



MIDDLEFIELD TOWN HALL  
CONSERVATION COMMISSION  
MEETING MINUTES  
2021/12/08

Chair Carol Waag, Kim Baker, Mitch Feldmesser, and David Fuller. Regrets: Wayne Main and alt. Barry Bernard. Guest: Frank Lopinsky  
Meeting began at 6:35

**Minutes:** Motions were made and seconded to approve the 10-13 & 11-10 minutes. Motions approved as written.

**Mail:** MAAC is increasing dues to \$95. Several forest cutting plans were received.

**25 Bell Road (Lopinsky) Timeline:**

- On Dec 1, 2021, a building permit was issued to Frank Lopinsky for an attached garage by Building Inspector William Gerard, that did not take into consideration the wetlands on the property. The Building Inspector failed to notice the wetlands, and failed to notify the Conservation Commission. On Dec 2, Waag requested that Gerard contact the landowner to inform him of this. On the advice of DEP's Mark Stinson, Waag requested that the landowner or his contractor install erosion controls upslope of the wetlands and submit a Request for Determination of Applicability (RDA). The ConCom was contacted by Lopinski once the erosion controls were in place. On a Dec 3 site visit, Waag and fellow board member Kim Baker made a site visit, took measurements of the distance from the construction site to the wetlands, and requested that 25' more of straw wattle be added (100' of silt fencing and 25' of straw wattle were already in place.) Texts and emails were sent to commission members informing them of this development. By Dec. 6 additional controls were in place and the landowner submitted a WPA Form 1: RDA.
- **Communication:** Board Member Mitch Feldmesser questioned the communication and procedures chosen as he does not have an email address and does not read his texts till the end of his day.
- **RDA:** The board members reviewed the RDA. Feldmesser questioned measurements on the OLIVER Mass.gov map showing setbacks. On the map, and on the site, the construction is more than 50' from the wetlands and from the culvert outlet. After deliberation the Commission approved a negative determination. It was requested that Mr. Lopinsky contact the ConCom in the future if he plans to conduct work within 100' of the wetlands.
- **Building Inspector:** We discussed how to avoid this situation in the future, such as a sign-off procedure whereby all relevant boards review building permit applications before their approval. Further discussion will ensue at the next Select Board meeting.

**NEXT MEETING:** Jan 12 at 6:30 (rescheduled to Jan. 19<sup>th</sup>)

**ADJOURNMENT:** Motion made and seconded to adjourn at 7:38. Motion passed.

Respectfully submitted, Suzanne C. Lemieux w/edits