



City of Westfield Municipal Conservation Commission

OCTOBER 11, 2022 AT 6:30PM
WESTFIELD CONSERVATION COMMISSION
MEETING MINUTES

RECEIVED

NOV 23 2022

Conservation Commission members in attendance: Chairman David Doe (DD), James Murphy (JM) Lauren DiCarlo (LD), Robert Florek (RF), Carl Grobe (CG), and Alex Fagnand (AF). Also, in attendance: Anna Meassick, Conservation Coordinator

1. CALL TO ORDER

Chairman Doe calls the meeting to order and takes attendance. Commissioner Thomas Sharp is not present.

2. OPEN PARTICIPATION

- A. Chairman Doe asks if any members of the public who would like to address the Commission concerning items not on the agenda. Seeing none, he moves onto item 3, Emergency Certifications.

3. EMERGENCY CERTIFICATIONS

- A. To breach dams and trap beavers located at 121 Medeiros Way- Rob Levesque Associates.

Filipe Cravo of Rob Levesque Associates (RLA) is present as the representative for the company.

Coordinator Meassick makes the Commission aware that this topic is for discussion only and will need to wait for Board of Health's decision the next day before issuing an emergency certification from the Commission. If denied by BOH, then the Commission can issue an Emergency Certification for breaching the dams.

Mr. Cravo states he spoke to Ryan Nelson, who flagged this area earlier in the year and there was noticeable beaver activity but looked like it may have been abandoned. Last week's site visit showed that it looked like the beavers had re-inhabited the area and expanded upon what was there and created 3 impoundments in different locations and increased the flooding behind the dams.

Mr. Cravo explains the concerns are that there is a culvert that crosses under Medeiros Way that's being surcharged. The water is high on the culvert and is at maximum capacity because of the impoundment of the water behind these dams. Downstream there is a culvert by the Arms Brook mobile homes. If any of these dams breached it could cause damage to the mobile homes. They want to breach the dams by segments, from the outside in and let the water flow out slowly. The intent is to get the area back to how it was before the dams were there.

Coordinator Meassick explains she spoke with Health Inspectors Tom Hilbert and Crystal Dugay about the possible damage to park if the dams were to give away for any reason. There is deep cut of the river passing through, and they think that if that happened it wouldn't cause much damage to the mobile home park. Coordinator Meassick notes the culvert located at Medeiros Way has been blocked since May, not by the beavers. A site visit with Rob Leveque and Inspector Dugay revealed that there is no need for an emergency certification as there is no threat to public health and the parcel is undeveloped. Mary suggest wait for BOH's decision and go from there.

Chairman Doe asked is there anything blocking the culvert on Medeiros Way. Coordinator Meassick responds that there is no beaver activity blocking the culvert and that the delineation was done July of this year during drought season, when Arm Brook was dried up and the beavers had abandoned their lodge. She assumes the beavers returned when the water returned to the area. Dams are segmented throughout the middle of parcel 14.

Chairman Doe states that Commissioner Grobe, Coordinator Meassick, Consultant Karen Leigh, and himself went on a site visit and had to move the high-water flags away from where they were placed about 5-10 feet because of the increased water level.

Chairman Doe questions permanent management of the beavers. Mr. Cravo states there will be some type of management plan, beaver nuisances' control are an option.

Commissioner Florek asked if upper level dams were to breach on its own, will the water going to dam #2 be so much that it would fail with the pressure and what the cumulative damage would be. Coordinator Meassick states if that were to happen then the water would flow over the dams, until it levels out again or the beavers build higher.

Commissioner Fagnand asked if the BOH approves the trapping permit tomorrow does RLA have to come back in two weeks to ask for an official emergency certification. Coordinator Meassick answered that she would have to issue the emergency certification as it must be issued 24 hours after the BOH issues theirs. If they decide against the breaching and the trapping then RLA can apply to ConCom for breaching the dams under a Notice of Intent. Commissioner Fagnand agrees.

Barbara with Arm brook, states that the beavers have been there for over 50 years and she never heard of the dams breaching or over flowing. In many cases, if beavers are removed, they will go back and rebuild. She does not want to see the beavers killed and dams destroyed.

