

AGAWAM CONSERVATION COMMISSION
January 14, 2021

MEMBERS PRESENT:

Henry Kozloski
Sheryl Becker
S. Page Fallon
Magda Galiatsos
Keven Brown
Frank Meagher
Jill Ward

MEMBERS ABSENT:

ALSO PRESENT:

Pamela Kerr

VIA Zoom Webinar

Mr. Kozloski called the meeting to order at 6:00 PM.

1. PUBLIC HEARING CONTINUED – Notice of Intent – Aspenwood Associates LLC
– 0 Silver Street and 0 Doane Avenue

Kirk McNaughton was present along with Christin McDonough, professional wetland scientist for SWCA. She stated that she has completed the wetland delineation for the Aspenwood project. She recently met with Emily Stockman of Stockman Associates who conducted a third party review. They did a site visit last Monday, January 4, 2021 to review the Notice of Intent application and the wetland delineation for the project. Ms. Stockman spoke saying that she had forwarded her comments to the Conservation Commission on January 8, 2021. She concurs with the wetland boundaries as established by SWCA as the bordering vegetated wetlands are well defined. Ms. McDonough went through Ms. Stockman's comments. Mr. Kozloski asked if NHESP would be involved. Ms. McDonough said that they are working with National Heritage and have received their initial Determination. She went on to say that a revised set of plans needs to be issued accommodating all of Ms. Stockman's comments. She will provide a written response to the comments as well.

Chairperson Kozloski opened the hearing to the Public.

Lisa Patnode, an abutter, asked for the location of the retaining wall. Mr. McNaughton said that it is located on the south side of lots 3 & 4. He went on to say that the Town Engineer is concerned with the retaining wall since it could be eliminated by grading away from the road however it would involve more wetland impacts. Ms. Patnode asked for information about the buffer zone. Mr. McNaughton said there will be minimal impacts within the buffer zone. Ms.

McDonough clarified that lots 3 & 4 and the road would be the affected area and very slightly on lot# 1. Ms. Patnode asked for information about National Heritage. Ms. McDonough said there are 2 endangered species on site and they are currently in the process of permitting with NHESP.

James Consolini, 101 Doane Avenue, asked to be shown where the endangered species are located. Ms. McDonough said the entire parcel is located within priority habitat for rare wildlife. Ms. Patnode asked how the Conservation Commission will protect the species. Ms. Ward said that National Heritage will likely ask the developer to do an individual species survey to locate and map the species. There was discussion about building where the endangered species are located. Ms. Stockman advised that the Commission cannot close the public hearing until the determination letter has been issued. The letter has been issued however there are still open items to be addressed from the Mass Wetlands Protection Act through the 310 CMR. She advises keeping the public hearing open until the Commission has a formal approval of the CMP. Stu Kibbe, Doane Avenue abutter, stated that this is a delicate and unique piece of property. He is concerned with the endangered species on the property. He asked if this property is eligible for CPA funds. Ms. Ward said he can contact the CPA for more information. Mr. McNaughton asked to continue the Public Hearing for Notice of Intent – Aspenwood Associates LLC – 0 Silver Street and 0 Doane Avenue as he will be submitting a revised plan.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Public Hearing – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street and 0 Doane Avenue to the January 28, 2021 Conservation Commission meeting.

ROLL CALL VOTE 7 - 0

2. PUBLIC HEARING CONTINUED – Abbreviated Notice of Resource Area Delineation (ANRAD) – 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street (cont. to 1/14/21)

Emily Stockman of Stockman Associates gave an update on the third party review that she has continued with thus far. She was on site in November of 2020 with Chase Bernier of SWCA and subsequently produced a comment letter on December 9, 2020 requesting a number of revisions. She has not received a response from SWCA. She returned to the site on December 17, 2020 with Mr. Bernier. Some additional wetland resources were flagged and additional comments were prepared. Ms. Stockman noted that the original ANRAD listed 4 parcels for review per SWCA. On the current request from the applicant there are only 3. She said this needs to be clarified. She went on to say that confirmation is needed as to the landowner to be listed. She also said that there were observed violations not by the applicant but the violations are on the applicant's parcels and span onto an adjacent lot. Chase Bernier, project manager with SWCA, said they are working on a response to the DEP and Ms. Stockman's comments. On behalf of the applicant, he would like to request a continuance of the Public Hearing – ANRAD – for 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street.

Motion was made by Ms. Becker and seconded by Ms. Galiatsos to continue the Public Hearing – ANRAD – 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street to January 28, 2021.

ROLL CALL VOTE 6 – 0 (Ward)

3. PUBLIC HEARING CONTINUED – Notice of Intent – 358 Corey Street – Pond View Hollow – General Construction & Environmental, Inc.

Filipe Cravo of Rob Levesque Associates presented the revised plan. He has received a letter from Engineering stating that all their comments have been addressed. Plantings, a walkway and a bench have been added to the plan. Mr. Kozloski asked about snow storage. Mr. Cravo said it will go on the grass areas unless there is a large storm then it will be trucked off site. Ms. Becker would like to require trash barrels at the benches. Ms. Galiatsos was more concerned with the trash barrels not being emptied. Mr. Kozloski opened the Hearing to the Public.

