

## Agawam Planning Board – August 6, 2020

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### MEMBERS PRESENT:

Mark R. Paleologopoulos, Chairman  
Charles Elfman  
Frank DeStefano  
Violet E. Baldwin

### MEMBERS ABSENT:

Nicholas Pandolfi

### ALSO PRESENT:

Pamela Kerr

Via Zoom

1. 6:00 PM – PUBLIC HEARING – Definitive Plan – 173 Southwick Street – Hillside Development Corp. – Nicole Terrace

Rob Levesque of R. Levesque Associates presented the Definitive Subdivision Plan for Nicole Terrace and also a response to the Engineering Department's comments. Mr. Levesque explained that the plan is to create 14 lots within the proposed subdivision with a curb cut proposed off of Southwick Street and will be tied into the existing street at Nicole Terrace. There is an existing house and garage on Southwick Street that will be split off and put on a Lot A. The barn, shed and existing out buildings will be removed as part of the project. He is also proposing a 30,000 sq. ft. storm water drainage easement area located at the edge of the property on Lot 8. There is an existing storm drain line and associated easement that runs under the surface of the property in front that carries an area across the street to a culvert that runs under the road through a storm drain then exits to a perennial/intermittent stream. Along that stream there is an associated wetland. Working with the Conservation Commission, it has been determined that the stream is both perennial and intermittent depending on exactly where you are on the stream. A very short portion of the stream from the culvert was found to be perennial therefore a pie shaped section was determined to be a river front area with a 100' Buffer Zone. He explained that the property grades down from Southwick Street to the back of the property. The water travels down to the back corner of the property. There are wetlands off-property which is where the water eventually goes. The proposed roadway drains toward the back of the property and will have a series of catch basins throughout that run into the storm water retention basin which is located at the lowest point of the property and is outside of the Riverfront Area. Mr. Levesque said he has no topographical concerns with the grading as shown and the Engineering Department's comments have been addressed. Mr. Levesque will confirm to Ms. Kerr that Lot 14 has 120' frontage. The plan shows Arborvitaes to be planted along the entire east side of the subdivision. The west side has existing vegetation. Ms. Kerr asked if there would be a homeowner's association to which Mr. Levesque replied yes, there would be and they would be responsible for the maintenance of the drainage easement which is part of Lot 8. Mr. DeStefano asked where in relation to the property is the Polish Club's pavilion. Mr. Levesque showed that it closely abuts two of the lots. Mr. DeStefano suggested that the existing trees on that edge of the property be saved as a buffer between the proposed homes and the Polish Club. Mr. Levesque said he believes the intention is to leave those trees. Mr. Paleologopoulos asked Mr. Levesque to talk about Engineering's

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comments. He said that the sidewalks have been re-aligned, traffic calming measures were requested, a chain link fence is to be installed around the retention basin and a key will be provided to the DPW. He went on to say that the homeowner's association will be responsible for the maintenance. Engineering asked that the topography be provided beyond 30' of the property lines. He said that the topography was shown 30' beyond the property lines in all areas that were accessible to the public. Other areas were private property and not accessible to the R. Levesque Associates land survey crews. Mr. Levesque suggested a site visit with the Engineering Department to discuss the need for a sight distance analysis. As requested, 25 mph signs have been added to the plan. A note has been added to the plans stating that the full width of Nicole Terrace will be milled and overlaid. R. Levesque Associates will provide Engineering with the HydroCAD file. The water shed PS-2A has been split into two separate subcatchments and the times of concentration have been updated as recommended. A long-term operation and maintenance plan has been updated to include a section on maintaining proposed dry wells in the bottom of the retention basin. Mr. Levesque does not anticipate any flooding from the infiltration basin into the basement of the house on Lot 8. The emergency spillway is meant as a means to control the direction of the run off should rainfall exceed a 100 year storm event. An impervious break out barrier will be installed within the infiltration barrier. A StormRax trash rack will be added to the outlet control structure to deep trash out of the infiltration basin. Engineering suggested that the grading off the back of the sidewalk be revised to avoid building a retaining well. Mr. Levesque said that the area that would need to be graded is private property. As far as water and sewer, the only comment that needs to be worked out with the DPW is the capacity of the pump station in the area.

Mr. Paleologopoulos opened the hearing to the public.

Carol Fredrick, 47 Charter Oak Drive, located between lots 11 and 12 asked what the 100' and 200' buffer meant and are there restrictions in those areas. Mr. Levesque explained that when there is a wetland or a stream that doesn't flow all year there is a 100' buffer zone area which requires permission from the Conservation Commission to do any work in their jurisdiction. Any grading done by a future homeowner would require permission from the Conservation Commission. The Riverfront area is a more restrictive zone with very little disturbance allowed and would have to meet all standards of the Wetland Protection Act. She also asked about the silt fence line which Mr. Levesque said is only there for the construction period of the project. Referring to underground water, she is concerned with basement flooding with any changed made to the area. Mr. Levesque responded by saying that the grading and catch basins will handle the storm water run -off. Ms. Frederick said that the major concern for the neighborhood is opening up Nicole Terrace for reasons such as speeding and additional traffic going through the neighborhood. She asked if that could be changed. Mr. Paleologopoulos feels that the new homeowners would be entering the development from Southwick Street and would be more likely exit back onto Southwick Street than continue into the neighborhood. Mr. Levesque explained that a cul-de-sac cannot be built because under the subdivision regulations you are required to tie in if you have more than 500 linear feet. He added that the new homeowners would more than likely exit directly onto Southwick Street as it is the shortest option. She was also concerned with the construction vehicles traveling through the area. Mr. Levesque responded by saying that construction vehicles will be totally restricted to exiting directly onto Southwick Street. She also asked for a timeline on the project. For an estimate, Mr. Levesque stated that with approval, the road could be in by mid- November and five to six houses will be constructed by the end of next summer. Within two to three years, based on the current market,

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the development could be completed. Ms. Frederick asked if they would consider installing a fence around the development. Mr. Levesque said he will relay the comments to Mr. DePalma.

