



City of Westfield, Massachusetts

Municipal Conservation Commission

October 13, 2020

REMOTE MEETING MINUTES

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OCT 30 2020

WESTFIELD CITY CLERK

Conservation Commission members in attendance: Chairman David Doe (DD), Vice Chairman James Murphy (JM), Thomas Sharp (TS), Carl Grobe (CG), Alex Fagnand (AF), Cliff Laraway (CL) and Robert Florek (RF). Also in attendance: Meredith Borenstein, Conservation Coordinator and Colleen Fegan-Nunez, Administrative Assistant.

Commissioner Doe reads: *Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, 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 online at westfieldtv.org. 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. He takes attendance. All Commission members are in attendance.

2. OPEN PARTICIPATION-

The Commission discusses that the owner of the property at 868 Southampton Road # 33 had filed an RDA for tree removal, but during the storm on October 10th all of the trees that the owner asks to take down, fell. The owner then requested an Emergency Certification to perform clean up on his property. The Commission decides to ratify.

Commissioner Sharp motions to ratify the Emergency Certification and is seconded by Vice Chairman Murphy. JM-Yes, CG-Yes, RF-Yes, TS-Yes, AF-Yes, CL-Yes
The motion passes.

3. PUBLIC HEARINGS

- A. Westfield River Floodway- City of Westfield-DEP File #333-0792
Clearing vegetation in the Westfield River Floodway
Mr. Ryan Nelson of R. Levesque and Associates Inc. is present.

Applicant requests a continuance to October 27, 2020 at 6:30 PM.

Commissioner Sharp motions to continue to October 27, 2020 at 6:30 PM and is seconded by Commissioner Laraway. JM-Yes, CG-Yes, RF-Yes, TS-Yes, AF-Yes, CL-Yes

The motion passes.

- B. 505 Hillside Road-Ralph DePalma-DEP File #333-793
Construction of a single family home and associated site improvements within the 100-foot Buffer Zone.
Mr. Ryan Nelson of R. Levesque and Associates Inc. is present representing Mr. DePalma.

Mr. Nelson presents the updated plans. The Commission discusses the plan for the storm water mitigation, the addition of a swale and rain garden to keep the stormwater on site and the addition of wetland monumentation on the fifty foot wetland Buffer Zone. They discuss that any mowing of the fields will only be done in the late fall. There will be a silt fence installed around the Limit of Work during construction. The Commission then discusses why with 77 acres the applicant opted to build in this location. There are two separate lots and the applicant would like to keep them separate.

Commissioner Grobe motions to close the Public Hearing and is seconded by Commissioner Fagnand. JM-Yes, RF-Yes, AF-Yes, TS-Yes, CG-Yes, CL-Yes
The motion passes.

The Commission decides on a \$5000.00 bond.

Commissioner Grobe motions to accept the Order of Conditions as written and is seconded by Commissioner Fagnand. CG-Yes, TS-Yes, AF-Yes, CL-Yes, RF-Yes, JM-Yes

The motion passes.

4. PUBLIC MEETINGS-None at this time.

5. ENFORCEMENT-

A. 51 Deer Path Lane (62R-49)

Clearing in the 100-foot Buffer Zone of an intermittent stream without a permit.

Coordinator Borenstein explains that the landowner cut down trees and filled an intermittent stream. She asks if she can update the EO to include her suggestions.

Vice Chairman Murphy motions to add:

1. Remove the mulch from within the stream by hand.
2. Install straw wattles at the toe of the slope.
3. Regrade rilling on the slope by hand.
4. Revegetate the slope with native seed mix and at least ten native shrubs.

and is seconded by Commissioner Sharp. CG-Yes, RF-Yes, TS-Yes, AF-Yes, JM-Yes, CL-Yes

The motion passes.

B. 58 Southwick Road (91-17)-Casey Management Corp/Jelly Belly Pool and Spa Soil storage and sedimentation in the Buffer Zone without a permit.

The Commission discusses that materials are going over the side of the hill and entering the wetland that is at the toe of the slope. They discuss ways to remedy the situation.

Commissioner Sharp motions:

1. Issue an Enforcement Order.
2. Install straw bales and a silt fence at the top of the slope.
3. Remove sand that has gone over the side of the slope by hand.
4. Move dirt pile away from the top of the slope.
5. Revegetates with native seed mix and mulch with straw.
6. Install jersey barriers 25 feet from top of the slope in front of the erosion controls.

and is seconded by Commissioner Grobe. CG-Yes, RF-Yes, TS-Yes, AF-Yes, JM-Yes, CL-Yes.

The motion passes.

Commissioner Fagnand recuses himself.

C. 115 West Silver Street (34-11)-Baystate Noble Hospital

Grading of gravel parking lot located off Court Street without a permit or erosion controls.

The Commission discusses that this Enforcement must be done as soon as possible because of the impending winter and snow removal. The Commission would like a plan for the meeting on October 27, 2020 at 6:30 PM.

Vice Chairman Murphy motions to issue an Enforcement Order and is seconded by Commissioner Grobe. CG-Yes, RF-Yes, CL-Yes, TS-Yes, JM-Yes
The motion passes

6. DISCUSSION

- A. 112 City View Road (14R-44)-Tok Chang
Ratify Emergency Certification for a septic repair.

Coordinator Borenstein states that this work needs to be done immediately because the septic system is not functioning.

Vice Chairman Murphy motions to ratify the Emergency Certification and is seconded by Commissioner Grobe. CG-Yes, RF-Yes, JM-Yes, AF-Yes, TS-Yes, CL-Yes
The motion passes.

- B. 466 Montgomery Road-Conservation Restriction
Emily Boss is present.

Ms. Boss reminds the Commission that they had previously voted to co-hold this restriction. She states that the property is a working farm with livestock. She states this is a typical CR for this type of property. The Commission discusses the CR that has been approved by the City Solicitor.

Commissioner Fagnand motions to accept the Conservation Restriction and is second by Commissioner Grobe. CG-Yes, RF-Yes, CL-Yes, TS-Yes, AF-Yes, JM-Yes
The motion passes.

7. MOTION TO ADJOURN

Commissioner Fagnand motions to adjourn at 8:07 PM and is seconded by Commissioner Grobe. CG-Yes, RF-Yes, TS-Yes, AF-Yes, CL-Yes, JM-Yes
The motion passes.

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