

AGAWAM CONSERVATION COMMISSION  
August 10, 2023

MEMBERS PRESENT:

Henry Kozloski  
Jill Ward (6:05pm)  
S. Page Fallon  
Sheryl Becker  
Keven Brown  
Magda Galiatsos  
Frank Meagher

ALSO PRESENT:

Taryn Egerton  
Stefanie Kesecker  
Pam Kerr

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

Motion was made by Mr. Brown and seconded by Ms. Becker to take the agenda items out of order.

VOTE 6-0-0

2. PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North St Ext-VIP Homes & Associates LLC.

The Commission received a request to continue this agenda item until the August 24, 2023 meeting.

Motion was made by Mr. Meagher and seconded by Ms. Becker to continue the PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North St Ext-VIP Homes & Associates LLC to the August 24, 2023 meeting.

VOTE 6-0-0

3. APPROVAL OF MINUTES-July 27, 2023

Motion was made by Ms. Becker and seconded by Mr. Brown to approve the July 27, 2023 minutes.

VOTE 4-0-2 (Meagher/Galiatsos)

#### 4. Correspondence and Complaints

The Commission went onsite to inspect the erosion controls and delegated further inspections to Bob Norboe, resident project representative. Ms. Egerton informed the Commission that Mr. Norboe with JKMuir, LLC had been onsite at Tuckahoe to inspect the erosion controls. He updated the Commission that all the silt socks have been installed and 75% of the silt fencing had been placed, and the rest should be completed by August 11, 2023. Ms. Egerton stated some additional stakes need to be installed and some fencing replaced. Francis Cameron with Woodard & Curran was in attendance this evening and communicated to the Commission another problem at this location. She stated on July 28, 2023 the contractor ET&L Construction Corp had gone in through the location and staked out the limits of work. ET&L's mowing contractor was with them on this date and inadvertently mowed on the wrong side of the limits of work, entering the Bordering Vegetated Wetland (BVW). She stated the silt filter socks were installed in this area shortly thereafter. She stated on August 6<sup>th</sup> Andrea Kendall with LEC Environmental Consultants, LLC went onsite to inspect and discovered the silt socks were installed in the BVW instead of the wetland replication area. Ms. Cameron stated they have been working with a resident onsite observer as well as ET&L to understand how this occurred. She stated it appeared the contractor had used the wrong set of stakes for flagging. She went on to say no fill was brought in, the area was not grubbed, so root balls and masses should still be in place in this area. She stated they consulted with Ms. Kendall to see what corrective action needs to be taken for restoration. She recommended leaving the compost filter tubes in place and to not remove the vegetation in the area until Mike McHugh with DEP has reviewed the soil logs. Ms. Kendall states select trees should be kept within the area, and minor grading within the BVW may need to occur and replanting may be necessary. Ms. Cameron stated they will monitor the area to see if it naturally revegetates and if not a restoration plan will be created. She stated they are working with the contractor to create better communication protocols and to ensure the limits of work are staked and delineated. Mr. Kozloski suggested that the restoration plan should be approved by both the Conservation Commission and Mass DEP both. Ms. Kerr stated that Ms. Cameron should communicate with Mr. McHugh and establish something in writing. Mr. Meagher asked if the area was stripped. Ms. Cameron stated the area was not grubbed.

Motion was made by Mr. Meagher and seconded by Ms. Galiatsos to require a restoration plan for the disturbed area at Tuckahoe to be approved by both the Conservation Commission and Mass DEP.

VOTE 7-0-0

1. PUBLIC HEARING CONT.-NOTICE OF INTENT-North Westfield Street over May Hollow Brook-Town of Agawam-DPW

Ross Tsantoulis with Woodard & Curran was present for this agenda item. He stated since the last presentation to the Commission in March they had been awaiting sign-off from Department of Conservation & Recreation (DCR). He stated the revised NOI that was submitted July 28, 2023, includes an additional 2250 sq. ft. of BVW impact that is necessary for scour protection.

