

AGAWAM CONSERVATION COMMISSION  
April 28, 2022

MEMBERS PRESENT:

Henry Kozloski  
Sheryl Becker  
Jill Ward  
Frank Meagher  
Keven Brown

MEMBERS ABSENT:

Magda Galiatsos  
S. Page Fallon

ALSO PRESENT:

Taryn Egerton

Mr. Kozloski called the meeting to order at 6:03 PM

1. 6:00pm PUBLIC HEARING – 0 North West Street – Springfield Water and Sewer Commission

Nicole Sanford the water resources manager of the Springfield Water and Sewer Commission was present and stated there was a site visit with some members conducted today. She stated that on April 15<sup>th</sup> a request for determination of applicability was filed for the removal of trees along North West St, adjacent to the Provin Mountain Facility. She stated this facility contains underground storage tanks of 60 million gallons of treated drinking water. Ms. Sanford stated along North West Road there is an existing security fence and there have been issues in the past with trees falling and cutting out power, and there is an abutter across the street who is concerned. She stated the Springfield Water and Sewer Commission are prepared to cut approximately 120 trees with some located within 200 feet of a perennial stream. Mr. Meagher was on site to take a look at the trees and stated that some trees are overgrown with bittersweet, very tall and thin, and that on a windy day they were waving away. He states he has no problem with the work being done but would like to decide after the trees are cut if replanting's are necessary. Ms. Sanford stated they would be leaving the stumps. Mr. Kozloski stated that trees have gone down in that area which cut the power and closed the road down and Mr. Meagher agreed that if these trees come down it would cause a significant problem. Mr. Kozloski opened the meeting up to the public.

Sharon Sedik of 29 Riverview Avenue stated that trees cause a wind barrier and that based on the climate crisis, 120 trees would be significant to the air, environment, wildlife, wetlands, and drainage issues and asked what the point of cutting 120 trees was. Ms. Sanford stated that 120 trees was an approximate number and that the area is still a forest and other saplings will grow.

Ms. Sedik asked the end goal and point to cutting 120 trees. Ms. Sanford stated that the end goal is to prevent from damaging the fence and losing power, and that there has been damage in the past from wind storms. Ms. Sedik asked if a better fence could be installed since every area would have an impending risk of trees falling down, and stated that the trees could be 50 or 100 years old. She stated that when the saplings grow they will be at risk of falling over and asked where the wildlife would go and stated this is a wetland area. Mr. Kozloski stated that they are not in the wetland they are in the buffer zone. Ms. Sedik stated that the buffer zone is important for the wildlife diversity and that trimming the trees would be cheaper. Mr. Kozloski stated that safety needs to be looked at since this is a utility, and if they lose power the drinking water supply to Springfield, Agawam, and parts of West Springfield would be out. He stated that there was another problem about 7 years ago and that everything that goes on in the facility is powered by the electricity. Ms. Sedik stated that she doesn't think it is a good idea because of the climate crisis. Mr. Kozloski stated they have the ability to require replanting's after the trees have been cut, but that that would be determined after they are cut. Ms. Sedik stated that the trees are a good wind barrier, that there aren't many 80 foot trees left in town, and that smaller trees would not supply as much oxygen as an 80 foot tree. Mr. Brown stated that there is an entire mountain and that this is a relatively minor project in comparison to the necessity of the water supply. He also stated that growing trees sequester more carbon than existing trees. Ms. Ward stated that it is dangerous for the people in town now to have drinking water, and because they are a utility they have a right under the wetland guidelines to maintain their facility. She agrees it is a shame to cut down so many trees, but under the law they have a right to do that. Ms. Sedik stated that water cannot be drunk in Agawam, citing a notice from the town that stated after long term use it could cause cancer. Ms. Becker stated she spoke with John Decker at the DPW and that he said it is safe to drink and not to worry about it. Ms. Sedik stated she is in the medical profession and with cancer being the number 4 leading cause of death in the United States, she would avoid any posed risk at all costs.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue a Negative Determination for 0 North West Street for Springfield Water and Sewer Commission with a condition that an onsite be scheduled after cutting to determine if replanting's are necessary.

VOTE 5 – 0

Mr. Kozloski stated they would go on site after the cutting to determine if replantings are necessary but cannot give an exact amount needed.

## 2. PUBLIC HEARING CONT. – NOTICE OF INTENT – 70 Campbell Dr – Battista

Ed Chapdelaine, land surveyor, and Nick Riley, of Riley Construction, were present on behalf of the project. Mr. Chapdelaine stated that they were before the commission a few weeks ago and have since been issued file number 087-0678. Mr. Kozloski stated DEP is looking for where compensatory storage would be located. Mr. Chapdelaine stated they have looked around the area and it is all the same elevation, and to find the correct elevation it would need to be on someone else's property. He stated that the elevation at the ground is 57 feet and the flood

