

AGAWAM CONSERVATION COMMISSION
January 11, 2024

MEMBERS PRESENT:

Henry Kozloski, Chair
Sheryl Becker
Magda Galiatsos
Frank Meagher
Keven Brown
S Page Fallon (6:02pm)
Jill Ward (6:02pm)

ALSO PRESENT:

Pam Kerr
Stefanie Kesecker

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

1. 6:00PM PUBLIC HEARING-NOTICE OF INTENT-South Westfield Street-DePalma

The Conservation Commission received a request to continue this agenda item until the January 25, 2024 meeting so that the peer review can be completed.

Motion was made by Mr. Brown and seconded by Mr. Meagher to continue the PUBLIC HEARING-NOTICE OF INTENT-South Westfield Street-DePalma to the January 25, 2024 meeting, as requested by the applicants' representative.

VOTE 5-0-0

2. REQUEST FOR CERTIFICATE OF COMPLIANCE-444 Shoemaker Lane

Ms. Kerr informed the Commission that the owner will be submitting a restoration plan for the removal of millings placed in an area of jurisdiction. Mr. Kozloski stated the area must be loamed and seeded after removal of millings.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue the Certificate of Compliance pending a written restoration plan being submitted.

VOTE 7-0-0

3. DISCUSSION-Silver Lake Order of Conditions Correction

Ms. Kerr stated that 381,555.066 sq. ft. of resource area impacts (land under waterbodies and waterways) was unintentionally omitted in the September 2009 Amended Order of Conditions. The Commission will send a cover letter explaining this correction.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue a letter to Silver Lake Corporation explaining the correction to the Order of Conditions for Silver Lake.

VOTE 7-0-0

4. RATIFY EMERGENCY ORDER-Carr Ave/Lealand Ave-Town of Agawam

Ms. Kerr gave an update to the Commission that the dam has been breached and water levels are down. One adult beaver has been caught.

Motion was made by Mr. Fallon and seconded by Ms. Becker to ratify the Emergency Order-Carr Ave/Lealand Ave-Town of Agawam.

VOTE 7-0-0

5. ENFORCEMENT ORDER UPDATES

44 Colonial Ave-The Commission received pictures of the cleaned up area, as was required in the Enforcement Order. Motion was made by Ms. Ward and seconded by Mr. Meagher to lift the Enforcement Order and issue the Certificate of Compliance for 44 Colonial Ave.

VOTE 7-0-0

61 Valley Street-Mr. Paul Kuzmenko property owner of 61 Valley Street were present to discuss this Enforcement Order. Mr. Kuzmenko stated he will replant native tree/shrubs in the area where the previous cutting took place. Mr. Kozloski stated Mr. Kuzmenko would need to put his restoration plan in writing. Mr. Kozloski stated the Commission would perform an onsite in the Spring to determine the exact location and number of plantings needed for this restoration. Also present was the neighbor on Moore Street who did the tree cutting.

23 Kanawha Ave-The Commission had previously received a complaint about cutting of vegetation and trees with heavy machinery in or around the buffer zone to wetlands near the east property line. The Commission had a certified notification delivered on December 14, 2023 and have not received any response. Ms. Ward stated the Commission should send a second certified letter informing the owner if no response is received within 10 days the Town Solicitor and/or DEP will be notified. Also present was the neighbor on Moore Street who did the tree cutting.

351 Main Street-The Commission had previously sent an Enforcement Order for the complaint of clear cutting on two different occasions. The Conservation has been onsite and confirmed the tree cutting. The Commission has not received any updates or a restoration plan. The Commission will send a letter requesting that the owner be present at the January 25, 2024 meeting.

6. APPROVAL OF MINUTES-December 14, 2023

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to approve the December 14, 2023 minutes.

VOTE 6-0-1(Brown)

7. Correspondence and Complaints

Nicole Terrace-The Commission received a complaint that there is a trench with a drain line from the construction site to the stream. Engineering has been onsite twice, but due to the snow they will go back once it has melted. Mr. Kozloski stated the Commission would go onsite with Engineering.

Eversource-Ms. Kerr informed the Commission that we received notification from Eversource on their planned and scheduled vegetation maintenance work on their electric distribution and transmission Rights-of-Way within Agawam for the 2024 calendar year, as required. The maintenance work is being conducted under WPA M. G. L. Chapter 131, section 40, and 310 CMR 10.02(2)(a)(2) exemptions.

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

VOTE 7-0-0

Meeting adjourned at 6:35pm.