

AGAWAM CONSERVATION COMMISSION
June 13, 2019

Members Present:

Henry A. Kozloski, Chair
Sheryl Becker
Magda Galiatsos
Frank Meagher
Jill Messick

S. Page Fallon

Also Present:

Pam Kerr
Amanda Boissonneault

Members Absent:

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

A. 6:00 PM - Public Hearing – RDA – 737 North St. - LeBlanc

Property owner Keith LeBlanc was in attendance to present this RDA. Mr. LeBlanc is requesting to remove a tree on the left side of his property that is approximately 90 feet from a brook. The tree is split at the base, and leaning towards the neighbor's fence and a healthy maple tree that the property owner does not want to see damaged. Mr. LeBlanc would like to grind the stump at some point after removal, the Commission members were in agreement.

Mr. Kozloski opened the meeting to the public; no one spoke for or against.

Mr. Kozloski closed the public hearing.

Motion made by Ms. Messick and seconded by Mr. Meagher to issue a negative determination for 737 North Street.

VOTE 5-0

B. Public Hearing Cont. – Notice of Intent – Springfield Water & Sewer Commission – M Street & Connecticut River

Steve Frederick from the Springfield Water and Sewer Commission and Jason Lavoie, Project Manager with Kleinfelder were in attendance. The Commission members conducted a site visit on June 6, 2019. DEP has not issued a number yet, and is currently working with the applicants to address questions that came up during an in house meeting.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to continue the public hearing for the NOI for 250 M Street Ext. to the Conservation Commission's June 27, 2019 meeting.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to amend the order of the agenda.

VOTE 5-0

C. Public Hearing Cont. – Notice of Intent – 466 South Westfield Street – Shibley/Sweeney

The applicant is working on revised plans, and has requested to continue the public hearing to the Conservation Commission's next meeting date.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to continue the public hearing for the NOI for 466 S. Westfield Street to the Conservation Commission's June 27, 2019 meeting.

VOTE 5-0

D. Public Hearing Cont. – Abbreviated Notice of Resource Area Delineation – 0 & 683 S. Westfield St. – DePalma

The applicant has requested to continue the public hearing to the Commission's next meeting.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to continue the public hearing for the ANRAD for 0 & 683 S. Westfield Street to the Conservation Commission's June 27, 2019 meeting.

VOTE 5-0

E. Public Hearing Cont. – Abbreviated Notice of Resource Area Delineation - 255 & 267 S. Westfield St. – DePalma

Ryan Nelson with R. Levesque Associates and Peer Reviewer Emily Stockman were in attendance. Ms. Stockman explained she is still researching the properties, but believes there may be an existing order of conditions for 255 S. Westfield Street that was issued in 2007. Ms. Kerr stated she would check for a file to see if there is an active or expired order of conditions for the address. The Commission members, Ms. Stockman and Mr. Nelson conducted a site visit earlier in the week. There appears to be an area that has been recently filled towards the rear of 267 S. Westfield street. The current flagging may not be reflecting the boundary before any potential violations occurred. The members discussed needing more clarification of what is historic fill and what is new fill. Ms. Stockman advised if the Commission is inclined to request an evaluation of fill, to ask the applicant to begin at flag 132 & 147 and continue towards the front of the property.

Motion made by Ms. Messick and seconded by Ms. Becker to request an assessment of fill for 255 & 267 S. Westfield Street.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to continue the public hearing for the ANRAD for 255 & 267 S. Westfield Street to the Conservation Commission's June 13, 2019 meeting.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Galiatsos to amend the order of the agenda.

VOTE 5-0

G. Certificate of Compliance

1. 265 Main Street – An Order of Conditions had been issued for tree trimming for a solar project. A site visit was conducted, and it was determined that the work has been completed.

Motion made by Ms. Messick and seconded by Mr. Meagher to issue a Certificate of Compliance for 265 Main Street.

VOTE 5-0

H. Emergency Order

1. 61 Valley Street (ratify) – This property was condemned by the Building Inspector and the Health Agent. Mr. Kozloski explained the property owner will be demolishing the home by hand.

