat. There's an isolated wetland located in front up on Servistar Industrial Way and a small isolated wetland near the BVW in the middle of the site. The site is largely forested, some old field

habitat. The storm water basin that are associated with the Home Depot weren't delineated because those were part of the Order of Conditions for the Home Depot facility in 2010.

Director Meassick explains it was 2009 she pulled the permits to check.

Dr. Rockwood explains that they didn't delineated the streams basically just seeking the determination of the vegetation wetlands boundaries. If there was something proposed than they would go in and flag the banks at the location.

Chairman Doe asks what exactly they flagged out there. Did they flag the buffer zone.

Dr. Rockwood explains bordering vegetative wetlands, isolated wetlands the remainder of the area is upland.

Vice Chairman Murphy asks where the home depot is in relation to the first parcel.

Dr. Rockwood explains with pointing to the site plans. He explains the next parcel on the other side of Campanelli drive. This one is large upland forest in the front and the wetland is located along the north property line. There is a stream that crosses the site, a largely forest swap, forestry buffer zone and forestry upland. Its just a bordering vegetative wetland and associated 100ft buffer zone on this parcel. He explains that the Commission may want to do a site visit. There is a DEP number and they do have some comments but mostly were about pervious delineation, which was explained. In the meadow where the easement exists they delineated based on the highest points, that's where the boundaries are. DEP other comment was to the development history of the site, those easements where constructed during the Home Depot timeframe all the wetlands were delineated. The wetland boundaries have changed since over the 10 or 12 years that happened.

Chairman Doe ask the Commission if they have any questions.

Vice Chairman Murphy asks if it is all flagged.

Dr. Rockwood explains yes, all the flags are pink and numbered.

Director Meassick asks about the change in the BVW over time, what occurred on 10 Campanelli with the isolated wetland and now its connected.

Dr. Rockwood explains that it must have connected over time.

Chairman Doe ask if the abutters have been notified

Dr. Rockwood explains yes, they have been.

Chairman Doe ask if there are any more questions from the Commission, seeing none He asks if there are any questions from the public, seeing none he will entertain a motion to continue to May 23, 2023.

Commissioner Grobe motions to continue to May 23, 2023 meeting to allow a site visit.

Commissioner Florek Seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

6. ENFORCEMENT ORDERS

A. 55 Egleston Road

Violation: Clearing of trees within river front area

Director Meassick explains home owner needs a narrative to be filed and the home owner is present.

Stephen Paiva, home owner is in attendance and wants to know what the Commission needs from him.

Chairman Doe explains that at the site visit they discussed that the Mr. Paiva needs to write a narrative on what his plans are to do so they have something to respond to.

Mr. Paiva asked for clarification.

Director Meassick explains the Commission needs a letter with he did and what Mr. Paiva plans to do.

Mr. Paiva explains he just going to clean up and throw some grass seed. He understands that he just needs a letter sent to the Department.

Commissioner Grobe motions to continue to May 9, 2023 meeting to allow Mr. Paiva to provide narrative. Commissioner DiCarlo Seconds. LD=yes, CG=yes, JM=yes, RF=yes, DD=yes.

The motion passes.

B. 457 Granville Road

Violation: Clearing trees and disturbance of soils in riverfront area

Craig Stevens, home owner, is present.

Mr. Stevens explains that he was in front of the Commission 10-15 years ago for cleaning of parcel. He said that he never cut down any trees that he only moved the ones that fell over to one area of the parcel. He shows picture of the area and what still on the property. He says that he removed the bitter sweet.

Vice Chairman Murphy asks if he manually removed the bitter sweet.

Mr. Stevens explains yes, he did and burned them during burning season right on site. He will not use herbicides, he has used goats before, but too much work.

Chairman Doe entertains a motion.

Vice Chairman Murphy motions to close the Enforcement Order. Commissioner Grobe Seconds. LD=yes, CG=yes, JM=yes, RF=yes, DD=yes.

The motion passes.

C. 22 Woodland Avenue

Violation: Clearing in flood zone, Violation of Order of Conditions

Nikolay Stepchuk, home owner, is present.

Director Meassick explains that she received a few complaints about clearing near the Westfield River. This house is being remodeled under Order of Conditions 333-765.

Chairman Doe asks where along the river is this off of Russell road.

The Commission discuss location, concluded off of Russell rd.

Mr. Stepchuk explains the only reason he took the tree down, two weeks ago the wind was crazy and the branches started to fall. He hopes to clear it and plant different trees.

Chairman Doe asks if it under the Order of Conditions.

Director Meassick reads the Conditions.

Chairman Doe asks for the date they were issued, November 29, 2018 and it was extended due to COVID-19.

