

AGAWAM CONSERVATION COMMISSION
May 10, 2018

MEMBERS PRESENT:

Henry A. Kozloski, Chairman
Sheryl Becker
S. Page Fallon
Magda Galiatsos
Frank Meagher
Jill Messick

ALSO PRESENT:

Pamela R. Kerr

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

1. PUBLIC HEARING – Notice of Intent – Paul Revere Drive – Town of Agawam

Michelle Chase, Town Engineer, was in attendance as well as Mike Albro, Asst. Town Engineer to discuss dredging the stream behind Paul Revere Drive. Mr. Albro explained that in 2010 the Agawam DPW dredged a portion of this stream to alleviate flooding on private property under an Emergency Order. In 2017 a site was held in response to complaints from the residents at the end of Hendom Drive and on Paul Revere Drive regarding flooding. He stated that they propose to dredge the stream once again and remove excess vegetation. The work will extend from 143 Hendom Drive to 104 Paul Revere Drive. He went on to say that in 2010 they placed riprap at the southern end. Mr. Kozloski pointed out that in 2010 the work was started first and the Commission subsequently issued the Emergency Order. He also stated that in November of 2017 the Commission voted that this work would require a Notice of Intent. Ms. Chase explained that the Town does not maintain every stream but in this case when this subdivision was created in the 1970's, a drainage easement was given to the Town on this portion of the stream/swale. She went on to say that it unclear whether this was actually a stream at the time as the plans show it as a drainage easement. She stated that if it is a drainage swale then they could make the grades such that the property owners could mow and maintain it; or, if it is a stream and there is a 20' wide drainage easement it will need to be maintained every year. Ms. Messick explained that it is physically a stream and questioned whether the culvert is too small. She suggested a box culvert with a property bottom would be beneficial. Mr. Kozloski asked if they have determined the source of the sedimentation. Ms. Chase stated that the Town has not sanded those roadways in years, they only use salt but that the system may need to be cleaned. Mr. Albro stated that there are no culverts crossing the stream in this area, only bridges. Mr. Kozloski noted the email from the Town's Health Agent which indicates that dredging is not a permanent solution. Mr. Fallon stated measures should be investigated that would help reduce the flow velocity. Mr. Meagher asked how long it has been since it was last dredged. Mr. Albro indicated eight years ago. A site visit was scheduled for Tuesday at 2:00 PM at the end of Hendom Drive. Mr. Kozloski stated that DEP has not received the NOI yet so no file number

has been issued. He also stated that proper abutter notification has not been made. He then asked for public input.

Charlene Clark, 108 Paul Revere Drive stated that she has a 40' river going through her yard when it rains. She stated that the water goes up to her pool and she cannot let kids go near it as it flows so fast. She has a drain (easement) between her and her neighbor that puts the water into the stream. She stated that she cannot mow near the brook. When she moved in 1977 the brook was small and she stated that with the development it is much larger. She stated that it was dredged in the 80's then again in 2010 but she does not feel they dug deep enough in 2010.

Dave Reardon, 104 Paul Revere Drive stated that he agrees that the stream must be dredged deeper and that if it had been dug deeper in 2010 it would have lasted much longer. He feels they could get ten to twenty years out of it if it is dug deeper. He suggested that be done and then let the Town study how to provide for long term improvements. He also stated that they should put riprap at the three culverts that flow into the stream. He went on to say that he now needs flood insurance on his property.

Mr. Kozloski stated that the riverfront regulations are much more stringent and that the laws were much different in the 70's when these houses were built. He reiterated the need for the Commission to walk the stream with the Engineering Department to try and determine what is causing this problem.

William Clark, High Meadow asked if the Town has requested funding in the budget to do stormwater management. Ms. Chase indicated yes.

Motion was made by Ms. Messick and seconded by Mr. Fallon to continue the public hearing for the Town of Agawam's stream dredging behind Paul Revere Drive to the next meeting (May 24th).

VOTE 6-0

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

Ryan Nelson and Jon Goddard of R. Levesque Associates were in attendance as well as the applicant, Joe Tirone. Since the last meeting a site visit was held and since then Mr. Tirone cleaned a portion of the outlet structure of the detention basin on this lot. He notified the office when he performed the work and stated he immediately noticed a drop in the water level. Mr. Nelson presented a revised plan this evening that addresses the Engineering Department comments. He explained that the basement flood elevation is now shown at 216.75 and that the flood elevation is 216.55. Mr. Goddard stated that the new grades exceed the previous plan with the top of wall being increased as well. Ms. Messick stated that is still very close – 216.75 vs. 216.55. Mr. Kozloski asked how they would mow the detention basin twice per year as is required by the Town's Drainage Ordinance. Mr. Nelson stated that the detention basin overlaps on two parcels. Mr. Kozloski stated that he went out this week and found a small decrease in the water level. Mr. Goddard stated they would like to clear the vegetation and large trees within the buffer zone; the detention pond itself has been neglected over time and the outlet between the