elevation is at 58 and calculations show about 24 cubic feet of displacement, equivalent to 12 bags of mulch. Mr. Kozloski asked if there had been grades done on the property to determine if they are actually in the floodplain and Mr. Chapdelaine stated yes, and showed the topography on the site plan, and stated there is no elevation above 58 feet on the property. Mr. Chapdelaine stated it is negligent to the floodplain and it is not in the floodway. Mr. Kozloski asked the elevation of the garage and Mr. Chapdelaine stated it is 57.5 at the door. Mr. Kozloski asked if he could lower the garage floor but Mr. Chapdelaine stated that it would not do anything since it is not in the same elevation. Mr. Riley stated it is less than a bobcat bucket and Mr. Kozloski stated that a bucket here and there over multiple lots does cause a loss in flood storage. Mr. Chapdelaine stated one of the neighbors went through the same thing, and without the ability to improve the lot it is basically a land taking. Mr. Chapdelaine stated there are all the same contours and that any compensatory storage would be off property and there are multiple areas where they would then have to deal with riverfront area. Mr. Kozloski questions if DEP would appeal the decision if they approve it. Mr. Chapdelaine stated it is minimal impact and that the commission has the ability to say it is non-significant. He stated they have proposed flood vents to relieve the pressure on the walls, though he doesn't think the pressure would have an effect on the concrete wall. Ms. Ward asked if they had considered a rain garden but Mr. Chapdelaine doesn't think it would answer the compensatory storage question. Ms. Ward stated that it would help mitigate and improve the situation. Mr. Kozloski asked the elevation of Campbell Drive and Mr. Chapdelaine stated 56 and that the elevation of the property is 57 and flood elevation is 58. Mr. Riley stated that the applicant would do what needs to be done, as she needs her bathroom and laundry on the first floor. Mr. Kozloski suggested the commission talk with DEP directly to see what can be done. Ms. Egerton spoke with DEP and was told that compensatory storage would be needed and that the flood vents would need to flow in and out freely. Mr. Chapdelaine stated there is a large tree and was wondering if taking that out would give some compensatory storage. Mr. Kozloski said that a phone call would be made to DEP to determine what the best solution is and that a good effort has been made to find the compensatory storage. Mr. Kozloski then opened the meeting up to the public and there were no comments. Mr. Riley requested a continuance for two weeks.

Motion was made by Ms. Ward and seconded by Mr. Brown to continue the public hearing for Notice of Intent – 70 Campbell Dr – Battista to May 12<sup>th</sup>.

VOTE 5 – 0

3. PUBLIC HEARING CONT. – NOTICE OF INTENT – 0 Shoemaker Ln – Duducal

The Commission received a request to continue the public hearing for 0 Shoemaker Lane to May 12<sup>th</sup>.

Motion was made by Ms. Ward and seconded by Ms. Becker to continue the public hearing for Notice of Intent – 0 Shoemaker Ln – Duducal until May 12<sup>th</sup>.

VOTE 5 – 0

4. PUBLIC HEARING CONT. – NOTICE OF INTENT – 497 South Westfield St –  
Depalma & Tirone

The commission received a request to continue the public hearing until May 12<sup>th</sup>.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the public hearing for Notice of Intent – 497 South Westfield St – Depalma & Tirone.

VOTE 5 – 0

5. PUBLIC HEARING CONT. – Notice of Intent – 0 South West Street & 0 Pine Street –  
Town of Agawam

This agenda item has previously been continued to May 26<sup>th</sup>.

6. PUBLIC HEARING CONT. – Notice of Intent – Main Street – Westfield River  
Interceptor Sewer Relocation Project – Agawam DPW (Continued to May 26, 2022)

This agenda item was previously continued to the May 26, 2022 meeting.

7. REQUEST FOR CERTIFICATE OF COMPLIANCE – 444 Shoemaker Lane

Mr. Kozloski stated they have engineering comments with a number of outstanding issues including the drainage system, part of the detention basin needs to be taken care of, and there is some stockpiling on the property that needs to be removed.

Motion was made by Ms. Ward and seconded by Mr. Meagher to deny the Certificate of Compliance for 444 Shoemaker Lane.

VOTE 5 – 0

8. Correspondence and Complaints

Ms. Egerton stated that Eversource would like to take 5-6 trees down about 15 feet from the wire to minimize the possibility of an outage. She stated that it is near the condo development and the park, but would confirm the location prior to a site visit being scheduled. Noble Car Wash at 219 South Westfield Street requested that a 6' vinyl fence be put in instead of arborvitae. Ms. Egerton stated that the arborvitae have not been planted and Mr. Kozloski asked if 6' would be enough of a shield. Mr. Brown asked how high an arborvitae can grow and Mr. Kozloski stated up to 15 feet. Mr. Brown is concerned that without a high enough barrier, the wind could open the dumpster and blow trash into the wetlands.

Motion was made by Ms. Ward and seconded by Mr. Brown to maintain arborvitaes rather than a 6' vinyl fence.

VOTE 5 – 0

The Commission went on site to 41 Richardson Place regarding a makeshift bridge made of pallets over a stream and that the commission will send a letter to request an onsite. The Commission received a complaint that the owner of 160 North Westfield St is building in the wetlands. Mr. Kozloski stated that the commission would make an onsite. The commission received a complaint that there was burning asphalt shingles at 128 North West St. Mr. Kozloski stated that was a health department and building department issue.

9. APPROVAL OF MINUTES – April 14, 2022

Motion was made by Ms. Ward and seconded by Ms. Becker to approve the minutes of April 14, 2022 as written.

VOTE 5 – 0

Mr. Kozloski stated on sites will need to be scheduled for properties that have been approved within the last year to see how they are proceeding.

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

VOTE 5 – 0

Meeting was adjourned at 6:49 pm.