

AGAWAM CONSERVATION COMMISSION  
February 11, 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

The Conservation Commission received a letter from Mr. Kirk MacNaughton requesting to continue the Public Hearing – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street and 0 Doane Avenue to February 25, 2021.

Motion was made by Mr. Meagher and seconded by Ms. Becker to continue the Public Hearing – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street and 0 Doane Avenue to February 25, 2021 as requested.

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)

The Conservation Commission received a request to continue the Public Hearing – ANRAD – 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street to February 25, 2021.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue ANRAD – 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street to February 25, 2021.

ROLL CALL VOTE 7 - 0

3. ENFORCEMENT ORDER UPDATES:

South Street – Mr. Kozloski - Extend to April 1, 2021.

North Street Extension / Tanglewood Lane – Previously extended to March 1, 2021.

44 Colonial Avenue – Mr. Kozloski said it can be taken off the agenda and will visit after next rain to see where the water is coming from.

Motion was made by Mr. Meagher and seconded by Mr. Brown to lift the Enforcement Order for Colonial Avenue and visit after next rain.

ROLL CALL VOTE 7 - 0

Suffield Street – T.O.A. – A request was received from R. Levesque Associates to extend the Enforcement Order to the Commission’s next meeting to allow time to work on the restoration plan.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to extend the Enforcement Order for Suffield Street – T.O.A. – to March 11, 2021.

ROLL CALL VOTE 7 - 0

Bondi’s Island Landfill – Mr. Kozloski said they will have to wait for the weather to break and extend to May 15, 2021.

Motion was made by Ms. Ward and seconded by Mr. Meagher to extend the Enforcement Order for Bondi’s Island Landfill to May 15, 2021.

ROLL CALL VOTE 7 - 0

4. REQUEST FOR EXTENSION – Twin Brook Estates – South Street

Mark Benoit, managing partner of the South Street Limited Partnership, began by saying that, as previously mentioned, they have encountered delays on this project due to partnership changes, Covid-19, and the price of raw materials. He said they still have a commitment to finish this project. Mr. Benoit would respectfully ask for another extension of the Order of Conditions so they can proceed with the project. Ms. Ward asked, realistically, how much of an extension would be needed. Mr. Benoit said 3 years would give flexibility to figure out the stabilization of the market. He added that material costs are still high. Ms. Kerr said that in speaking with Mark Stinson of the DEP, the stormwater regulations have been updated twice the OOC was issued in 2008. The town Engineer is concerned also as the Town drainage ordinance has been updated. Mr. Benoit said this project was approved when the market crashed so the project was put on hold until the economy improved. Mr. Kozloski asked if the project may or may not be started

this year. Mr. Benoit said he cannot guarantee that. Mr. Kozloski asked if any changes would be made to the plan. Mr. Benoit said they will be changing the size of the units from 2000sf to 1500sf with no second floor. He went on to say that if the OOC is not extended he would have to re-engineer the project and could not re-apply with this plan as so many regulations have changed. Ms. Ward said that there have been so many changes to the regulations and it has been such a long period of time an extension should probably not be given. Ms. Kerr said that the determination from the Army Corps of Engineers on isolated wetland has expired. Mr. Benoit said he would go back to the Planning board with the smaller units but the footprint would be the same. There would be no change in the open space or the drainage. Ms. Galiatsos asked that if the extension is granted would the project still have to meet the new regulations. Ms. Kerr said no, if the extension is granted no changes would be required. Mr. Benoit said there would be no impacts to the wetlands as the work was pulled back. Ms. Ward suggested tabling the extension in order to review the initial application and concerns and to do further research and also talk with Engineering and the Planning Board. Mr. Fallon said that the footprint for the buildings will be the same but there may be some Engineering concerns. He asked what the magnitude of the differences between the existing plan and the new regulations is. Mr. Benoit said that on the current plan there is one large retention area on the southeast portion of the site which will be dry most of the time. New codes require multiple smaller retention areas. As a result the number of units may be reduced. He said that would be the most significant change. Mr. Kozloski said that there is no guarantee that this project will be started in 3 years. It would take more than that to complete the project, then another extension would need to be granted. Mr. Benoit said he has been approached by a number of people to buy the project but no serious buyers. He said this is a complicated project with a cost of \$700,000 to \$800,000 for the infrastructure before the building begins. Mr. Kozloski suggested that a committee of 3 members of the Commission should be established to research the plan, file and the Order of Conditions. Ms. Ward agrees and said the Commission should do a thorough review to see if the plan from 2007 would be approvable today.

Motion was made by Ms. Ward and seconded by Mr. Meagher to form a committee to do a review of the project in light of the request for extension and to table the extension for Twin Brook Estates – South Street – to the next Conservation Commission meeting.

#### ROLL CALL VOTE 7 – 0

The review committee will consist of Ms. Ward, Mr. Fallon and Mr. Kozloski.

#### 5. Correspondences and Complaints –

Mr. Kozloski said, regarding letters sent to the Commission from a resident on Main Street, that he did not go to that property.

6. APPROVAL OF MINUTES – January 28, 2021

Motion was made by Ms. Galiatsos and seconded by Mr. Meagher to approve the minutes of January 28, 2021 as written.

ROLL CALL VOTE 7 - 0

Ms. Becker spoke saying that Mr. Jack Coughlin, a resident who has been very active in town clean-ups, was recently struck by a car and seriously injured. She is trying to put together a group of people to do regular clean-ups around the town. Ms. Becker said that there will be a Spring clean-up on April 24, 2021 in Mr. Coughlin's honor.

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

ROLL CALL VOTE 7 – 0

Meeting adjourned at 6:45 pm.

Hpg