

AGAWAM CONSERVATION COMMISSION
July 11, 2019

Members Present:

Henry A. Kozloski, Chair
Sheryl Becker
Magda Galiatsos
S. Page Fallon
Jill Messick

Members Absent:

Frank Meagher

Also Present:

Amanda Boissonneault

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

A. Public Hearing Cont. – Notice of Intent – 299 Main St. –Agawam Organics Recycling Facility 1

Sean Reardon with Tetra Tech and Sol Ucciani with Vanguard Renewables were in attendance. The applicants and Commission members conducted a site visit on Monday, July 8th. Mr. Reardon explained the revisions that have been made since the last meeting, including the addition of red maples to help with screening and blueberry bushes, a fire hydrant has been added, and a few labels on the plans were revised. The Engineering Department provided an email on July 11th stating they were unable to review the plans prior to the meeting, and would provide any comments they may have as soon as they are able to.

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

The Commission members discussed moving forward without a review from Engineering, and were in agreement to include the condition that any additional Engineering comments will need to be addressed by the applicant.

Motion was made by Ms. Messick and seconded by Ms. Galiatsos to close the public hearing for the Notice of Intent for 299 Main Street.

VOTE 5-0

The Order of Conditions for 299 Main Street will be written at the conclusion of the meeting.

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

Terry Reynolds, Dan Niche, applicants Victor Shirley and Kathleen Sweeney, and peer reviewer Emily Stockamn were in attendance. Mr. Reynolds explained the revisions that have taken place since the last meeting. The infiltration basin and all stormwater management have been removed

from the 100 foot buffer. The rain garden has been enlarged and shifted east, and with a subsurface system, will be handling all stormwater management. A few buildings were reduced in size and/or rotated to lessen the impact in the buffer zone. There will be grading in the rear lawns along the buffer zone and the removal of nine trees, which will be replaced two to one. Mr. Kozloski asked when restoration would take place. Mr. Reynolds and the Commission members discussed the restoration plantings to be completed within the first growing season. The limit of mow area is approximately 20 feet off the rear of the buildings. There are two temporary disturbances into the buffer with low flow footing drains, which will have siltsocks extended around them during construction. Mr. Kozloski asked if there would be any monuments to show where the limit of mow line is. Ms. Stockman suggested signage along with survey pins would be sufficient to stop encroachment on the resource area. The Commission members and applicants agree on language "Conservation Area No Work Beyond This Point" for the signs, with the sign and placement to be subject to review and approval by the Commission. The monuments and pins are to be installed when the lawn is stabilized and the silt socks have been removed. The rain garden has two outlets, the majority of the flow will go to the northern outlet that has a level spreader, with the southern outlet utilizing lower flow infiltration through the media. Ms. Stockman expressed concern about erosion and channelization. Mr. Reynolds explained he outlets are designed at a lower velocity to prevent erosion. Mr. Messick asked about the maintenance of the rain garden and outlet structures. Mr. Reynolds stated annual inspections will be part of a maintenance plan. The Commission members and applicants were in agreement to include a condition that includes no chemical herbicides, pesticides or fertilizers to be used in areas adjacent to the resource areas. The Engineering Department provided an email on July 11th stating they were unable to review the plans prior to the meeting, and would provide any comments they may have as soon as they are able to. The Commission members discussed a conditional approval without Engineering's comments due to stormwater management being removed from all jurisdictional areas.

Motion made by Ms. Messick and seconded by Ms. Becker to close the public hearing for the Notice of Intent for 466 South Westfield Street.

VOTE 3-2 (Fallon and Kozloski)

The order of conditions for 466 South Westfield Street will be written at the conclusion of the meeting.

C. 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. Due to an existing Order of Conditions for 255 South Westfield Street, Mr. Nelson provided a revised plan and requested to amend the ANRAD to only reflect 267 South Westfield Street. The revised plan shows the addition of T2 and T3 at the rear of the garage in the existing lawn area. The new test pits and ariels show a clear line near the slope of the old rail line ditch where the historic fill area begins. Mr. Nelson said the approximately 24,982 square feet of filled BVW has been added to the plan, providing a well documented established area where restoration can take place. Ms. Stockman explained with the extent of documentation for the

violation, that was provided to David Foulis with MA DEP, Mr. Foulis advised the public hearing for the ANRAD can be closed and an Enforcement Order can be issued for the removal of fill. Mr. Nelson asked if the removed fill could be stockpiled if it is suitable for use elsewhere. Ms. Stockman advised the removal and relocation of the fill would need to be addressed in the restoration plan.

Motion made by Ms. Messick and seconded by Mr. Fallon to approve the request to amend the ANRAD for 255 South Westfield and 267 South Westfield to only include 267 South Westfield Street.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Galiatsos to close the public hearing for the ANRAD for 267 South Westfield Street.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Galiatos to approve the modified ANRAD plan for 267 South Westfield Street, dated 7-11-19, and approve the resource area boundaries depicted.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Galiatsos to issue an Enforcement Order, with attached language and deadlines, for 267 South Westfield Street.

VOTE 5-0

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

Ryan Nelson with R. Levesque Associates and peer reviewer Emily Stockman were in attendance. Mr. Nelson provided the Commission with revised plans that show what was originally an isolated wetland as a BVW near flag IVBW 108. A 200 foot riverfront no contest line and a 100 foot inner riparian no contest line from a perennial stream off the eastern side of the property have been added. Also shown is an intermittent stream along the southern property line, non jurisdictional, upgradient of BNK-704. Ms. Stockman stated with these changes, she recommends the issuance of an order of resource area delineation.

