

AGAWAM CONSERVATION COMMISSION
November 12, 2020

MEMBERS PRESENT:

Henry Kozloski
Sheryl Becker
S. Page Fallon
Magda Galiatsos
Keven Brown (entered at 6:10pm)
Frank Meagher
Jill Ward

MEMBERS ABSENT:

ALSO PRESENT:

Pamela Kerr

VIA Zoom Webinar

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

1. 6:00PM – REQUEST FOR DETERMINATION – 847 North Street – O’Krongley

John O’Krongley spoke on his own behalf explaining that he would like to put an addition with a foundation on the back of his house. The proposed addition would be 16’ x 18’ with a 6’ porch making the footprint 24’ x 22’, replacing the existing deck. Mr. Kozloski and Mrs. Ward had been on a site visit and noted that there is an intermittent stream on the back of the property. Mr. O’Krongley will also be removing an old stump that is under the existing deck. Ms. Messick recommended that erosion controls (silt sock) be placed from the back left corner of the house to the culvert. The members agreed with her recommendation.

Motion was made by Ms. Ward and seconded by Ms. Becker to issue a Negative Determination for 847 North Street with the condition that a silt sock will be in place at the back left corner of the house to the culvert. The Conservation Commission is to be notified when the work begins.

ROLL CALL VOTE 6 – 0

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to take the Emergency Orders and the Enforcement Orders out of order.

ROLL CALL VOTE 6 - 0

5. EMERGENCY ORDERS (Ratify) – 56 Tobacco Farm Road

(Ratify) – 171 White Fox Road

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify the Emergency Order for 56 Tobacco Farm Road.

ROLL CALL VOTE 6 – 0

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify the Emergency Order for 171 White Fox Road.

ROLL CALL VOTE 6 – 0

6. Enforcement order (Ratify) – 144 Hendom Drive

Mr. Kozloski explained that there were stock piles of dirt and material within 30 feet of a stream that must be removed. He stated that it also appears that they owners are planning to do something in their backyard which would necessitate a filing.

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify the enforcement Order for 144 Hendom Drive.

ROLL CALL VOTE 6 – 0 – 1 (Brown)

10. ENFORCEMENT ORDER (Ratify) – 270 Main Street – Dragon Paradise LLC

Members had gone on site. Trash and branches need to be removed at the top and bottom of the stream bank.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to ratify the Enforcement Order for 270 Main Street – Dragon Paradise LLC.

ROLL CALL VOTE 7 - 0

11. EMERGENCY ORDER – (Ratify) – Hendom Drive – Town of Agawam

Several trees have fallen into the brook south of the pumps station at the end of Hendom Drive, backing up the water flow. Mr. Kozloski met on-site with the Town Engineer to go over the trees to be removed.

Motion was made by Ms. Ward and seconded by Mr. Meager to ratify the Emergency Order for Hendom Drive – Town of Agawam.

ROLL CALL VOTE 7 - 0

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to take the Approval of Minutes for October 22, 2020 out of order.

ROLL CALL VOTE 7 - 0

8. APPROVAL OF MINUTES – October 22, 2020

Motion was made by Mr. Meagher and seconded by Ms. Becker to approve the minutes of October 22, 2020 as written.

ROLL CALL VOTE 7 – 0

2. 6:15 PM – PUBLIC HEARING – Abbreviated Notice of Resource Area Delineation (ANRAD) – 0 Franklin Street, 10 & 14 Tennis Road, and 132 Rear Mill Street

Jessana Kelly of SWCA spoke saying that she is of the understanding that the project is in the process of a third party peer review which they will send to their client soon. She said the ANRAD was for multiple resources, wetlands, and streams. A field visit with an environmental scientist will be set up upon receipt of the peer review fee.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to require a third party peer review for the Abbreviated Notice of Resource Area Delineation for 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Mr. Fallon to accept the peer review proposal from Stockman Associates for the ANRAD – 0 Franklin Street, 10 & 14 Tennis Road and 132 Rear Mill Street.

