

AGAWAM CONSERVATION COMMISSION
February 23, 2023

MEMBERS PRESENT:

Keven Brown
Page Fallon
Sheryl Becker
Henry Kozloski

MEMBERS ABSENT:

Magda Galiatsos
Frank Meagher
Jill Ward

ALSO PRESENT:

Taryn Egerton

Mr. Kozloski called the meeting to order at 6:01pm.

1. PUBLIC HEARING CONT. – NOTICE OF INTENT – Suffield Street – TCR Properties LLC.

Filipe Cravo, of R. Levesque Associates was present to discuss the proposed project. This project is for a 5,250 square foot prefabricated metal building for commercial use. Resource areas associated with the property are an intermittent stream with a 100' buffer zone and a 200' riverfront area associated with a brook by the upstream culvert on Suffield Street. Improvements in jurisdictional areas are in the rear corner of the parcel and the bioretention area in the front, which is an exempt activity. Mr. Cravo explained that this was formerly part of 1298 Suffield St, but has since been subdivided into two lots. He explained that the rear of the parcel would be graded to be the same elevation of surrounding areas so that stormwater would sheet flow across the gravel area toward the bioretention area in the front. There is an outlet structure that connects to the drainage infrastructure in Suffield Street. Mr. Cravo explained that they received a memo from Agawam Engineering stating they have no further comments. Mr. Kozloski stated there was a violation on this property, prior to the lot being subdivided into two parcels. He questioned whether there was a deed restriction associated with that violation. Mr. Cravo stated that this was issued under an Enforcement Order and not recorded in the registry. Mr. Kozloski asked where the 50' right of way for Tennessee Gas Pipeline is. Mr. Cravo explained that the rear property line is set at the Tennessee Gas Pipeline easement line and that they still have the 50' right of way. Mr. Brown asked if the DEP comments have been addressed and Mr. Cravo stated that there were no comments specifically that they needed to address. Ms. Egerton explained that one

DEP comment was regarding adding a special condition in the Order regarding Stormwater Standard #9, which requires a Long Term Operation & Maintenance Plan.

Mr. Kozloski opened the meeting up to the public and there were no comments.

Motion was made by Mr. Brown and seconded by Ms. Becker to close the public hearing for Notice of Intent – Suffield Street – TCR Properties, LLC

VOTE 4 – 0

The Order of Conditions will be written at the end of the meeting.

2. DISCUSSION – 0 Shoemaker Lane – Eversource Energy

David Askew, Eversource Energy, and Melissa Coady, Tighe and Bond, were present to discuss 0 Shoemaker Lane. Mr. Askew stated that Eversource is the property owner and there is a Right of Way for the owner of the rear abutting property owner. Eversource submitted an after the fact Notice of Intent for work that was completed without their knowledge by the rear property owners. He stated those property owners then submitted an after the fact Request for Determination of Applicability, and due to a positive determination, it was appealed to MassDEP. Mr. Askew stated the Superseding Determination of Applicability from MassDEP issued both a negative and positive determination. He stated MassDEP considered the work an agricultural activity but agreed that the Notice of Intent and Order of Conditions was factual and there was no appeal. Mr. Askew is requesting guidance on the next steps for addressing the previous work. Ms. Coady stated that there is a deed restriction against the property owner, Eversource Energy, and an open Order of Conditions. She stated she felt that the disturbance to the wetland would outweigh the benefit and suggested adding signage along the eastern side of the road, independent of the Order, to inhibit further work in jurisdictional areas. After a lengthy discussion, the Commission agreed with Ms. Coady. The Commission agreed it was necessary to ensure there was no further encroachments by having three signs posted alerting to the location of the wetland.

3. Request for Certificate of Compliance – 61 Hemlock Ridge

Mr. Kozloski explained that this particular lot is out of jurisdiction and that work has not commenced.

Motion was made by Mr. Brown and seconded by Ms. Becker to issue the Certificate of Compliance for 61 Hemlock Ridge as work hasn't commenced.

VOTE 4 – 0

4. Request for Certificate of Compliance – 240 Bowles Road

Mr. Kozloski explained that Agawam Engineering had been onsite and that the Detention Basin has been maintained.

Motion was made by Mr. Fallon and seconded by Mr. Brown to issue the Certificate of Compliance for 240 Bowles Road.

VOTE 4 – 0

5. Request for Certificate of Compliance – Nicole Terrace Subdivision – Lot 7

Mr. Kozloski stated he went onsite a few weeks ago but could not get onto the lot since it was locked. He will be looking into different options to ensure that the swale will be maintained.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Certificate of Compliance – Nicole Terrace Subdivision – Lot 7 to March 9, 2023.

VOTE 4 – 0

6. Correspondence and Complaints

The Commission went onsite with the Engineering department near the pumping station on Main Street. There is a sewer line that crosses an 8-10 feet wide intermittent stream and it was recently discovered that the culvert is gone. The DPW would like to put in a new culvert to ensure the pipes are protected. Coincidentally to that site visit, it was noted that there is a stockpile of tires on an abutting parcel, which is possibly in the jurisdiction of the Conservation Commission. More information will be gathered to determine next steps.

The Southwick Conservation Commission reached out to discuss a parcel in both Agawam and Southwick that has a single family home being developed. They stated there is a water resource area that the driveway will be cutting through which is on the Agawam side of the parcel. More information will be gathered and a site visit may be set up.

The Commission went onsite with Agawam Engineering at Silver Lake. There is one pipe that needs to be fixed off Mill Street that the DPW will be correcting. There is a second pipe on the cul-de-sac on Edgewater that the Engineering Department recommended fixing. The homeowners at Silver Lake have had issues with their Gabion and are hoping to dredge towards the pond, which would require a Notice of Intent.

The Order of Conditions for Suffield St – TCR Properties was then written.

Motion was made by Ms. Becker and seconded by Mr. Brown to issue the Order of Conditions for Suffield Street – TCR Properties, LLC as written.

VOTE 4 – 0

7. APPROVAL OF MINUTES – February 9, 2023

Motion was made by Ms. Becker and seconded by Mr. Brown to approve the February 9, 2023 minutes as written.

VOTE 4 – 0

8. PUBLIC HEARING CONT. – NOTICE OF INTENT – 1014 North St Ext. – VIP Homes & Associates LLC (Continued to March 9, 2023)

This agenda item was previously continued.

9. PUBLIC HEARING CONT. – NOTICE OF INTENT – Main Street – Westfield River Interceptor Sewer Relocation Project – Agawam (Continued to March 23, 2023)

This agenda item was previously continued.

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

VOTE 4 – 0

Meeting adjourned at 7:00pm.