

AGAWAM CONSERVATION COMMISSION
June 10, 2021

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Sheryl Becker

ALSO PRESENT:

Pamela Kerr

VIA Zoom Webinar

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

1. 6:00 PM – REQUEST FOR DETERMINATION OF APPLICABILITY – Eversource
– off of Moylan Lane

Melissa Coady from Tighe & Bond spoke on behalf of Eversource. She said they are seeking an RDA as part of their shield wire program at the South Agawam substation. Mr. Kozloski was on site today. She explained that the grounding or shield wire needs to be replaced at the facility. All proposed work is within the right of way and the main substation. They will be excavating a 2' trench which will be backfilled generating no excess soil. The area will then be seeded and mulched. Erosion controls will be used as needed. Portions of the work are within the 100' buffer zone which were delineated last month, but no work is being done in the wetlands. Access will be off of Moylan Lane with a gravel laydown area. Mr. Fallon asked how long the work will take. Ms. Coady said less than a week total. She added that there is a time of year restriction with Natural Heritage, therefore the work will be done after October 30, 2021. Mr. Kozloski noted that this area is heavily vegetated and asked about erosion control. Ms. Coady said that waddles will be installed in a U shape within the area. She said this is a well maintained herbaceous area. Ms. Ward asked if the land has slopes. Ms. Coady said the area is mostly level. Ms. Ward then asked how large the area of disturbance is. Ms. Coady said 216 linear feet in the buffer zone, approximately 182 cubic feet. Mr. Brown asked if vegetation will be cleared. Ms. Coady said no.

Motion was made by Mr. Brown and seconded by Mr. Meagher to issue a Negative Determination of Applicability for Eversource – off of Moylan Lane.

ROLL CALL VOTE 6 - 0

2. 6:15 – REQUEST FOR DETERMINATION OF APPLICABILITY – 173 Southwick Street – Lot B – Reed

Alexandra Cichetti of R. Levesque Associates, representing Brendan Reed, presented the RDA. She explained that this is an ANR frontage lot. The existing conditions include a grass meadow and lawn space. Wetland resource areas that are present include a BVW, bank and buffer zone. She went on to say that in 2019 an ANRAD was submitted by R. Levesque Associates and an ORAD was issued by the DEP. The ORAD determined that bordering land subject to flooding does not exist on the property based on flood plain analysis. She explained that north of Southwick Street there is a BVW of a stream which drains into a culvert which runs under the property. This subject portion of the stream has been determined to be intermittent. She said Mr. Reed is proposing construction of a single family home which will be located within the buffer zone of the stream. She said the house will be serviced with public utilities including public sewer. She said there is no disturbance proposed within the 20' wide drainage easement that traverses the property. Prior to construction a silt fence will be installed around the down gradient limit of work. There are no proposed changes to the drainage easement therefore no negative risk to resource areas. Ms. Ward asked how much impervious area will be added. Filipe Cravo of R. Levesque Associates answered the question by saying the house is 1600sf and the driveway is 1299 sf for a total of 2800sf of impervious area. He added that they are seeking a negative Determination of Applicability.

Motion was made by Ms. Ward and seconded by Mr. Fallon to issue a Negative Determination of Applicability for 173 Southwick Street – Lot B – Reed.

ROLL CALL VOTE 6 – 0

3. PUBLIC HEARING CONT. – Abbreviated Notice of resource Area Delineation (ANRAD) – New York Avenue – Draghetti

A request was received to continue the Public Hearing for New York Avenue to June 24, 2021. Ms. Kerr said there will be a site visit on Monday with Emily Stockman of Stockman Associates.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Public Hearing – Abbreviated Notice of Resource Area Delineation (ANRAD) – New York Avenue – Draghetti to June 24, 2021

ROLL CALL VOTE 6 – 0

4. PUBLIC HEARING CONT. – Notice of Intent – 57 H.P. Almgren Drive – OMG, Inc.

Dan Delaney of Fuss & O'Neill shared the site plan on screen. He showed the 2 areas of proposed parking, one along the right side of the driveway and the other is to the left of the driveway in front of the office portion of the building. Mr. Delaney noted that a site visit was done this week. He sent the Commission a letter of response to DEP's comments mostly dealing

with maintenance issues on the site. The proposed extra parking is due to growth of the company, now having 2 full shifts. He then displayed DEP's comments on the screen and addressed each one.

