

AGAWAM CONSERVATION COMMISSION
April 26, 2018

MEMBERS PRESENT:

Henry A. Kozloski, Chairman
Sheryl Becker
S. Page Fallon
Frank Meagher

MEMBERS ABSENT:

Magda Galiatsos
Jill Messick

ALSO PRESENT:

Pamela R. Kerr

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

1. REQUEST FOR DETERMINATION – 107 Valley Brook Road – Gamache

Mr. Gamache was in attendance to present this RDA for a garage addition to his home. He explained it will go out 19' and will be 15' from the side boundary and approximately 64' from the intermittent brook (labeled drainage easement on plan). Members met at this site before the meeting.

Motion was made by Mr. Meagher and seconded by Ms. Becker to issue a Negative Determination of Applicability for the proposed garage addition to 107 Valley Brook Road.

VOTE 4-0

7. EMERGENCY ORDER – Three Mile Brook (ratify)

Mr. Kozloski issued this Emergency Order as the Health Director deemed a risk to the sanitary sewer line in the area due to a beaver dam and flooding. This Order will allow for the breach of the dam.

Motion was made by Mr. Meagher and seconded by Ms. Becker to ratify the Emergency Order issued to Mike Callahan, Beaver Solutions for breaching a beaver dam on Three Mile Brook off of Main Street.

VOTE 4-0

EMERGENCY ORDER – Adams Street – Mawaga Club (ratify)

Members had met previously on this property to view the dead or damaged trees that were hanging over an area that was going to be heavily used this past weekend for a fishing derby.

Motion was made by Ms. Becker and seconded by Mr. Fallon to ratify the Enforcement Order issued for tree cutting at the Mawaga Club.

VOTE 4-0

8. APPROVAL OF MINUTES – March 22 & April 12, 2018

Motion was made by Mr. Fallon and seconded by Mr. Meagher to approve the minutes of March 22, 2018 as written.

VOTE 4-0

Motion was made by Mr. Fallon and seconded by Mr. Meagher to approve the minutes of April 12, 2018 as written.

VOTE 4-0

9. CORRESPONDENCE & COMPLAINTS

The Commission requested a request for a Certificate of Compliance for 12 Jasmine Lane. Mr. Kozloski made an inspection and recommended that a Certificate be issued.

Motion was made by Mr. Meagher and seconded by Mr. Fallon to issue a Certificate of Compliance on 12 Jasmine Lane.

VOTE 4-0

EMERGENCY ORDER – South West Street – DPW

Mr. Kozloski issued this Emergency Order. The Health Agent, Kathleen Auer, had issued a permit for beaver trapping in the area previously. Mike Callahan of Beaver Solutions now proposes to install a Keystone Fence on the culvert at Leonard Pond on South West Street as beavers are actively trying to dam up the culvert. This was also recommended by Ms. Auer.

Motion was made by Mr. Meagher and seconded by Mr. Fallon to ratify the Enforcement Order issued for placement of a Keystone Fence on the culvert at Leonard Pond on South West Street.

VOTE 4-0

2. REQUEST FOR DETERMINATION – 96 Paul Revere Drive – Clapp

Ms. Clapp was in attendance to present this RDA for the placement of a 14' x 24' shed on stone at the end of her driveway. Members had previously met on this site to view the area of the proposed shed. Ms. Clapp stated that no dirt will be moved or placed behind this area.

Motion was made by Mr. Fallon and seconded by Mr. Meagher to issue a Negative Determination of Applicability for the placement of a shed at the end of the driveway on 96 Paul Revere Drive.

VOTE 4-0

10. PUBLIC HEARING CONT. – Springfield Water & Sewer Commission – Connecticut River & M Street

Mr. Kozloski stated that he and Ms. Messick and Ms. Kerr attended an informational meeting at DEP to get an update on this project. He stated that it looks like the project will begin in 2019 and will take at least two seasons (June through November) as the work can only be done during certain times of the year to provide minimal disturbance to endangered species. Methods of the construction proposed are either hydraulic or mechanical digging of the trench. They chose a “construction manager at risk” (CMAR) type of procurement for the project. They should have a contractor hired by this fall and that approach allows for them to be on board during the final project design.

3. REQUEST FOR DETERMINATION – 5 Silver Lake Drive – Dominik

Shawn Dominik was in attendance to present this RDA for his proposed 25’ x 25’ crushed stone pad for modified tile basketball court approximately 75’ to 100’ from the lake. He stated that the tiles are self-draining and that all excavated soil will be spread out on his lawn in the area between the basketball court and Mill Street. A silt sock will be used. Some members had previously met on this site to view the area.

Motion was made by Mr. Meagher and seconded by Ms. Becker to issue a Negative Determination of Applicability for the proposed basketball court for Dominik, 5 Silver Lake Drive.

