



Town of West Springfield
West Springfield Conservation Commission
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Approved 1/23/19

Minutes
Wednesday
October 24, 2018
6:00 PM

Justin Morgan Auditorium

A video of this meeting is available online at

<https://livestream.com/accounts/5714082/events/6341212/videos/182447714>

Members present: Kevin Cote, Virginia Danforth (6:03PM), Danny Hannoush, Melissa Hensen, Deena Maniscalchi

Members excused: Maryellen Hammond, Adam Jabber

Others present: Mark Noonan, Conservation Agent

Introduction

Chairman 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.
Meeting Procedures were reviewed.

Agenda

Motion to accept the agenda made by Maniscalchi. Second by Hannoush. AIF

Minutes

Past minutes will not be reviewed until the next meeting.

Public Participation:

Cote asked if there was anything not on the agenda that needed to be discussed. There was nothing raised.

Request for Determination of Applicability - 38 Humphrey Lane - tree removal - site visit

Noonan began by stating he received a call about trees being cut down without a permit. He went out there to find that two trees were being cut in the buffer of the wetland. The resident is running his business from this address and there was roofing material stored on the side of the brook and previous cuttings that have been dumped in the wetland. Noonan told the resident that he needed to stop and must file. Noonan encouraged a site visit.

Cote asked if the business was a concern to the wetland or to the town. Noonan responded that the business is concern to the town and the storing of the roofing materials next to the brook is a concern for the wetland.

Hannoush asked if the tree removal should be issued a negative determination? Noonan said to do a site visit, get feedback from the applicant and then make a determination. Hannoush asked how far the trees are from the brook. Property owner stated they are less than 10 feet. Commissioners agreed upon a site visit on Friday at 10:30AM. Cote said they would send a notice to all the commissioners.

At 6:08PM resident Pavel Duducal took the podium. Stated last Wednesday the tree fell down around 5:00PM. Asked who is responsible for these and other trees that could do damage or harm. Cote said the area is juristitutional because of the brook, but there is nothing that says you can not do the work. You just have to follow a process; come before this commission, explain what you would like to do. If there is a potential impact to the wetlands then a permit would need to be issued. If the impact is minimal then a negative determination could be issued. Your application is asking us if the wetland law is applicable to your situation. A site visit will be first step.

Noonan addressed the resident stating that the tree more than likely fell because of the work he had already done in that area, without a permit, which is why we are in this current situation. Noonan's concern is flooding. It can happen fairly quickly and the material you are storing next to the brook could end up in the brook and could clog the pipes.

Cote asked if the resident had a better understanding of the the process and current situation. Pavel said he understood and said there have been many big fallen branches that cause damage. Asked who is responsible for it. Cote reiterated that he can take trees down as long he he follows the process. Duducal said it takes too long to get a tree service to come out. Noonan stated if he ever feels like there is an emergency situation he can always call him directly and he could be there the next day. Duducal said there are four trees that need to come down. Noonan said it was caused by prior work done without a permit. Cote summarized by saying there is a process if ever there is an emergency, a plan is in place for a site visit, they will review the other concerns on the property. The next meeting will be on November 14th at which time they will issue a ruling. It could be sooner if deemed necessary. Duducal thanks the commissioners. Noonan asked him not to cut down any more trees.

Request for Determination - 530 Rogers Ave - confirmation of wetland lines

John Goddard from Levesque Associates took the podium. Would like to set up a site visit. Land is approx. 20 acres. Cote asked if the delineation is recent. Goddard said yes. Noonan would like it closer to the next meeting on 11/14/18 as he needs to get out there first. 9:00 AM on 11/7/18 was agreed upon for the site visit. Cote asked if there is anything else. There was not.

Notice of Intention - 429 Morgan Rd. 330-0365

John Goddard from R. Levesque Associates took the podium again. DEP wanted to be assured we had looked at alternatives to this proposed site. 4,990 SQ FT are involved in this project. The whole idea is to bring people into closer contact with these natural resource areas. Must keep a prudent distance from the adjacent Irish Cultural Center and the fields associated with it (their lease area). One benefit of the physical installation relates to the annual mowing to ensure it does not invade the wetland areas. The viability of the replication (1.7:1.0) of the site leaves us with a high confidence of success. Cote asked several questions about different areas on the drawing including the trail, dam crossing and berm area. Goddard explained all these in greater detail. Cote asked what the total length of the loop was. It is less than one mile. Maniscalchi asked wooden safety fencing. He explained that it would be in certain areas only, augered and cemented into the ground. Cote asked about signage near the parking lot. Goddard answered that just the change in roadway material is all that is planned for currently. It could always be added. Hensen asked if the path material was conducive to wheelchairs and if there would be benches installed. Goddard said that it is rated for accessibility but limited site amenities installed at this phase of the project. Noonan stated he is looking at grants to fund these upgrades. He then asked if there would be tree removal to install the bridge. Goddard said it is likely to be a factor. Hannoush read that it stated Noonan must be consulted throughout the project. Noonan asked the commission and Goddard to review the finding and proposed conditions. Goddard agreed with them. Noonan mentioned SC30 and SC29. Noonan found a study that said the stabilized stone dust could be an issue over time. He would like the director of central maintenance department, who will be responsible for maintaining the area, to assess the area and material. Hensen asked for clarity on the replication ratio. Cote asked about the materials used for the lookout areas. Goddard explained.

Hensen moved to close the hearing 330-0365. Hannoush second. AIF

Maniscalchi made a motion to issue an order of conditions as written and discussed on 330-0365. Hannoush second. AIF

Emergency Orders Update - Bear Hole Beavers

Noonan stated the beaver deceiver was installed on Monday on Prospect Ave. The emergency order was useful. Everyone is happy. The beaver gets to stay. Cote mentioned that this is peak beaver activity season.

Noonan added that there is a new Dunkin Donuts plan for the next hearing, as well as issues of the residents on Duke St regarding Country Club Estates.

Cote asked if there was any other business. There was not. Meeting adjourned at 6:53 PM.

Respectfully submitted,
Darleen Dubiel