



Town of West Springfield
West Springfield Conservation Commission
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**Minutes
Wednesday
September 12, 2018
6:00 PM**

Approved 1/23/19

Justin Morgan Auditorium

<https://livestream.com/accounts/5714082/events/6341212/videos/180187263>

Members present: Chairperson Kevin Cote, Virginia Danforth (6: 04pm), Maryellen Hammond, Daniel Hannoush, Adam Jabber, Deena Maniscalchi

Members excused: Melissa Hensen

Others present: Mark Noonan, Conservation Agent

Chairman Kevin Cote opened the meeting at 6:01 P.M. He thanked everyone for attending and in accordance with MGL Ch. 30A, read the standard procedures for those intending to record meetings, the receiving of information by the Board, and documentation kept by the Board.

Commission members and staff introduced themselves for the general public.

Agenda

Had to skip a motion to accept the agenda because it was not ready.

Public Participation:

Kevin asked if there were any items not on the agenda raised by the public. There were not.

Approval of Minutes:

Hannoush made a motion to accept the August 22, 2018, minutes and Hammond second. AIF

Request for Determination: 304 Edgewood Rd., Tree Removal & Brush Cutting

Amy Everett, property owner, addressed the committee stating there are 10-15 trees behind her property that lean toward her home and they sway when the weather is stormy. She is fearful they will fall onto her house and she feels they should be removed. Cote commented that the brook is intermittent and not perennial. He passed around photos of the property and mentioned that there should be no dumping of

clippings or leaves. Owner stated that the old brush that had been dumped there will be removed when the trees are cut down. Maniscalchi asked what kind of trees they are. Owner responded they are all various types of maple trees. Hammond asked if Noonan had been out to the property and what his opinion is. Noonan responded he was out there two years ago and then again more recently. Noonan showed the committee a map of the original subdivision. The area is low and flat. It is far back from the edge of the lot. Hammond asked Noonan how many trees would remain after the trees in question are removed. Resident said the trees are 20-30 feet from the property. Noonan said it will open up the area. Hammond stated that this would make the area wetter. Noonan understands the concern about the trees hitting the house. It is a balance. Noonan observed wetland plant, but it was drier as you got closer to the house. The resident has not timetable, and Noonan is concerned. He suggested a site visit by the committee would help. Cote asked if this work is in buffer. Noonan said it is definitely in buffer. Without a delineation he can not say for certain. Hannoush asked how far it is from the stream. Noonan as it is a good distance. Stream is on the town owned space. Hammond asked if Noonan felt the removal of 15 trees for safety sake was necessary. Noonan was not exact on the actual number. Cote said the distance was relevant, as the farther back you go, the closer to the wetlands it is. He asked the commissioners what they would like to do. Manascalchi said she would like to visit the site. After 4:30 PM on the Sept 17th was agreed upon by everyone. The RDA will be continued at the next meeting on Sept 26th.

Enforcements

Cote asked that the committee discuss 74 Althea St. Christopher Sariol took the podium. Noonan stated an abutter contacted the building department saying that water is being drained onto his property. Building Inspector and Noonan found fill in the backyard, without a permit. Resident was not aware he needed a permit. It is causing erosion into the wetland which is a violation. short of a formal enforcement, he thought it would be better to wait to see where things were at. Resident stated he contacted several engineers and architectural services. Steven R. Roberts came out and wrote a plan to install a dry well. Gave the plan to Noonan to review. Noonan asked if an RDA should be filed or if the work should be done under enforcement. Commissioners stated the resident has been helpful and suggest an enforcement plan be written. Cote stated it would allow him to proceed with the work. An enforcement order will be drafted. Noonan needs to speak with the firm that proposed the work prior to any work being started. Resident stated he will be doing the actual work himself.

Notice of Intent; Lot 8, 76 Hyde Rd, Single Family Home Construction

Michael Macco took the podium. The plan for this proposed home was presented and reviewed by the committee. Will be observing a 50 foot buffer zone from the wetland area of the property. A silt fence will be installed and maintained throughout construction until the lawn is established and site is stable. Only grading will be done in the buffer zone.

Hannoush asked if the wetland line had been delineated as yet. Noonan said it has been. Nothing is past the 50' buffer line. Owner had applied for a variance to move the house so there would be less impact on the slope. The foundation excavation is 6' at the front of the house.

Cote will close the hearing and issue an order so that by September 26th the excavation can begin. Motion to close bt Hammond. Second by Maniscalchi. AIF

Cote made motion for an order of standard conditions to be drafted by Noonan and presented to the owner. Maniscalchi made a motion to include all future buyers be notified there are wetlands on the property. Hammond second. AIF

Cote will not be at the site visit 9/17/18.

Request for Certificate of Compliance, 330-0434, 673 Morgan Rd.

Noonan said it looks great. Grass is grown in and a fence has been put up. Driveway is not paved. Noonan will speak with resident as it would be an alteration within the buffer. Hannoush made a motion to issue the certificate of compliance. Second by Maniscalchi. AIF

Request for extension, Country Club Estates, 330-0328 Piper Green.

They would like more time. They feel it should be complete in two years. Noonan says the properties have been selling. Motion to issue a two year extension made by Hannoush. Second by Jabber. Yay by Cote and Danforth. Nay by Hammond and Maniscalchi. Motion passes four to two. Cote said there were many complaints around this property by the owner took action quickly and did a lot of work with the town.

Information, 330-0350 Chandler Architectural, Restriction

Cote asked Noonan to find the livestream where this issue had already been discussed and agreed upon. Will discuss at next meeting. Asked the committee to watch the livestream as a refresher. Please find the link and share with the members.

Enforcement, 23 Old Orchard Rd., dirt bike track

Noonan received a call from Mrs. Fraczek who had confronted the owner of 15 Highland Park Dr. , Mr. Christodlous. Noonan will try to work with the land owner to resolve this issue. Hammond asked if this could be a police matter. Cote said it might be possible that this could be resolved in a court case. Noonan said his main concern is the wetland area. Maniscalchi asked how close the track is to the the wetlands. Noonan says it could be in the wetland. Area is currently Dry. Cote said he will wait on an enforcement order until the parties try to come to a resolution. Cote asks that they try and resolve this quickly. Noonan will visit the property again.

Other Business:

Hannoush questioned the attorney letter from Costello & Landrigan, regarding 330-0352 and the 5 year agreed upon restriction . Will be discussed further at the next meeting.

Chairperson Cote asked if there was any other business. There was not. The meeting was adjourned at 6:55 P.M.

Respectfully submitted,
Darleen Dubiel