Motion made by Ms. Messick and seconded by Mr. Meagher to ratify the Emergency Order for 61 Valley Street.

VOTE 5-0

I. Enforcement Order Updates

1. Federal Street – No update

2. Bondi's Island (cont. to 6/12/19) – The Commission is currently waiting on an update from the City of Springfield on any new progress.

Motion made by Ms. Messick and seconded to Ms. Galiatsos to continue the Enforcement Order to the Conservation Commission's June 27th meeting.

VOTE 5-0

3. 944 Springfield Street – Mr. Kozloski conducted a site visit prior to this evening's meeting. The requested shrubs, from the restoration plan, have been planted, and grass seed has been put down. Mr. Kozloski expressed concern about customers parking on the grass, since there is no barrier between that area and the pavement. Ms. Kerr suggested monitoring the parking lot to see if this becomes an issue, the Commission Members agreed. The Enforcement Order will be eligible to be lifted once the grass is established.

4. 1298 Suffield Street – Ryan Nelson from R. Levesque Associates was in attendance. Mr. Nelson informed the Commission that the property owner will be working with them to file a Notice of Intent. The Building Inspector has issued a cease and desist order for any further work on the property until the proper paper work had been filed.

J. Approval of Minutes

1. May 9, 2019

Motion made by Ms. Messick and seconded by Ms. Galiatsos to approve the May 9, 2019 minutes as written.

VOTE 5-0

2. May 23, 2019

The minutes for May 23 2019 were not prepared in time for the meeting.

Motion made by Ms. Messick and seconded by Ms. Becker to table the May 23, 2019 minutes to the Commission's next meeting.

VOTE 5-0

K. Correspondences and Complaints

Harvey Johnson Drive – The Health Department, Engineering Department, and Conservation Commission have received numerous complaints about flooding. Culverts that were clogged have been cleaned out, and the excess water is now receding. Mr. Kozloski is going to ask the Engineering Department if the culvert under the street could also be inspected.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to put the agenda back in order.

VOTE 5-0

F. Public Hearing Cont. – Notice of Intent – Shoemaker Ln., Silver St. & Suffield St. – 261 Upgrade Projects – Tennessee Gas Pipeline Company

Deborah McCartney from Tennessee Gas, Rebecca Weissman from SWCA Environmental and Peer Reviewer Emily Stockman were in attendance. Ms. McCartney advised that they are preparing a written response to Ms. Stockman's review dated June 6, 2019, but had questions about a few of the comments. Ms. Stockman, the applicants and Commission Members went over each item from Ms. Stockman's review. In regards to item 2, a vernal pool habitat assessment within "Wetland F" is currently being evaluated. Ms. Stockman advised a vernal pool within a buffer zone can also qualify for protection under vernal pool habitat. Ms. Weismann stated salamander and wood frog were located in this area during a survey conducted in late April early May. Ms. McCartney explained they are working with NHESP, MESA, and MA WPA, and are conducting a survey east of "Wetland F" to establish an alternate route. Item 9, which questions what the phasing/construction sequence will be was also discussed. Ms. McCartney explained that performance standards can be provided in advance that can be included in the bid process, but specific plans will depend on the contractor that is chosen. Ms. McCartney stated once there is a contractor, details of the phasing and construction plan will be provided in as much detail as possible. Ms. McCartney is looking to answer this question with detail but also allow the contractor a little bit of flexibility to decide the best course of action. Mr. Kozloski suggested creating a subcommittee that can work with the applicants on best practices and options that can be presented to the full Commission. There was also a discussion in regards to notification when stream crossings are going to occur, what type of oversight will be in place, and when conditions will be optimum to complete the crossings. Ms. Stockman expressed concern about "Wetland E," and there was discussion about having a specific condition to allow work in this area only during low flow. The applicants requested to continue the public hearing to the end of July in order to complete their response to the peer review comments.

Motion made by Ms. Messick and seconded by Ms. Becker to continue the NOI for the 261 Upgrade Projects for Tennessee Gas Pipeline Company to the Conservation Commission's July 25, 2019 meeting.

VOTE 5-0

The meeting adjourned at 8:15 PM