Motion was made by Ms. Baldwin and seconded by Mr. DeStefano to continue the Public Hearing for 173 Southwick Street to the next Planning Board meeting on August 20, 2020.

VOTE 4 – 0

6:30 PM – PUBLIC HEARING – Definitive Plan – 673 Silver Street – Aspenwood Estates – Aspenwood Associates LLC

Kirk MacNaughton of Aspenwood Associates presented the Definitive Subdivision Plan for 673 Silver Street. He explained that the parcel is a 24 acre parcel and is unusual as part of the property is zoned residential and part is zoned industrial. He is proposing ten residential building lots in the northerly area zoned residential and three industrial building lots in the southerly portion zoned industrial. Also the property contains endangered species area. The box turtle and the worm snake are the two affected species. Mr. MacNaughton said he is proposing two storm water detention basins, one behind the building on Lot 3 and the other is on Lot 2 and will remain untouched other than regular maintenance. The site has city water and sewer both services off of Doane Avenue. There are catch basins placed throughout the roadway that will discharge into the detention basins and then flow into the wetlands on the southern area of the property. He said that the Conservation Commission asked him to re-delineate the wetlands and in doing so, the new delineation shows the wetland boundary to be about 17' off the 50' right-of-way. Mr. MacNaughton then presented the grading plans. Ms. Baldwin noted that the Planning Board has approved two preliminary plans for this site and suggested that, with the split zoning, a peer review be done. Mr. MacNaughton said that he went before the City Council for a zone change and it was determined that the zoning should remain as it is. Ms. Kerr stated that there was a letter from the Board of Health expressing concerns with the environmental constraints on the site. They are asking if the developer would consider options to preserve the open spaced through conservation restrictions. She went on to explain that the intent of the Board of health letter is to have the Planning Board further discuss ways to preserve more open space and to consider the environmental impacts of the development. In response, Mr. MacNaughton said that the Board of Health may not realize that 50% of the property is set aside for open space. To address their concerns with the industrial use of the property, he went on to say that he did apply for a zone change which would make the development residential only but was denied by the City Council. This is his alternative plan. Ms. Kerr noted that no filings have been done with Natural Heritage or the Conservation Commission.

The hearing was then opened to the public.

Ruth Cosimini of 102 Doane Avenue submitted a letter to the Board outlining her concerns. The Chairman read the letter for the record and said that the City Solicitor will be contacted. Her property abuts Lot 7 and she is concerned with the responsibility of shoveling the proposed sidewalk. Mr. MacNaughton said a change was made making her property no longer a corner lot meaning her property will have no road frontage. Her other concern is a general health and safety issue. She feels that the residential part of the proposed development was designed as a buffer between Doane Avenue and the industrial area and was never intended to be developed.

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She is concerned with the potential uses of the industrial lots. Mr. MacNaughton asked for a copy of the letter. Mr. Elfman asked if a third party review should be done with the different uses of the land being so close to each other. It was suggested that the Board hear Engineering's comments before making that determination. Ms. Kerr explained that the "buffer" Ms. Cosimini spoke of is actually land that was zoned residential so that the residents on Doane would not have industrial uses directly abutting their lots. Ms. Baldwin stated that the Board really can't go forward or make decisions until they have comments from Engineering and the legal department has been consulted. Ms. Kerr asked when Mr. MacNaughton would be filing with the Conservation Commission to which he responded that he should have the Notice of Intent submitted by next week.

Fran Caruso of 781 Osprey Drive, Port Orange, Florida, partial owner of the property with Mr. MacNaughton spoke in favor of the project. She said the development has been reviewed more than once. She feels that they are being treated unfairly. She stated that her land is landlocked and is useless to her as it stands.

Lisa Patnode of 40 Doane Avenue has great concerns with the uses of the proposed industrial lots. Ms. Kerr will send her the information of allowed uses of the industrial zoned lots.

Pete Desrosiers of 125 Doane Avenue said that he is 100% in support of the project as it would be a great development for the town including the industrial development. He too has land that is part of this proposed project.

Fran Caruso spoke again commenting that a residential subdivision backed up to Doane Avenue with Mr. MacNaughton's plans can only increase the value of the existing residences.

An abutter asked if Mr. MacNaughton had purchased any land. He said that he owns his 17 acre parcel, the Caruso's own a 7 acre parcel and the Desrosiers own a small parcel and they do have a contract in place.

Motion was made by Ms. Baldwin and seconded by Mr. DeStefano to continue the Public Hearing for 673 Silver Street – Aspenwood Estates – to the September 3, 2020 Planning Board meeting.

VOTE 4 – 0

### APPROVAL OF MINUTES – July 16, 2020

Motion was made by Mr. DeStefano and seconded by Mr. Elfman to approve the minutes of July 16, 2020 as written.

VOTE 4 – 0

Motion was made by Mr. Elfman and seconded by Mr. DeStefano to adjourn the meeting at 8:15.

VOTE 4 – 0 - 0