1. The building was built in 1998. There is no record of a Certificate of Compliance. Mr. Kozloski said that in order to issue a new C of C, the old one must be closed. Mr. Delaney said that in 1998, the drainage system was constructed properly but not maintained. The proposed new parking would add 9,000SF of impervious area. They were originally approved for 30,000SF as part of the stormwater design.
 2. There was a question as to whether the slope area was in the BVW. Mr. Delaney said that the wetland scientist's response was that due to the absence of any and all indications of a wetland, it was determined that the slope is outside of the delineated BVW.
 3. DEP commented that the stormwater management features were constructed under an O of C but not maintained as required. Mr. Delaney's response was that the current owner, OMG, was not involved in the original permitting or construction.
 4. There is a swale directly adjacent to the proposed new parking but it is not clearly seen on the plans and DEP wondered if it was part of the original order. Mr. Delaney said the swale was intended to direct runoff from the parking lot and driveway into the site stormwater system. The swale still serves that function even with the present vegetation.
 5. The Commission may require the applicant to show that the work will not alter or impair the function and values of the adjacent wetlands. To that Mr. Delaney responded saying the design was reviewed with the Agawam DPW. From a stormwater perspective, the site was designed for a larger impervious footprint than what was previously developed, as well as what is being proposed as part of this project. It is their opinion that the proposed additional site improvements will not alter the site when compared to the original design.
- Mr. Kozloski said they will need to request a C of C, have a site visit with Engineering and get on the next agenda. Mr. Meagher asked if the site was re-flagged. Mr. Delaney said that the site was delineated last month. Mr. Kozloski opened the hearing to the public. There were no comments. Mr. Delaney requested to continue the public hearing to June 24, 2021.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Public Hearing – Notice of Intent – 57 H.P. Almgren Drive – OMG, Inc. to June 24, 2021 to resolve the C of C issue.

ROLL CALL VOTE 6 – 0

5. PUBLIC HEARING CONT. – Notice of Intent – 0 South Westfield Street – Noble Real Estate Holdings, LLC

Filipe Cravo of R. Levesque Associates spoke saying he was present for the continuation of the public hearing for the proposed carwash at the corner of South Westfield Street and Shoemaker Lane. Based on comments from the last meeting from both DEP and Engineering, the stormwater basin has been revised. The Commission did a site visit yesterday to look at the BVW and Buffer Zone to be impacted. Since the site was previously cleared the regrowth is low canopy vegetation. They will stay 50' from the BVW and will add trees along the limit of work. Mr. Cravo received comments today at 4:00 from Engineering. Some of the stormwater comments

include cleaning up the plans and requesting the sizing calculations for the 2 proposed rain gardens that are to collect roof run-off. Engineering is concerned that the runoff in the southern storage area will not completely drain off. He explained that the detention basin is now completely out of the 50' buffer zone and has been altered in shape and size to accommodate the reduction in area. There was discussion of plantings being done after the swale is completed. Mr. Fallon said that the function of the fore bay is to collect sediment which could get into the detention basin. He said Engineering is concerned that the drain is only in the northern part. He asked if the fore bay could become dammed up and split the basin. Mr. Cravo said that the stormwater system was designed for a lot of overland flow to go through the curb openings then run through water quality units then to the fore bay. He said there is also a riprap dam to slow the water down and any sediment still in the water could settle out there. Mr. Kozloski asked Mr. Cravo to explain about the water used in the carwash. Mr. Cravo said that the carwash has a complex waste water recycling/re-use system. The water goes through floor drains to water quality chambers then it is passed through the water treatment system then to the sanitary line. Mr. Kozloski noted that this water does not get into the drainage system.

Motion was made by Mr. Fallon and seconded by Ms. Galiatsos to close the Public Hearing for - Notice of Intent – 0 South Westfield Street – Noble Real Estate Holdings, LLC.

ROLL CALL VOTE 6 – 0

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

6. P.H. CONT. – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street & 0 Doane Avenue

Mr. MacNaughton requested to continue the Public Hearing for Aspenwood Associates LLC to the June 24, 2021 Conservation Commission meeting.

Motion was made by Ms. Galiatsos and seconded by Mr. Meagher to continue the Public Hearing for Notice of Intent – Aspenwood Associates LLC – 0 Silver Street and 0 Doane Avenue to June 24, 2021.

ROLL CALL VOTE 6 – 0

The members discussed the Order of Conditions for 0 South Westfield Street – NOI – including engineering's comments and maintenance of the detention basin. Mr. Kosloski spoke saying that there is a Town ordinance that says if a detention basin is not maintained the town has a right to go in, clean it and charge the owner, but this has not been done. He said the only time the Commission has the power to make sure a detention basin is cleaned is when they are asked for an Order of Compliance. Ms. Kerr noted that Mr. Cravo had included an operation and maintenance plan for this project. Mr. Cravo added that when preparing a stormwater report, a long term maintenance plan of the storm water system is always prepared however there is no mechanism for enforcement. Ms. Kerr suggested that the Commission could specify in the Order of Conditions that the operation and maintenance plan must be adhered to.