Rachel Thomas, 43 Janelle Drive, asked if there would be sidewalks along Corey Street. Mr. Cravo said yes, there would be sidewalks across the frontage along Corey Street. Ms. Thomas also asked if the 45' measurement from the property line was to the building or the edge of the patio. Mr. Cravo said typically it is from the building. Ms. Thomas asked if the owner would be removing a broken and damaged tree on the property. Mr. Scott said he spoke with her and will help her when the tree removal equipment is on site. Ms. Thomas asked if the buildings will be built on slabs. Mr. Scott said there will be basements and should not affect the drainage. Ms. Thomas asked if there were plans for fencing. Mr. Scott said no. Ms. Thomas gave her permission to access the tree to be removed through her property. Ms. Becker would like to require that the stumps that are in the areas of jurisdiction be left. Mr. Kozloski added that plantings to replace the removed trees will be based on a site visit.

Motion was made by Ms. Ward and seconded by Mr. Meagher to close the Public Hearing – Notice of Intent – 358 Corey Street – Pond View Hollow – General Construction & Environmental, Inc.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue the Order of Conditions for 358 Corey Street – Notice of Intent – Pond View Hollow – General Construction & Environmental, Inc.

ROLL CALL VOTE 7 – 0

4. ENFORCEMENT ORDER UPDATES:

286 South Street – A site visit will be set up for Ms. Galiatsos and Ms. Becker with the homeowner.

144 Hendom Drive –

Motion was made by Ms. Becker and seconded by Mr. Meagher to extend the Enforcement Order for 144 Hendom Drive to March 1, 2021

ROLL CALL VOTE 7 – 0

Suffield Street – Town of Agawam (ratify)

Motion was made by Ms. Ward and seconded by Ms. Becker to ratify the Enforcement Order – Suffield Street – Town of Agawam.

ROLL CALL VOTE 7 – 0

North Street Extension (Tanglewood Lane) File# 87-0604 - An email was received from R. Levesque Associates stating that he is working with Mr. Tirone on preparing a restoration plan. The requirement for the submittal of the restoration plan had been extended by the Commission to tonight's meeting. They are requesting additional time to complete field survey work to March 1, 2021. Mr. Kozloski said that work has been done in the buffer zone so a restoration plan is required.

Motion was made by Ms. Ward and seconded by Ms. Becker to extend the Enforcement Order requirements for North Street Extension (Tanglewood Lane) File# 87-0604 to March 1, 2021.

ROLL CALL VOTE 6 – 0 – 1 (Meagher)

270 Main Street –

Motion was made by Ms. Ward and seconded by Mr. Meagher to lift the enforcement Order for 270 Main Street.

ROLL CALL VOTE 7 – 0

Bondi's Island Landfill (ratify)

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify the Enforcement Order for Bondi's Island Landfill.

ROLL CALL VOTE 7 – 0

5. Correspondence and Complaints

22 Worthington Brook – Debris is being dumped on the rear of this property which abuts farm land. The Commission dealt this a similar complaint a few years ago and it would found that the dumping was coming from the adjacent farmland. It appears the dumping is occurring from the

that area once again. A letter was sent to the owner (Mr. Markowski) to set up a site visit. This will be on the next Agenda.

Poplar Street – Mr. Lucia submitted a letter regarding removal of trees. He said the trees will be tagged. He will contact the Commission when this has been done so that a site visit can be scheduled to look at the tagged trees to be removed, review the Order of Conditions as required, and field-locate the proposed monuments along the limit of work/lawn area.

44 Colonial Avenue Complaint – A complaint was received through the Engineering Department with several photos. A large amount of debris is in and around the stream.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue an Enforcement Order to 44 Colonial Avenue to remove all debris and fill from in or near the stream by January 27, 2021.

ROLL CALL VOTE 7 – 0

137 Main Street – A large broken tree was cut down and left on the stream embankment and needs to be removed. A letter will be sent to the homeowner indicating that the tree cut tree is to be removed from the embankment.

6. APPROVAL OF MINUTES – December 10, 2020

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to approve the minutes of December 10, 2020 as written.

ROLL CALL VOTE 7 – 0

7. Revised Layout – Tuckahoe Solar – South West Street

Mr. Kozloski and Mr. Fallon did a site visit with Engineering Department and a representative of Milone and MacBroom today to view the trees that must be removed as part of the proposed solar project. Mr. Kozloski noted that there are several damaged trees to be removed in that area located within the Town's 60' right of way. Ms. Ward asked how close to the stream the trees are. Mr. Kozloski said they are within the jurisdiction but within the 60' right of way.

Motion was made by Mr. Meagher and seconded by Ms. Becker to adjourn the meeting.

ROLL CALL VOTE 7 – 0

Meeting adjourned at 7:30pm.