VOTE 4-0

6. ENFORCEMENT ORDER UPDATES

North West Street – Kudlic – Members agreed that another site visit is necessary. This will be set up through the office.

Tanner Road – The members agreed to meet on site next Tuesday to view the restoration work that was required in the Enforcement Order.

M. Street – City of Springfield – A site visit was held last week to view the restoration work that was done at Bondi’s Island. Ms. Becker stated that the work looked good. Mr. Kozloski reminded the members that this Enforcement Order cannot be lifted for two years as it must go through two growing seasons first.

737 North Street (ratify)

Mr. Kozloski issued this Enforcement Order for work that was done within 100’ of a wetland. It appears that the owner installed a drain pipe from the house out to the wetland on the side of the property. Since receiving the Enforcement Order the owner has stabilized the site, installed a silt

fence, loamed, seeded and spread straw on the area. Members met at the location today before the meeting.

Motion was made by Mr. Meagher and seconded by Ms. Becker to ratify the Enforcement Order issued on 737 North Street by Mr. Kozloski.

VOTE 4-0

The members agreed that the Enforcement Order can be lifted once the grass grows. The owner was in attendance this evening. Mr. Meagher questioned whether the outfall of the pipe has sufficient stone to prevent scouring and erosion. Mr. Kozloski stated that heavier stone will be needed as discussed at the site visit.

4. PUBLIC HEARING CONT. – Notice of Intent – 311 Shoemaker Lane – TJA Solar

The applicant's representative requested another continuation as they are working with Emily Stockman to address her peer review concerns.

Motion was made by Mr. Fallon and seconded by Ms. Becker to continue the public hearing for the TJA Solar Notice of Intent for 311 Shoemaker Lane to May 10th as requested.

VOTE 4-0

5. PUBLIC HEARING – Notice of Intent – Lot 33 Kosak Court – Tirone

Ryan Nelson of R. Levesque Associates was in attendance to present this NOI along with the applicant, Mr. Tirone. Mr. Nelson explained that this lot contains a stormwater easement and detention basin which has not been maintained by the property owner and now has wetland vegetation in it. The proposed home will be left of the detention basin and the septic will be in the rear of the house. Silt fence is shown and the limit of clearing is shown up to the chain link fence (around detention basin). Mr. Nelson stated that there is an isolated wetland at the very rear of the lot that is a result of runoff from abutting yards. He explained that there is no outlet to it. He went on to say that all work will be within the buffer zone to the basin. Mr. Kozloski stated that there is also an intermittent stream to the east. He also stated that per the Engineering Department comments the detention basin must be maintained. He stated that the septic system must be at least 50' from the resource area and brought up the Engineering Department's concern with the elevation of the cellar and potential flooding. He asked that a site visit be scheduled with the Engineering Department. Mr. Fallon stated that it appears that they will be raising the backyard approximately 6' and asked if that would change the flow to the isolated wetland. Mr. Nelson explained the proposed topography of the lot and that the stormwater will hit the raised septic area and flow around it to the back of the lot. Mr. Kozloski asked for public input.

William Clark, 26 High Meadow asked why the Conservation Commission does not give this information regarding septic systems to the Town Council. He stated that the Town has not

upkept any of the stormwater in place. He asked if the DPW was going to do sampling in this pond as part of their stormwater work. He was informed that the Council receives minutes of all meetings.

Motion was made by Ms. Becker and seconded by Mr. Meagher to continue the public hearing for Lot 33 Kosak Court until the next meeting (May 10th).

VOTE 4-0

EMERGENCY ORDER – Federal Street (ratify)

Mr. Kozloski explained that he and Mr. Fallon met on-site with the new owner/builder of the three lots on Federal Street to view trees that he would like to remove prior to installing the silt fences. The owner, Val Shvetz, was in attendance this evening and stated that he would like to take down a few dead trees that pose a hazard for his work crew. Mr. Kozloski explained that the silt fence that is currently in place is not in the correct location and should be another ten feet out and that the removal of some of these trees was discussed at a previous site visit with DEP and Mr. Tirone. Mr. Shvetz stated that he has Ron Huot coming out to the site to stake the proper location of the silt fence and re-establish it per plan. Ms. Becker stated that she remembers talk about limbs to be removed but not trees. Mr. Fallon stated that he recollects that the trees to be removed were to be marked at a later date. He stated that he feels this is a reasonable request. Mr. Kozloski stated that there is one large dead tree in the Commission's jurisdiction and that there are trees to be removed adjacent to the proposed driveway for sight distance. He went on to say that the majority of the trees to be removed are outside of the Commission's jurisdiction.

Motion was made by Mr. Meagher and seconded by Mr. Fallon to ratify the Emergency Order issued to Shvetz for trees to be cut on Federal Street.

VOTE 4-0

The meeting adjourned at 7:10 PM.