Chairman Doe thanks her for her input and ends the discussion.

4. PUBLIC MEETINGS (RDAs)

There are none at this time.

5. PUBLIC HEARINGS (NOIs)

- A. Old Long Pond Road Culvert – DEP File #333-821 – DPW
Proposal: Replacement of culvert at Old Long Pond Rd

A continuance was requested.

Commissioner Fagnand motions to continue to October 25, 2022. Commissioner Grobe seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM-yes, DD-yes.

The motion passes.

- B. 280 & 282 East Main Street (Starbucks) – DEP File #333-825 – Peter LaPointe
Proposal: Drive-thru changes within flood zone

A continuance was requested.

Commissioner Fagnand motions to continue to October 25, 2022. Commissioner Grobe seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM-yes, DD-yes.

The motion passes.

6. ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

- A. 0 Timberswamp Road and 121 Medeiros Way (63R-14 & 63R-15) – DEP File #333-823
– Sovereign Builders c/o Todd Cellura
Proposal: To evaluate and accept the delineated wetland resource areas

A continuance was requested.

Commissioner Fagnand motions to continue to October 25, 2022. Commissioner Grobe seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM-yes, DD-yes.

The motion passes.

6. ENFORCEMENTS

- A. 77 Mill Street – (Crane Mills)- J. Rockwell Allen
Violation: Clearing of trees and establishing outdoor dining within riverfront area without a permit

Coordinator Meassick read the narrative explaining what was done. Mr. Allen cleared the vegetation that was there due to a Tighe and Bond report when they reconstructed the dam. They had to clear the vegetation that was there to protect the structural integrity and the dam and abutment, the area has been used for 25 years for picnicking, they have place several tables in this area, the trees were cut down again from the embankment and abutment, gravel and washed pea stone was used to create a 5ft path from west parking lot to the dam, and they spread the wood chips under picnic tables. And to reach out if we have any further questions.

Chairman Doe asked that a narrative be kept in the record

Coordinator Meassick recommends the commission lift the enforcement order

Commissioner Fagnand explains that any future concerns can be evaluated against that documentation now and can decide if its an issue or not.

Commissioner Florek asked if they have a maintenance plan. Coordinator Meassick explains they have to keep clear abutments within 20ft from the dam according to Massachusetts office of dam's safety policy's on tree on dams. They have to regularly monitor the embankment, mow vegetation with 20ft, and remove debris from the spillway as necessary.

Commissioner Grobe motions to lift enforcement order. Commissioner Fagnand seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM- yes, DD-yes.

The motion passes.

7. CERTIFICATE OF COMPLIANCE

- A. Arm Brook Assistant Living Facility – DEP File #333-647
Permit: Construction of facility

No updates have been received.

Commissioner Grobe motions to continue to October 25, 2022. Commissioner Fagnand seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM- yes, DD-yes.
The motion passes.

- B. Arm Brook Assistant Living Facility – DEP File #333-747
Permit: Fixing errors from previous construction

No updates have been received.

Commissioner Grobe motions to continue to October 25, 2022. Commissioner Fagnand seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM-yes, DD-yes.
The motion passes.

8. COMMISSION DISCUSSION

- A. Regulations & Procedures Q&A
- B. Review and Approval of September 27, 2022 Minutes

Commissioner Grobe motions to approve the minutes of September 27, 2022.
Commissioner Fagnand seconds. AF-yes, RF-yes, LD-abs, DD- yes, CG-yes, JM-abs,

The motion passes.

- C. Review of any additional administrative items

Commissioner Fagnand motions to not schedule the December 27, 2022 Meeting.
Commissioner Florek seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM-yes, DD-yes.

The motion passes.

9. MOTION TO ADJOURN

Vice Chairman Murphy motions to adjourn at 6:50pm. Commissioner Fagnand seconds. AF-yes, RF-yes, LD-yes, CG-yes, JM- yes, DD-yes.

The motion passes.

Upcoming Meeting Dates (subject to change): 10-11-2022, 10-25-2022, 11-8-2022, 11-22-2022, 12-13-2022, 12-27-2022

A true record, Attest:

Conservation Clerk Christina Ramos and Conservation Coordinator Anna Meassick