two ponds is blocked. Ms. Chase stated that the detention pond that this pond flows to is designed to be a wet basin. She went on to say that she could check on whether the DPW could get in there to help clean it. Mr. Goddard stated that there is a greater issue with detention basins that are not maintained and acknowledged there is a Town ordinance that requires their maintenance. Mr. Tirone stated that if the other pond is cleaned and the outlet structures are cleared then this pond will drain 6" to 7" into the other. He reiterated that the detention ponds have been there for twenty-five years. Ms. Galiatsos left the meeting at this time. Mr. Kozloski stated that the Commission does not have the authority to tell him to leave the detention basins as is. Ms. Chase stated that the Town may be able to jet the pipes. Ms. Messick asked if the new proposed guidelines will strengthen maintenance requirements. Ms. Chase indicated that if the drainage fee is passed the Town would then take on the maintenance of the detention ponds and drainage systems. She went on to say that future subdivision can require homeowners associations to provide maintenance. Ms. Messick stated that maintenance of detention ponds has never been enforced. Mr. Fallon asked if compliance would violate the Wetlands Protection Act. Mr. Goddard stated yes, removal of trees and vegetation within the bordering vegetated wetland (bv) would be a violation and this is a bv.

Motion was made by Ms. Messick and seconded by Ms. Becker to close the public hearing on Lot 33 Kosak Court.

VOTE 3-1 (Kozloski opposed)

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

The peer review is ongoing. The applicant's representative has requested a continuance to the next meeting.

Motion was made by Ms. Messick and seconded by Ms. Becker to continue the public hearing for 311 Shoemaker Lane to the next meeting as requested.

VOTE 5-0

4. ENFORCEMENT ORDER UPDATES –

North West Street – Kudlic – Mike Mocko will be contacted to schedule this site visit.

Tannery Road – Bruno

Mrs. Bruno was in attendance as well as Jon Goddard of R. Levesque Associates. Mr. Kozloski stated that he went back to the site this week and took additional photos which show the vegetative re-growth in the areas of the violations. Mr. Meagher agreed that it has turned greener but still takes issue with the fact that all of the debris that was previously agreed upon was to have been removed during frozen ground conditions. He is not satisfied with the amount of trees/debris that was left and nothing can be done until the ground is frozen to avoid additional wetland impacts. Ms. Messick feels that it should be left as is for now as it is providing wildlife habitat now and it will eventually decay. Mr. Fallon recalled that it was agreed that when the

work has been completed the big road will be blocked to prevent ATV's using the area and to prevent future dumping. Mr. Kozloski stated that may not be effective the ATV's will just go around the blocked area and through the wetland. Ms. Messick feels that would not be practical as it is a large area to block off. Lisa Bruno was in attendance with her mom and stated that they do not wish to have the road block off with logs as the road has always been there and they use it as a farm road. She went on to say that it is private property and signs are posted to that effect.

Motion was made by Ms. Messick and seconded by Ms. Becker to lift the Enforcement Order issued to Bruno for property on Tannery Road.

VOTE 4-1 (Meagher opposed)

737 North Street – A re-inspection is needed to determine if the grass has been established.

Cirillo – Main Street – The members agreed to take this item off the agenda for now. The property is on the market. A letter will be sent to Six Flags to let them know. If another complaint is received, they will pursue the matter with Six Flags.

M Street – This Enforcement Order cannot be lifted for two years. It will be removed from the agenda at this time.

5. APPROVAL OF MINUTES – April 26, 2018

Motion was made by Mr. Fallon and seconded by Mr. Meagher to approve the April 26th minutes as written.

VOTE 4-0-1 (Messick abstained)

6. PUBLIC HEARING CONT. - Springfield Water & Sewer Commission – Conn. River

Motion was made by Ms. Messick and seconded by Ms. Becker to continue the public hearing for Springfield Water and Sewer Commission's Connecticut River crossing project to September 30, 2018 as the construction methods and other relevant permits are still being finalized.

VOTE 5-0

The Commission was notified by Mr. Shvetz that the silt fence has been installed on his Federal Street properties. Members agreed to meet on-site to view the silt fence on Monday at 11:00 AM.

School Street Park plantings have been completed per the Enforcement Order issued last year.

The members then wrote the Order of Conditions for Lot 33 Kosak Court. A copy can be obtained from the Town Clerk's office or the Conservation Commission office.

Agawam Conservation Commission
May 10, 2018

Motion was made by Ms. Messick and seconded by Ms. Becker to issue the Order of Conditions for Lot 33 Kosak Court as written.

VOTE 4-1 (Meagher opposed)

The meeting adjourned at 7:55 PM.