

AGAWAM CONSERVATION COMMISSION
September 22, 2022

MEMBERS PRESENT:

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

MEMBERS ABSENT

Magda Galiatsos
Jill Ward

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker

Mr. Kozloski called the meeting to order at 6:01PM

1. 6:00PM REQUEST FOR DETERMINATION OF APPLICABILITY-727 Silver Street-
MSR Properties LLC

Filipe Cravo with R. Levesque & Associates was present for this agenda item. The petitioner Rick Mahan, with MSR Properties LLC was also present. The Commission performed a site visit today at this location. The proposed plan is for a self-storage facility that will include 8 buildings. Three buildings will be 7,200 sq. ft., two buildings will be 3,200 sq. ft., and 3 buildings in the rear that will be 5,600 sq. ft. The site is currently vacant open land. In the past it has been used as trailer and dumpster storage, and a storage yard for large outdoor items, such as vehicles and construction materials. The site slopes consistently from Silver Street all the way to the rear of the property line in a west to east direction. The elevations along the street are 190 and at rear of the property around 178. Mr. Cravo stated an RDA was filed because there are a couple of off-site wetlands, to the northeast and southeast of the proposed site. All of the proposed improvements to the site are located outside the 100 ft. buffer zone. There is a storm water basin located adjacent to the rear of the property line. A portion of the site does lie within Natural Heritage polygon. Mr. Cravo stated they have filed the plan with Natural Heritage and Endangered Species Program (NHESP). The plan is currently under review and the 30 day time frame to complete the review will end October 6, 2022. Mr. Cravo stated they have submitted all their documents to Engineering, including the storm water drainage report and are currently awaiting their review.

Mr. Kozloski asked where the water would drain from the detention basin if there is an overflow. Mr. Cravo stated the water would drain through the pipe network of catch basins. Drive aisles will have a series of catch basins located on a trunk line that runs down to a pipe network that ultimately discharges to a surface infiltration basin with sandy soils to infiltrate the storm water runoff. Overflow to a level spreader would discharge any water overflow from the basin in a southerly direction. Mr. Kozloski asked about the elevation and if fill was needed. Mr. Cravo stated about 5 feet along the back edge, but is at grade after the first row of buildings. Mr. Kozloski asked what the elevation was at the bottom of detention basin. Mr. Cravo stated 178. Mr. Kozloski asked what the elevation at the top of the detention basin was. Mr. Cravo said 183. Mr. Kozloski asked about the elevation of the parking lot. Mr. Cravo stated 187. Mr. Cravo stated the height of the berm was 10 ft. wide and 178 in height. Mr. Kozloski asked about the elevation of where the water is going. Mr. Cravo said the level spreader has an elevation of 178 and is located outside the 100 ft. buffer zone. Ms. Becker asked Mr. Cravo if a fence would be installed thru the Natural Heritage area. Mr. Cravo said the fence would be thru some of the Natural Heritage area, but it was currently under review by the NHSEP, and the fence placement may have to be adjusted, per their review. Mr. Cravo asked for a continuance to the October 13th, 2022 meeting.

Motion was made by Mr. Brown and seconded by Mr. Meagher to continue the REQUEST FOR DETERMINATION OF APPLICABILITY-727 Silver Street-MSR Properties LLC to the October 13th, 2022 meeting.

VOTE 5-0-0

2. REQUEST FOR DETERMINATION OF APPLICABILITY-67 South West Street-Vasylyshyn.

The Conservation Commission received a request to continue this item until the October 13th, 2022 meeting.

Motion was made by Ms. Becker and seconded by Mr. Meagher to continue the REQUEST FOR DETERMINATION OF APPLICABILITY-67 South West Street-Vaslyshyn to the October 13th, 2022 meeting.

VOTE 5-0-0

3. REQUEST FOR DETERMINATION OF APPLICABILITY CONT.-25 Marla Place-NSTAR Electric Company dba Eversource Energy.

Isobel Arthen-Long with Tighe & Bond was present for this agenda item. The RDA was filed for a proposed retaining wall at this location. She stated an intermittent stream enters the property through a culvert just east of the house and continues down to the south of the home, with small Bordering Vegetative Wetland (BVW) surrounding it. There is a large BVW that continues to the south of the property. There is a mapped perennial stream that does not exist as mapped. Eversource has a transmission line running through the southern portion of the

property, there are four trees that are danger trees to the overhead power lines. Eversource can either trim the trees or completely take down the trees, dependent upon what the home owner wants. If the trees are removed the owner would like to construct a retaining wall to manage erosion control.