ROLL CALL VOTE 7 – 0

Jess Kelly requested to continue the Public Hearing to the next Conservation Commission meeting on December 10, 2020.

Motion was made by Ms. Ward and seconded by Ms. Becker to continue the Public Hearing for (ANRAD) – 0 Franklin Street, 10 & 14 Tennis road, and 132 Rear Mill Street to the December 10, 2020 Conservation Commission meeting.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Mr. Meagher to re-open the Public Hearing for the ANRAD – 0 Franklin Street, 10 & 14 Tennis Road, and 132 Rear Mill Street.

ROLL CALL VOTE 7 – 0

Debra King, 40 Mountainview Street, asked what kind of project is being proposed for the sight. Ms. Kelly replied that she is not aware of the purpose at this time.

3. PUBLIC HEARING CONT. – Notice of Intent – 358 Corey Street – Pond View Hollow
– General Construction & Environmental, Inc.

Chris Karney of R. Levesque Associates, representing Dwight Scott, General Construction & Environmental, Inc., presented a revised site plan showing 23 units, reduced from 29 units. He said there is a reduction in the impervious area and a reduction in the impact to the wetland buffers. He said the proposed buildings have been staked out and the Commission did a site visit showing hesitance for the project so the plan was again revised eliminating the retaining wall and the unit closest to the pond. There will be 65' from the building to the setback. On the building nearest the pond, the closest unit on the end will be removed to increase the buffer zones around the wetland valley. He went on to say that the storm water point source discharge must now be moved to within the 100' Buffer Zone. The new proposed building sites have been staked out so the Commission can do another site visit. He asked that the Commission look at the two major changes in the site redesign and determine if both are necessary. One is the removal of Unit 15 and the second is the combining of two 4-unit buildings into one building. He would hope that the removal of Unit 15 and the retaining wall would be enough change without combining the two buildings. Ms. Ward asked how far from Unit 16 to the pond. Mr. Karney said it is 9' to the wetland boundary and 45' to the edge of the water. Ms. Ward said 9' is too close. She would prefer both units be removed. The Commission discussed a site visit possibly with the Planning Board for Monday, November 16, 2020 at 12:30pm. Mr. Kozloski opened the hearing to the public. There were no comments. Mr. Karney requested that the Public Hearing be continued to the next meeting of the Conservation Commission. He is hoping that after the site visit this redesign results in a favorable indication from the Commission that this layout will be generally approved. He said they will make every effort to not put the culvert in the resource area but if so they will involve the DEP.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Public Hearing – Notice of Intent – 368 Corey Street – Pond View Hollow to the December 10, 202 meeting.

ROLL CALL VOTE 7 – 0

4. Tennessee Gas Pipeline – 1) Request to Install Split Rail Fence: 2) Request to modify Special Condition #18 of the Order of Conditions

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to approve both requests.

ROLL CALL VOTE 7 – 0

Mr. Kozloski would like to go with Emily Stockman and photograph the disturbed areas now then return in the spring and photograph the area again. Matt Nowak of Tennessee Gas will be able to go on site with them.

7. Correspondences and Complaints

South Street - Commission members went on a site visit to 278 South Street where they saw wood and material at the stream bank at the neighboring #286 South Street.

Motion was made by Ms. Becker and seconded by Mr. Meagher to issue the Enforcement Order to remove wood and material from the stream bank at 286 South Street.

ROLL CALL VOTE 7 – 0

Mr. Kozloski sked that a memo be sent to the Engineering Department requesting their assistance in determining why water is no longer flowing in the brook in this area.

9. CERTIFICATE OF COMPLIANCE – 80 Burlington Drive

Jessana Kelly of SWCA spoke saying she went on site and noted that the plantings are consistent with the original plan however the riverfront area is overgrown. The property owners would like to do work on their yard in the Riverfront area. A Notice of Intent will be needed for any work done. A site visit will be set up for next week.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue the Certificate of Compliance to 80 Burlington Drive pending a satisfactory inspection.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to adjourn the meeting.

ROLL CALL VOTE 7 - 0

The meeting adjourned at 7:05 PM.