

AGAWAM CONSERVATION COMMISSION
May 12, 2022

MEMBERS PRESENT:

Henry Kozloski
Sheryl Becker
Jill Ward
Frank Meagher
Keven Brown
Magda Galiatsos
S. Page Fallon

MEMBERS ABSENT:

ALSO PRESENT:

Taryn Egerton
Pam Kerr

Mr. Kozloski requested a moment of silence for City Councilor Gina Letellier who served the City of Agawam for many years. He then called the meeting to order at 6:01 PM

1. 6:00pm PUBLIC HEARING – REQUEST FOR DETERMINATION OF
APPLICABILITY – 830 Silver Street – BHN

Brendan Greeley of RJ Greeley Company, Inc was present on behalf of the applicant, Behavioral Health Network. He explained that the project includes adding a fence which would be no closer to the wetland than the existing building. Mr. Greeley stated that the fence is for the outdoor play areas for the children. Mr. Kozloski asked how high the fence would be off the ground. Mr. Greeley stated the fence would be down to the grass with privacy slats for screening and to help prevent the children from climbing the fence. Mr. Kozloski stated that the Commission usually would prefer the fence to be off the ground to allow small wildlife to go under it, but in this instance it would be a safety issue with the children crawling under. Mr. Kozloski stated he believed the fence should go to the ground. He then opened the meeting up to the public and there was no input.

Motion was made by Mr. Brown and seconded by Ms. Galiatsos to issue a Negative Determination for 0830 Silver Street for Behavioral Health Network, allowing the fence to go to the ground.

VOTE 7 – 0

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

Nick Riley of Riley Construction was present on behalf of the applicant. He stated that the new plans had been submitted by Ed Chapdelaine, Land Surveyor for the project, with the compensatory storage requested at the last meeting. He stated that the compensatory storage is located on the left and right sides of the plan. Mr. Kozloski then opened the meeting up to the public and there were no comments. He then closed the public hearing and stated that the Order of Conditions would be written at the end of the meeting.

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

Jess Goldsnider of SWCA, the project biologist of the project, was present on behalf of the applicant. She stated that the plans are drawn by R. Levesque Associates and that a memo was received by the Agawam Engineering Department stating that the requirements had been met and there were no comments. Mr. Kozloski asked what the width of the driveway was and Ms. Goldsnider stated it is 10'. He asked if they were putting a culvert in and Ms. Goldsnider stated yes, and that the culvert is connected to the two wetland systems. Mr. Kozloski stated that the culvert would need to be replaced and should be made longer than it is currently proposed. Ms. Ward stated that the culvert could be made longer in case the driveway needs to be wider. Mr. Kozloski was concerned about the length and width of the driveway due to fire and safety being able to get down in an emergency. Ms. Egerton received a comment from the Fire Department that the Agawam Fire Department does not have jurisdiction on single family driveways, however, due to the length and width of the road, fire prevention could be impacted. Mr. Kozloski questioned whether the plan should be built as is, and Ms. Ward and Mr. Brown agreed that if Agawam Engineering did not have any comments, it should stay as is. Mr. Meagher asked if Inspection Services have a regulation for the length and width of the road. Mr. Kozloski stated that he spoke with Inspection Services and they stated no. The applicants were in attendance and made aware of the Agawam Fire Department comment. They indicated that if needed, water could be brought in by hose from Shoemaker Lane. In the event they decide to go with a 12' width, Ms. Kerr suggested adding a condition to the order that would allow a 12' driveway if needed in the wetland areas. Mr. Kozloski then opened the meeting up to the public and there were no comments. The Commission then wrote an Order of Conditions that is available in the Agawam Planning Department office for review.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue an Order of Conditions as written for 0 Shoemaker Ln – Duducal

VOTE 7 – 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 26th.

Motion was made by Ms. Ward and seconded by Ms. Becker to continue the public hearing for Notice of Intent – 497 South Westfield St – Depalma & Tirone to May 26th.

VOTE 7 – 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 26th.