Mr. Kozloski asked if the trees of concern are outside of the right-of-way. Ms. Arthen-Long stated that yes there were outside the right-of-way. Mr. Brown stated when he was onsite and a retaining wall would not cause too much disturbance to the area. Mr. Kozloski questioned how a tree outside the right of way could be cut without being in the RDA. Ms. Arthen-Long stated the tree trimming is exempt from the RDA because it is exempt under clause 10.02.2A2 of the Wetlands Protection Act, “activities conducted to maintain, replace, but not substantially change or enlarge a lawfully located structure or facility used in the service of the public and to provide electric, gas, or public utility.” She stated the tree cutting would be to protect a public utility and for the maintenance of the utility and there is no clause that says the trees need to be located within the right away in order to be considered maintenance of that facility. Mr. Meagher asked if there would be any branches left on the trees. Ms. Arthen-Long stated that there would be no branches left on the southern side of the trees. Ms. Becker asked if the trees were taken down would the stumps be removed. Ms. Arthen-Long said if the trees are removed the stumps would be ground. Mr Kozloski asked when this maintenance would be completed. Ms. Arthen-Long said as soon as the RDA is approved Eversource wants to have the work completed sometime in October. She stated the retaining wall, if installed, would also occur in October.

Motion was made by Mr. Brown and seconded by Mr. Meagher to issue a **NEGATIVE DETERMINATION OF APPLICABILITY-25 Marla Place-NSTAR Electric Company dba Eversource Energy.**

VOTE 5-0-0

4. **PUBLIC HEARING CONT.-NOTICE OF INTENT-497 South Westfield Street-Depalma & Tirone**

The Conservation Commission received a request to continue this item until the October 13th, 2022 meeting.

Motion was made by Mr. Meagher and seconded by Mr. Brown to continue the **PUBLIC HEARING CONT.-NOTICE OF INTENT 497 South Westfield-Depalma & Tirone** to the October 13, 2022 meeting.

VOTE 5-0-0

5. **PUBLIC HEARING CONT.-NOTICE OF INTENT-0 South West Street & 0 Pine Street-Town of Agawam (Continued to October 27, 2022)**

This item was previously continued.

6. PUBLIC HEARING CONT.-NOTICE OF INTENT-Main Street-Westfield River
Interceptor Sewer Relocation Project-Agawam.

The Conservation Commission received a request to continue this time to the March 23, 2023 meeting.

Motion was made by Mr. Fallon and seconded by Mr. Brown to continue the PUBLIC HEARING CONT.-NOTICE OF INTENT-Main Street-Westfield River Interceptor Sewer Relocation Project-Agawam to the March 23rd, 2023 meeting.

VOTE 5-0-0

7. CONSTRUCTION SEQUENCING PLAN AND SWPP-32 Shoemaker Lane-Beach
Mountain LLC

The Construction Sequencing Plan and storm water pollution prevention plan has been submitted to the Commission for 32 Shoemaker Lane-Beach Mountain LLC as per their Order of Conditions.

Motion was made by Mr. Brown and seconded by Mr. Meagher to approve the CONSTRUCTION SEQUENCING PLAN AND SWPP-32 Shoemaker Lane-Beach Mountain LLC.

VOTE 5-0-0

8. Correspondence & Complaints

The Crowley's have filed an appeal with Department of Environmental Protection (DEP). The DEP has 35 days to act on the appeal.

37 St. Jacques wants to put up a fence, no Notice of Intent needed. Owner is having a land survey performed. They did put in the mitigation vegetation.

The Commission was made aware of possible work or logging being done in or near a wetland area on 377 South West Street. The building inspector informed the office that the wood is being brought into the property. They have a business certificate, and there is no zoning violation. The Commission will send a letter to the property owner.

The Commission was informed that there is debris and vehicles on the stream bank at 69 Franklin Street. Mr. Fallon suggested an Enforcement Order with a 30 day timeframe to remove the debris and vehicles.

Motion was made by Mr. Fallon and seconded by Ms. Becker to issue an Enforcement Order to 69 Franklin Street to remove the debris/vehicles from the stream bank within 30 days.

VOTE 5-0-0

9. APPROVAL OF MINUTES-September 8, 2022

Motion was made by Mr. Brown and seconded by Mr. Meagher to approve the September 8, 2022 minutes.

VOTE 5-0-0

10. Enforcement Order Updates

Brian at Beaver Camperground reached out to the Commission on September 21, 2022 to let them know that Steven Salvini with Salvini & Associates, was onsite and will be handling this.

1710 Main Street is required to put up a barrier to the steep bank on their property, but requested clarification on what type of barrier to use. They suggested a reflective fence. Mr. Kozloski would like small curbing to be placed around the fence to keep cars off the bank.

Motion was made by Mr. Fallon and seconded by Mr. Brown to request a reflective fence and concrete curbing along the bank at 1710 Main Street.

VOTE 5-0-0

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

Meeting was adjourned at 6:40pm.