

AGAWAM CONSERVATION COMMISSION
October 13, 2022

MEMBERS PRESENT:

Henry Kozloski
Sheryl Becker
S. Page Fallon
Frank Meagher
Jill Ward

MEMBERS ABSENT

Magda Galiatsos
Keven Brown

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker

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

1. 6:00PM NOTICE OF INTENT-395 Main & Rear Main Street-Pride

Rebecca Li with R. Levesque & Associates was present for this agenda item. The site is comprised of 2 different parcels, the western most parcel is zoned Business-A and the eastern parcel is split zoned Business-B and Industrial. An ANR plan has been submitted to combine the parcels. The site is historically developed. Formerly there was a gas station at this location. Most of the site has been paved and the rest is gravel. The former gas station had some sub-surface drainage structures that will be removed and demolished during construction. The existing topography has a high point along Main St and slopes toward the east and down the slope towards the wetlands and also to the north east corner of the site. Part of the property falls within the 100 ft. wetland jurisdictional boundary. Ms. Li said they are proposing a new gas pump towards front of the property. The Pride will house a Chester's Chicken, Pride Kitchen, Subway, as well as a drive-thru. The portion of the project within the 100 ft. buffer is just the parking area as well as one catch basin, as part of the sub-surface drainage system. Ms. Li stated the remaining tree line will remain intact. The proposed grading follows the existing topography, where the high point is along Main Street and gradually slopes to a low point in the north eastern corner. There are intermediate low points with catch basins that will collect the runoff and convey it to the sub-surface infiltration system. Catch basins will catch the runoff and send it to two water quality units prior to discharging into the sub-surface infiltration system. The system is equipped with an emergency overflow outlet that sends the runoff towards the northeastern corner in case of larger storm events.

Mr. Fallon asked about the size of the infiltration basins and questioned what type of larger storm event this system would handle. Ms. Li stated they have sized it up to a 100 year. Mr. Fallon asked where this discharged to, the outlet on the northeast corner of the site. Ms. Li said once the run-off gets to a certain elevation within the retainers (concrete blocks) it will discharge out to a culvert and then send it to a small basin in the back. The existing topography sends all the run-off to the northeast corner. The run-off will be reduced because they are proposing to send all the run-off to the infiltration basin first and an emergency outlet in case of excess discharge. Mr. Fallon asking if the run-off going to the North where the road is would cause problems. Ms. Li stated the run-off is going there now, but the amount will be reduced. Mr. Kozloski asked how long it would take for the infiltration system to drain. Ms. Li said the culvert could be filled at 3.2 feet prior to the run-off discharging. Mr. Kozloski asked if the infiltration system would fill into the ground and how long that would take to empty the basin. Ms. Li stated depending on the swales in the area. The soil type is b so the infiltration rate is less than type a, however in this area there are no test pits. Ms. Li said they have some data because they did a sub-surface investigation to test for contaminants in the soil. Ms. Li said they have soil borings located in this area, however one of the things that will have to before construction is a perc test and a test pit to make sure that the soil is suitable for this infiltration system. Mr. Kozloski asked if there would be 2 drive-thrus. Ms. Li said, no just one, but there will be a built in by-pass lane since it is one way traffic and someone can get out of the drive-thru if they wish. Ms. Li stated there are 2 curb cuts that are both entrance and exit. Mr. Kozloski asked if they had received Engineering comments and they were working with the Engineering Department to make sure they were satisfied. Mr. Kozloski asked what erosion controls would be in place. Ms. Li stated there would be anti-tracking aprons, silt fence, inlet protection at all new proposed catch basins as well as any existing catch basins in the nearby area. Mr. Kozloski asked if a silt sock would be better than a silt fence. Ms. Li stated they would be willing to look into this and discuss it with the contractor.

Mr. Kozloski opened the meeting to the public. There were no comments from the public.

Ms. Li requested a continuance until the October 27, 2022 meeting.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the NOTICE OF INTENT-395 Main & Rear Main St-Pride-until the October 27, 2022 meeting.

VOTE 5-0-0

2. 6:10PM NOTICE OF INTENT-10-24 Main St, Suffield St-Route 75 Main Street
AGA, LLC

The abutter's notification requirement have not been met and this agenda item will be re-advertised for the October 27, 2022 meeting.