Motion was made by Mr. Fallon and seconded by Ms. Galiatsos to issue the Order of Conditions for Notice of Intent – 0 South Westfield Street – Noble Real Estate Holdings, LLC with the provision that the stormwater maintenance plan be incorporated.

ROLL CALL VOTE 6 – 0

7. Correspondence and Complaints

The Commission received an email from Debi McCartney from Tennessee Gas saying that the DEP has not signed off but they are expected to soon. She said that in June, the wetland scientists did a review of the wetlands and other resource areas along the Tennessee Gas pipeline looping project. She said there are repairs that need to be done in the wetlands. The wetland scientists felt some areas did not meet the standards for the certification. They proposed a corrective plan of action where in most areas they would be utilizing existing topsoil. There is one area where topsoil will need to be imported. They are looking to start work on June 21, 2021 to get work and seeding done before the summer heat. The wetland scientists are hoping to completely certify all the wetlands after the repair work is done and have that for the Commission's certification letter which is due before July 1, 2021. Upon reading of the conditions, the corrective action plan will be implemented according to the conditions and schedule issued in writing by the Commission, so they would like to get the work started before the June 24, 2021 Conservation Commission meeting. She has not received endorsement from DEP. She is asking that the Commission provisionally approve the corrected plan of action with approval from DEP. She said that when the work is completed she will conduct a site visit. Ms. Ward asked how much topsoil is being moved. Ms. McCartney said the digging is very shallow so very little topsoil will be moved in the small wetland area.

Motion was made by Ms. Ward and seconded by Mr. Meagher to approve the corrected action plan for Tennessee Gas Pipeline conditionally upon approval of DEP.

ROLL CALL VOTE 6 – 0

Mr. Kozloski asked how long the silt fences will be up as they are hindering the flow of water and affecting the brook. Ms. McCartney said the pipeline loop is being monitored by their environmental inspector and the restoration is being monitored by Tetrattech and they are making evaluations on when the erosion controls can be removed. Mr. Kozloski recommended a site visit.

The Commission received correspondence from Springfield Water & Sewer Commission advising that they will be beginning the dredging work off the barge and asked if the Conservation Commission would like to do a site visit. Ms. Ward commented that they approved the work previously so not much would be gained. Mr. Kozloski said he and the members will go to the site and he will take pictures.

311 Shoemaker Lane, the solar facility, wants to start removing the silt fences. They would like the Commission to do a site visit. Mr. Kozloski and members will go out and take pictures to be sure there is grass under the panels and that the plantings are still growing.

Ms. Kerr had a meeting with the consultant who is preparing the NOI for the proposed passive recreation at Tuckahoe. They discussed having Emily Stockman weigh in before they officially submit the NOI as there are concerns about the stream crossing in the mitigation areas. It was suggested by Emily that the Commission vote tonight to approve that separate from her peer review based on her hourly rate of \$100. Mr. Kozloski said that the entrance is being moved approximately 300'. There is a stream there and also a culvert that will have to be removed, so mitigation will be needed. He went on to say that not all of the wetlands have been mapped. The work that needs to be done is bringing in the road and repairing the dam, requiring mitigation. Ms. Kerr said Ms. Stockman will be reviewing the plans when they are submitted and may also require a site visit. Ms. Ward suggested a 10 hour cap for Ms. Stockman.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to hire Emily Stockman to do a preliminary review and discuss the mitigation and stream crossings with a cap of 20 hours.

ROLL CALL VOTE 6 – 0

The Commission received a complaint from a neighbor across the street from Leonard Pond saying that the owners are draining Leonard Pond and making the pond behind their house larger. She also says that truckloads of dirt have been brought in to build up around the pond. Ms. Ward has been by the area and observed that Leonard Pond is very low. She doesn't know if the pond closer to the house has changed however. She also noted that new dirt had been brought in and spread out. Mr. Kozloski suggested requesting help from DEP. He will visit the site.

8. APPROVAL OF MINUTES – May 27, 2021

Motion was made by Ms. Ward and seconded by Mr. Brown to approve the minutes of May 27, 2021 as written.

ROLL CALL VOTE 3 – 0 – 3 (Ward, Galiatsos, Meagher)

9. PVPC Proposal for Temporary Conservation Assistance

PVPC is proposing up to 8 weeks, no more than 10 hours per week, of Conservation Commission assistance to allow for the new hire to work with a PVPC staff person to learn the responsibilities of the position to be paid out of the Conservation Commission's budget.

Motion was made by Ms. Ward and seconded by Mr. Fallon to approve funding up to \$7000 for PVPC assistance for training for the new Conservation Commission Officer.

ROLL CALL VOTE 6 - 0

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

ROLL CALL VOTE 6 – 0

Meeting was adjourned at 8:15 PM.