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 – 371 S. Westfield Street

Mr. Kozloski stated that members of the Commission and the Agawam Engineering Department went on-site to review if the Certificate of Compliance could be issued. He stated everything was fine, and there were no Engineering concerns. He recommended issuance of a Certificate of Compliance.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to issue the Certificate of Compliance for 371 S. Westfield Street.

VOTE 7 – 0

8. REQUEST FOR EXTENSION OF ORDER OF CONDITIONS – 190 M St – Springfield Water and Sewer Commission

The Commission received a request to extend the Order of Conditions for 190 M St for the Springfield Water and Sewer Commission CT River Crossing Project. This is their first extension.

Motion was made by Ms. Ward and Ms. Galiatsos to extend the Order of Conditions for Springfield Water and Sewer Commission CT River Crossing Project to June 27, 2023.

VOTE 7 – 0

9. RATIFY ENFORCEMENT ORDER – 128 North West Street

Mr. Kozloski stated that he issued the enforcement order due to Fire Department report of work being done in the wetlands. The Commission received a report and pictures from the Fire Department of the work being done in the resource areas and Mr. Kozloski stated it included dredging and cutting of trees near the pond. Ms. Kerr asked when the commission had been on site and Mr. Kozloski stated they could not get to the area. Ms. Kerr asked if the enforcement order included a cease and desist, and Mr. Kozloski affirmed that it required that, as well as a Notice of Intent and Restoration Plan. Mr. Brown asked if the Department of Environmental Protection had been on site, but they had not.

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify the Enforcement Order of 128 North West Street.

VOTE 7 – 0

10. Correspondence and Complaints

The Commission received an update regarding the Philo Brook Emergency Order from Michelle Chase Town Engineer indicating that the brook has been dredged and is flowing well. They did clean out the swale and the area has dried out significantly. Ms. Chase will send a comprehensive report prior to the next meeting.

The Commission received a complaint of work being done at 160 North Westfield St and members went on a site visit to confirm whether it was a violation or not. Mr. Kozloski spoke with Michelle Chase of the Agawam Engineering Department who stated that may have been the engineering department doing work for a separate Emergency Order. A site visit will be scheduled to confirm the work that was done.

The Commission completed a site visit with Mario Mazza, DPW Superintendent, Michael Albro, Assistant Town Engineer, and the owner of 84 Park Edge Drive regarding the need for streambank stabilization. Ms. Egerton stated that Agawam GIS shows the area as a stream but that MassMapper does not, contradicting each other. Ms. Kerr asked if there was wetland vegetation and Mr. Kozloski stated no. Mr. Meagher was on site as well and stated there were trees growing in the area and no signs of any standing water. Ms. Kerr stated this is a drainage easement from a plan from 1969 and that the Town has the right to maintain their easement. A site visit will be set up with Michelle Chase to determine next steps.

The Commission received a complaint for 1710 Main St of dumping into the wetlands on the rear of their property. Michael Theroux, Agawam Health Inspector, sent pictures of the area to the Commission, but they were unclear as to where the dumping was taking place. Mr. Kozloski sent a certified letter to the homeowner to set up a site visit.

The Commission went on site to the Junior High and Joanne Circle to determine if the complaints had been resolved. The Agawam DPW completed the work and only question was what their sign on Joanne Circle should say. Mr. Fallon stated that the sign currently stated “No Dumping, Violators will be Prosecuted.”

The Commission received an anonymous complaint for work taking place at the rear of 1038 North St Extension. Ms. Kerr stated that it appears much work has been done in or adjacent to the wetlands on an adjacent property with different ownership. Mr. Kozloski stated they will send a certified letter to set up a site visit.

11. APPROVAL OF MINUTES – April 28, 2022

Motion was made by Ms. Ward and seconded by Mr. Brown to approve the minutes of April 28, 2022 as written.

VOTE 7 – 0

The Commission then wrote the Order of Conditions for 70 Campbell Drive. A copy is available for review in the Agawam Planning Department.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue the Order of Conditions for 70 Campbell Drive as written.

VOTE 7 – 0

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

VOTE 7 – 0

Meeting was adjourned at 6:57 pm.