

AGAWAM CONSERVATION COMMISSION
August 12, 2021

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Jill Ward

ALSO PRESENT:

Taryn Egerton

VIA Zoom Webinar

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

1. 6:00 PM – REQUEST FOR DETERMINATION OF APPLICABILITY – 99 Forest Hill Road – Frohock

Charles Frohock was present and explained that he is proposing to install an in ground pool. He said the pool would be 174' away from the dry brook and away from any trees. He said it will be a salt water pool so less chemicals would be used. He owns 2 back to back lots which are separately deeded. Mr. Kozloski asked if the pool would be on the front lot. Mr. Frohock replied yes. Mr. Kozloski noted that the pool would be 175' from the intermittent stream. There was no public input.

Motion was made by Mr. Fallon and seconded by Mr. Meagher to issue a negative Determination of Applicability for 99 Forest Hill Road – Frohock.

ROLL CALL VOTE 6 - 0

2. 6:10 – PUBLIC HEARING – Notice of Intent – 67 Chestnut Lane – Capua

Ryan Nelson of R. Levesque Associates, representing Mr. Capua, presented the Notice of Intent. He explained that there is an existing house with a paved driveway. Mr. Capua is proposing to replace the house, building above the flood plain. They would be using 1028 cu.ft. of fill. Compensatory flood storage would be a swale in the back yard. An erosion control barrier will be installed at the down gradient.

Mr. Kozloski opened the hearing to the public.

Tom Salamenta, 66 Chestnut Lane, spoke saying that he lives across the street and is concerned with drainage issues. Mr. Nelson said that the drainage and water run-off would remain the same. He added that 6/10ths of a foot of topsoil will be added around the house. Mr. Salamenta asked what the time frame would be. Mr. Capua said he would start just before winter and continue through early to late spring. Christine Subotin, 77 Chestnut Lane, asked how much the grade will be raised. Mr. Nelson said 7". Ms. Subotin expressed concern with water run-off. Mr. Nelson explained that the low point is between the 2 property lines and that will remain. She then asked what if the neighbors experience flooding. Mr. Nelson said they are not changing the water shed or drainage so it should not flood. Ms. Subotin asked when the excavation would start. Mr. Capua said he is planning to begin in October to get the foundation in before the frost depending on construction and lumber costs.

Motion was made by Ms. Galiatsos and seconded by Mr. Brown to close the Public Hearing for 67 Chestnut Lane – Capua.

ROLL CALL VOTE 6 – 0

Mr. Kozloski said the Order of Conditions will be written next week.

3. PUBLIC HEARING CONT. – Abbreviated Notice of Resource Area Delineation (ANRAD) – 311 Shoemaker Lane – Zielinski, Halladay Farms

A request was received to continue the ANRAD for 311 Shoemaker to the next meeting.

Motion was made by Ms. Becker and seconded by Mr. Meagher to continue the Public Hearing – Abbreviated Notice of Resource Area Delineation (ANRAD) - 311 Shoemaker Lane – Zielinski, Halladay Farms to the next Conservation Commission meeting.

ROLL CALL VOTE 6 – 0

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

A request was received from Mr. MacNaughton to continue the Public Hearing - Notice of Intent – Aspenwood Associates to the next Con Comm meeting.

Motion was made by Mr. Meagher and seconded by Ms. Galiatsos to continue the Public Hearing – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street & 0 Doane Avenue to the next Conservation Commission meeting.

Mr. Kozloski noted that they are still waiting for information from NHESP.

ROLL CALL VOTE 6 - 0

5. EMERGENCY ORDER (RATIFY) – 19 Cesan Street – Tree removal

Motion was made by Mr. Meagher and seconded by Ms. Galiatsos to ratify the Emergency Order – 19 Cesan Street – for tree removal.

ROLL CALL VOTE 6 - 0

6. Correspondence and Complaints

411 Southwick Street – The Town of Agawam Engineering Department reached out to the Conservation Commission to discuss a stormwater issue at this property. The Commission discussed that Engineering should hire an environmentalist for the project.

Motion was made by Ms. Galiatsos and seconded by Mr. Meagher to have Engineering hire an environmentalist to determine the impact and do a plan for 411 Southwick Street.

ROLL CALL VOTE 6 – 0

Lisa Patnode, 40 Doane Avenue, asked if she could speak regarding Aspenwood Estates to which Mr. Kozloski replied that by state law there can only be discussion if the applicant is present. Ms. Patnode then said she would speak only of the process. She feels it isn't fair to those planning to attend a meeting that the applicant can ask for a continuance just minutes before a meeting. Stu Kibbe, 40 Doane Avenue, said he amplifies Ms. Patnode's concerns. Mr. Kozloski suggested that they submit their concerns in writing to the Director of Planning and the Mayor.

Mr. Kozloski addressed Emergency Orders. He said that when an Emergency Order is issued only one signature is needed. DEP says an official of the town must determine if the Emergency Order is to be issued. There was discussion among the members about who that might be and a concern that the Order needs to be done before the trees fall. Ms. Galiatsos suggested that a letter be sent to the Mayor and include the Planning Director.

7. APPROVAL OF MINUTES – July 22, 2021

Motion was made by Mr. Meagher and seconded by Ms. Becker to approve the minutes of July 22, 2021 as written.

ROLL CALL VOTE 5 – 0 – 1 (Brown)

8. ORDER OF CONDITIONS – 184 River Road – Kanegsberg

Ms. Galiatsos read aloud a letter from Mr. Kanegsberg requesting a 3 year extension on the Order of Conditions for 184 River Road. Mr. Kanegsberg said he is proposing to build a house and garage on the property and gave reasons as to why the project has not been completed.

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Motion was made by Ms. Galiatsos and seconded by Mr. Meagher to extend the Order of Conditions for 184 River Road for 2 years.

ROLL CALL VOTE 6 - 0

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

ROLL CALL VOTE 6 – 0

Meeting was adjourned at 6:45 PM.

Hpg