Motion made by Ms. Messick and seconded by Ms. Becker to close the public hearing for 0 & 683 South Westfield Street.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to issue an Order of Resource Area Delineation for 0 & 683 South Westfield Street.

VOTE 5-0

E. Public Hearing – Abbreviated Notice of Resource Area Delineation – 173 Southwick St. - Longhi

The Commission Members reviewed the peer review proposal submitted by Emily Stockman of Stockman Associates.

Motion made by Ms. Messick and seconded by Mr. Fallon to accept the peer review proposal for 173 Southwick Street.

VOTE 5-0

Motion made by Ms. Messick and seconded by Mr. Fallon to continue the public hearing for the ANRAD for 173 Southwick Street to the Conservation Commission's August 22, 2019 meeting.

VOTE 5-0

F. Public Hearing (Cont. to 8/22/19) – Notice of Intent – Shoemaker Ln., Silver St. & Suffield St. – 261 Upgrade Projects – Tennessee Gas Pipeline Company

G. Certificate of Compliance (partial)

1. 255 South Westfield Street

Ryan Nelson with R. Levesque Associates and Emily Stockman were in attendance. Mr. Nelson, Ms. Stockman and the Commission members discussed whether a partial or full Certificate of Compliance is necessary. A shared driveway was installed on the property, but no other construction has taken place. Ownership has changed, and a new design is likely in the future. Ms. Stockman suggest that David Foulis with MA DEP should weigh in on how to proceed, the Commission members were in agreement.

Motion made by Ms. Messick and seconded by Mr. Fallon to continue the request for a partial Certificate of Compliance for 255 South Westfield Street to the Conservation Commission's August 22, 2019 meeting.

VOTE 5-0

H. Enforcement Order Updates

1. Federal Street – Mr. Kozloski advised the lawn is established and the Enforcement Order can now be lifted.

Motion made by Ms. Becker and seconded by Ms. Galiatsos to lift the Enforcement Order for Federal Street.

VOTE 4-0-1 (Messick)

2. Bondi's Island (cont. to 6/27/19) – A letter dated July 10, 2019 was received from the City of Springfield. Tighe and Bond have been hired to prepare a plan/narrative for the repair area, which is estimated to be completed by the beginning of August.

Motion made by Ms. Becker and seconded by Ms. Galiatsos to accept the time frame provided by the City of Springfield to supply the Commission with a plan/narrative for the area to be repaired.

VOTE 4-0-1 (Messick)

3. 944 Springfield Street – Mr. Kozloski observed the grass has started to grow, and will conduct another site visit in the near future to ensure it is established.

4. 1298 Suffield Street – Ryan Nelson from R. Levesque Associates and property owner TJ Gallis were in attendance. Mr. Nelson stated they are working on preparing a Notice of Intent, and have recently documented the stream adjacent to the property to be not flowing for four days. Mr. Gallis requested permission to remove a stockpile of material that is outside the buffer zone. Mr. Kozloski advised the property owner to speak to the Building Inspector about this request due to stockpile being located out of the Commission's jurisdiction. Mr. Gallis also requested to be able to fill a test pit area that is located to the rear of the home due to the open hole being a safety hazard.

Motion made by Ms. Messick and seconded by Mr. Fallon to allow the property owner of 1298 Suffield Street to fill the test pit, with the removed dirt, for safety reasons.

VOTE 5-0

5. 916 Suffield Street – Mr. Kozloski received notification from the tree removal service that clean-up will begin tomorrow or the beginning of next week.

I. Approval of Minutes
1. June 27, 2019

Motion made by Ms. Messick and seconded by Ms. Galiatsos to approve the June 27, 2019 minutes as written.

VOTE 5-0

J. Correspondences and Complaints

116 Adams Street - Property owner Anatoliy Pavel has requested to make changes to his previously amended Notice of Intent. Mr. Pavel submitted a plan that shows a smaller footprint for the proposed pool, an additional 5 feet to be added to the length of the proposed barn, a new retaining wall location and new grading and fill around the barn. The Commission members took the proposal under consideration, and were concerned about new impacts within the 100 foot buffer.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to require a new Notice of a Intent for newly proposed work at 116 Adams Street due to the increased impacts within the 100 foot buffer.

VOTE 5-0

Morgan Sullivan Bridge Construction - After considerable rainfall and potential erosion near Friendly's, Mayor Sapelli and Mr. Kozloski met with Jack Flynn, Project Superintendant on-site. Mr. Flynn went over erosion controls that were put in place after the rainfall, and went over future plans for erosion controls as construction continues.

The Order of Conditions was written for the Notice of Intent for 466 South Westfield Street.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to issue the Order of Conditions for 466 South Westfield Street, conditional upon any additional Engineering Department comments to be addressed.

VOTE 5-0

The Order of Conditions was written for the Notice of Intent for 299 Main Street.

Motion made by Ms. Messick and seconded by Ms. Becker to issue the Order of Conditions for 299 Main Street, conditional upon any additional Engineering Department comments to be addressed.

VOTE 5-0

The meeting adjourned at 8:15 PM