He stated the project proposes to replace a deteriorating culvert and is being funded by the American Rescue Plan Act (ARPA) funds. He stated the project is to protect the infrastructure as well as the downstream infrastructure, while complying with stream crossing standards. He stated 2019 was the last time any upgrades were made to the culvert and in 2020, 2021, and 2022 a feasibility study was completed. He stated they have been working with Engineering and Procurement to get this constructed as soon as possible and the bid needs to be completed by August 31, 2023. The existing culvert is 8' wide by 6'x6" tall concrete box on the upstream side. There is a more protective outlet proposed to catch 700 ft. of roadway that is sheeting off and causing a ravine. He stated there is a 15" clay pipe that runs down Parkedge Dr. and the proposal is for a 18 ft. wide by 8'11" tall pipe with a metal invert at the bottom. He stated this new piping will increase flow capacity and improve wildlife passage. He stated the roadway will be shut down for an estimated 30 to 45 days, with the hopes that the project will be completed within 60 days. Mr. Kozloski stated this was for the west side of the location and asked about the south side. Ms. Tsantoulis stated the catch basins will be replaced and the water will discharge through a headwall. He stated the roadway and elevation flow runs to one side. Mr. Kozloski asked when the present culvert is removed, will a concrete slab be poured, and if the bottom of the stream is natural. Mr. Tsantoulis stated the stream will be natural once the project is completed. Mr. Kozloski asked how they proposed to get around the water while doing this project. Mr. Tsantoulis stated the contractor has to provide a stream bypass plan. Mr. Kozloski asked about the sewer pipe that runs under this roadway. Mr. Tsantoulis stated there will be a temporary bypass for the sewer. Mr. Kozloski questioned the age of the sewer pipe. Mr. Tsantoulis stated Engineering has reviewed the infrastructure. Ms. Kerr stated Engineering will evaluate the pipe once the roadway has been excavated. Mr. Meagher questioned if the large amount of rainfall would interfere with this project. Mr. Tsantoulis stated that rain was a concern, but contractors would work in the rain. Mr. Kozloski asked how much the culvert would be filled during any storm. Mr. Tsantoulis stated a detailed hydraulic analysis will be reviewed by Mass DOT and it is for the 100 year storm. Mr. Fallon asked if the water was at the top of the culvert now for the 100 year storm. Mr. Tsantoulis stated yes and that with the current proposal it would be substantially lower. Mr. Fallon asked if the design for dewatering on the bypass took into consideration contingencies for various storm events. Mr. Tsantoulis stated typically the design is for a 25 to 50 year storm event. Mr. Kozloski stated when the current structure is taken out it would create turbulence in the water and questioned how the downstream would be protected. Mr. Tsantoulis stated a turbidity curtain would be placed and a cofferdam and diversion prepared prior to the bottom of the old culvert being removed. Mr. Kozloski asked the members if they wanted to do an onsite. Ms. Kerr stated a Police Detail would be necessary as there is no safe place to walk. Mr. Kozloski asked the members to look at the pictures of the area attached to the NOI and decide if an onsite was necessary.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to extend the PUBLIC HEARING CONT.-NOTICE OF INTENT-North Westfield Street over May Hollow Brook-Town of Agawam-DPW to the August 24, 2023 meeting.

VOTE 7-0-0

4. Correspondence and Complaints

The Commission returned to this agenda item. Ms. Egerton informed them she had been notified of a clear cutting complaint at Xtreme Paintball. She stated she had spoken to the owner who stated he was going to put in a Christmas tree farm. She stated an onsite was performed and extensive clearing has taken place. Photos were provided.

Motion was made by Ms. Becker and seconded by Mr. Meagher to issue an Enforcement Order to the violator and owner of the property, including a Cease and Desist and the requirement of an NOI prepared by an Environmental Engineer submitted by August 31, 2023, for the property located on Main Street (Xtreme Paintball).

VOTE 7-0-0

Ms. Egerton informed the Commission that the owner of 250 Suffield had inquired about repairing a retaining wall on his property that is in a resource area. He stated he has had flooding issues since Suffield Street was repaved. He has had to place riprap to stabilize his driveway prevent further erosion. She suggested an onsite be performed.

Ms. Egerton informed the Commission that Danielle Foint of 857 River Rd had contacted her again about a piece of Town owned property that runs between her and her neighbors. The Commission had previously been onsite and found that no resource areas or wetland violations had occurred. The Commission agreed to send her a letter stating that the Commission has not found violations as the area has not been “removed, altered, or filled”.

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

VOTE 7-0-0

Meeting adjourned at 7:07pm.