Director Meassick corrects herself. The Order wasn't extended by COVID, instead the applicant requested an extension prior to the COVID extension and will expire on November 29, 2024.

Chairman Doe ask Mr. Stepchuk if he has started any work yet.

Mr. Stepchuk is unsure what the Conditions were, he explains that he has done a lot of cleaning of the property, he also had a surveyor come out and they told him that the trailer was on his property and he didn't know. He explains that there were people living in there and asked them to leave. While they were moving the trailer, a tree fell right on it so he had to be the one to remove it off his property.

Director Meassick explains the Order was issued for demolition and removal of 3 out buildings, renovate the existing single-family house on property located in 100-year flood zone and flood way, and partially within the 200ft river front area. The total area and volume of new house will be less than combined area of existing structure to be removed. So, no comp. storage is needed.

Chairman Doe asks Mr. Stepchuk if he has removed any of the sheds, is the trailer gone, have you started to build the house.

Mr. Stepchuk explains yes, he removed the sheds, the trailer is gone, He hasn't started to build the house yet, hoping to start next year.

Vice Chairman Murphy asks if he has filed his performance bond for \$2,000.00.

Mr. Stepchuk explains he hasn't yet and ask how to file and with who.

Director Meassick explains that he files it with the City Treasure.

Vice Chairman Murphy asks Director Meassick to print new copy of Order of Conditions and get him the information to file his bond.

Chairman Doe explains that the bond is like insurance for us, if something goes wrong that money will be used to fix it. Once the project is done and completed according to plans then he gets the money back.

Vice Chairman Murphy explains that if he doesn't file the bond they can file a cease and desist of work at the address.

Director Meassick explains she currently has an Enforcement Order that needs to be ratified. Which includes a cease and desist.

Vice Chairman Murphy explains the home owner needs to file the bond to be in good standings with the Commission.

Chairman Doe explains that administration will get him all the things he needs to move forward with filing the bond.

Mr. Stepchuk asks if he can chop the trees.

Director Meassick explains to remove the trees that are down and remove the stumps.

Vice Chairman Murphy explains that the bond must be filed before tree removal. He explains the process of the bond filing and return of the bond. He also reminds the home owner of putting up sign with the DEP file number.

Commissioner Grobe motions to ratify the Enforcement Order. Vice Chairman Murphy Seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

7. COMMISSION DISCUSSION

A. Regulations & Procedures Q&A

a. Forestry cutting plans vs. forestry management plans

Director Meassick explains that they are different, cutting plans forestry for monetization having a business selling the wood. Management is thinning of the forest to manage growth. You can't sell trees under a management plan, only under cutting plans. This was brought up because the Beltrandi property on Pontoosic Rd has a forestry management plan not a forestry cutting plan. He is working on the forestry cutting plan now with DCR, and a licensed forester. In her opinion, Mr. Beltrandi is going through the proper process that an Enforcement Order is not needed, it is up to the Commission to decide.

Chairman Doe asks if they get state approval for cutting plan.

Director Meassick explains for both yes, but Mr. Beltrandi only has approval for management plan not cutting so he has to file that with the state. She will do a site visit to make sure everything is ok. Asks if the Commission would like to issue an Enforcement Order? Unsure if he is selling the wood.

Commissioner Florek asks if he has to come to the Commission to cut trees.

Director Meassick responds they have to submit both cutting and management plan. She has the management and once the cutting plan comes they can do a site visit. It was requested by a neighbor that the Commission needed to be updated.

Commissioner Grobe explains it seems like they need to wait to see the cutting plan and view and make sure its ok.

Commissioner Grobe motions to issue an Enforcement Order to cease and desist work until a forestry cutting plan is approved. Vice Chairman Murphy seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes.

The motion passes.

B. Earth Day Clean-Up- Review

Director Meassick explains that 122 trash bags, 5,000 lbs. of trash, 37 tires, 96 volunteers, 1 toilet, almost a whole car, several pipes and much more was removed from Westfield. She gives all the donation details. HartSpring truck was filled to 75 %

C. Review and approval of April 11, 2023 minutes

Vice Chairman Murphy comments to move to next meeting to review the minutes further.

Commission agrees.

D. Review of any additional administrative items

a. Sign stuff

Director Meassick explains that Ed Finnie a new Commissioner will be sworn in Monday.

8. MOTION TO ADJOURN

Vice Chairman Murphy motions to adjourn the meeting at 8:44pm. Commissioner Grobe seconds. LD-yes, CG-yes, JM-yes, RF-yes, DD-yes

The motion passes.

A true record, Attest:

Conservation Clerk Christina Ramos .