3. REQUEST FOR DETERMINATION OF APPLICABILITY CONT.-727 Silver
Street-MSR Properties LLC

Ms. Rebecca Li with R. Levesque & Associates was present for this agenda item. She stated they have received Engineering comments and they have worked with the Engineering Department to ensure that all their comments have been satisfactorily incorporated and they have a letter from Engineering stating such. Ms. Li stated there was also another site visit and it was requested they updated the wetland delineation to the north east of the property. She stated they have update their drawing and resubmitted them. Ms. Li stated all of the proposed work is outside the 100 ft. buffer jurisdiction zone. Mr. Kozloski stated that one wetland boundary had already been mapped dealing with a subdivision on Silver Street. Since that was already mapped ,they have to adhere to that wetland boundary. Ms. Li went over the project and it involves 8 new self-storage buildings, with associated site improvements: new drive aisles, parking in the front near the office area, and the entire site will be fenced in. Ms. Li stated surveillance system will be onsite for enhanced security. The drainage system run-off will be collected through various catch basins throughout the site where it will then be conveyed to a water quality unit before discharging into infiltration basin. Ms. Li stated all work is outside the 100 ft. buffer zone. Ms. Li. Stated they are within the National Heritage and Endangered Species Program (NHESP) boundary and they have received a “no take” determination from NHESP. Mr. Kozloski asked what they would be using for erosion controls. Ms. Li stated a silt fence around the entire premises of the property, inlet protection, and an anti-tracking pad towards the front of the site. Mr. Kozloski asked why they could not use a silt sock instead of a silt fence.

Motion was made by Ms. Ward and seconded by Mr. Meagher to have them use a silt sock.

VOTE 5-0-0

Mr. Fallon asked about the corner of the property that is part of NHESP and if it would be used for storage of vehicles overtime. Ms. Li stated that there will no storage of vehicles on this site and there will be curbing all the way around and it would be difficult to do, coupled with the slopping topography.

Motion was made by Mr. Meagher to issue a NEGATIVE DETERMINATION OF APPLICABILITY-727 Silver Street-MSR Properties, LLC.

VOTE 5-0-0

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

Ms. Natasha Vasylyshyn was present for this agenda item. Ms. Vasylyshyn stated that she spoke to Eversource today and they told her they would most likely go under the culvert. Eversource is only willing to cover a portion of the cost and the owner would have to fund the rest. Ms. Vasylyshyn stated due to the cost they would most likely not be going through with the project. Ms. Vasylyshyn stated she asked Eversource how much it would cost them and she was told a few thousand in the beginning of the proposal, now they are being told \$50,000. Ms. Vasylyshyn stated the Eversource representative could not give her an amount today when she

asked. Mr. Fallon suggested Ms. Vasylyshyn have Eversource come to the site and the Commission will meet them.

Mr. Kozloski opened the meeting to public comments and there were none.

Ms. Vasylyshyn asked to continue this item until the October 27, 2022 meeting.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the REQUEST FOR DETERMINATION OF APPLICABILITY CONT.-67 South West Street- Vasylyshyn until the October 27, 2022 meeting.

VOTE 5-0-0

5. PUBLIC HEARING CONT.-NOTICE OF INTENT-497 South Westfield St-Depalma & Tirone

Rob Levesque with R. Levesque & Associates was present for this agenda item as well as the petitioner Joe Tirone. Mr. Levesque stated since the last meeting they have went through the peer review comments concerning the adjustment of the grading at the wetland boundaries. In the front there will be drainage easement. Mr. Levesque stated they do not have Engineering comments back yet. The storm water basin was reshaped to accommodate the wetland boundaries that were adjusted. Some units were combined to consolidate them and get them away from the wetland, this was to ensure the grading did not impact the Bordering Vegetative Wetland (BVW). Mr. Levesque stated there was a reconfiguration of units: duplexes were changed to 3 unit building, some duplexes are quads, reconfigured the parking area, by shifting it, to adjust the basin. Mr. Levesque stated there was grading that would have gone into the wetland line, but will be adjusted back and there will be a retaining wall to prevent wetland fill. The culvert was rerouted based on peer reviewer Emily Stockman comments. The front drainage easement was maintained and reconfigured and the storm water basins were reshaped. The perimeter wetland line shifted a little based on the peer review. The updates and associated calculations have been submitted to the Engineering Department, but have not received comments yet.

Ms. Ward asked when the ponds were reshaped if the capacity was affected at all. Mr. Levesque stated no they made sure to maintain the capacity needed and kept the calculations. Mr. Fallon asked when the units were combined, was there a significant effect on the impermeable surface. Mr. Levesque stated the changes shift the location of the impermeable surface and that generally it was just combining or reducing the impermeable surface to get the same number. Mr. Fallon asked if the net change would be to a lower value. Mr. Levesque said there was originally 80 units and now there is 81. Mr. Fallon then asked so you would say there is an increase in the impervious surface. Mr. Levesque stated he did not know, but it was very close, but he could have that information at the next meeting, and would confirm it. Mr. Kozloski asked if there were plans for restoration where the wetland had been disturbed. Mr. Levesque stated yes and the area had also started to revegetate. Mr. Kozloski asked how the wetland would be protected with the houses this close and what is the distance from the building to the wetland. Mr.

Levesque stated it would be monumented and this would be a common area so the condo owners' would have no rights to change or alter the area in any way unless the master deed gives them exclusive use area. Mr. Kozloski would like to see at the next meeting how the monuments will be done. Mr. Levesque said he would bring that information to the next meeting as well as the master deed which would explain how the maintenance of the property would be handled.

Mr. Kozloski opened the meeting to public comment. There was none.

Mr. Levesque asked that this agenda item be continued until the October 27, 2022 meeting.

Motion was made by Ms. Ward and seconded by Mr. Fallon to continue the PUBLIC HEARING CONT.-NOTICE OF INTENT-497 South Westfield-Depalma & Tirone until the October 27, 2022 meeting.

VOTE 5-0-0

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

This agenda item was previously continued to October 27, 2022.

7. PUBLIC HEARING CONT.-NOTICE OF INTENT-Main Street-Westfield River
Interceptor Sewer Relocation Project-Agawam (continued to March 23, 2023).

This agenda item was previously continued to March 23, 2023.

8. Order of Conditions Extension-1246, 1266, & 0 Springfield Street

The Conservation Commission received a request to extend the Order of Conditions for 3 years, since the project has not started yet. Rob Levesque with R. Levesque & Associates was present, as well as the owner Mr. Jim Baldyga.

Motion was made by Ms. Ward and seconded by Ms. Becker to extend the Order of Conditions for 1246, 1266, & 0 Springfield Street for 3 years.

VOTE 5-0-0

9. Request Certificate of Compliance-15 Pomeroy Street

The Commission did an onsite. There is grass growing, slopes vegetated. There is some cutting going on but it may be vista pruning, otherwise the area looks good.

Motion was made by Mr. Fallon and seconded by Ms. Becker to issue the Certificate of Compliance for 15 Pomeroy Street.

VOTE 5-0-0

10. Request for Certificate of Compliance-Nicole Terrace Subdivision Lots 2, 6-8, & 10-11.

Mr. Kozloski stated that on Lot 2 there is still a lot of work to do and is still being bulldozed.

Motion was made by Mr. Fallon and seconded by Mr. Meagher to deny the Certificate of Compliance-Nicole Terrace Subdivision Lot 2.

VOTE 5-0-0

Mr. Kozloski stated Lot 7 the swale is not built within the proposed drainage easement, per Engineerings' comments. It was requested to keep the existing trees along the property.

Motion was made by Mr. Ward and seconded by Mr. Fallon to deny the Certificate of Compliance-Nicole Terrace Subdivision Lot 7.

VOTE 5-0-0

There is no as built plan for Lot 6. Lot 11 sidewalks do not meet ADA compliance. As per the Order of Conditions, Lots 8-14 require a deed restriction, which the Commission does not yet have proof of. Lots 10 & 11 have sidewalks. The Engineering memo state are not ADA compliant.

Motion was made by Mr. Fallon and seconded by Ms. Ward to deny the Certificate of Compliance -Nicole Terrace Subdivision Lots 2, 6-8 & 10-11.

VOTE 5-0-0

11. APPROVAL OF MINUTES-September 22, 2022

Motion was made by Ms. Ward and seconded by Mr. Meagher to approve the minutes of September 22, 2022.

VOTE 5-0-0

12. Correspondence and Complaints

A transformer was knocked down due to an accident on Pine Street. The Commission will reach out to Eversource tomorrow to see where they are with the clean-up.

260 Garden Street a complaint was received for dumping, dirt piles, and junk cars. It was determined to be outside of the Conservation Commissions' jurisdiction and the information will be forwarded to Inspection Services.

106 North West Street restoration plan and Order of Conditions was approved by Commission a few weeks ago. Mr. Kozloski stated most of the mitigation was done. The Commission will reach out to the applicant to see if the barriers at the 50' and 100' buffers have been put up.

The Commission will set up site visit for Tennessee Gas as they are requesting to extend the Order Of Conditions.

The Commission will set up a site visit for Corey St. Condos, requested by Dwight Scott to go over the progress.

The Commission received a complaint about a tree being cut on Clover Hill, which will require a site visit to see if it is jurisdictional.

138 South Street was an addition to a house from a few years ago, the Order of Conditions was extended another year due to erosion when doing the roof. The work is completed would like the Commission to do a site visit.

13. Enforcement Order Updates

69 Franklin Street received notice to remove debris and motor vehicles from the stream. The Commission hasn't heard back from the property owner but they have until October 22, 2022.

Beaver Camper hired Salvini & Associates to do work and will submit a Notice of Intent to the Commission. They are requesting an extension.

Motion was made by Ms. Ward and seconded by Ms. Becker to extend the Enforcement Order for 2 weeks.

VOTE 5-0-0

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

VOTE 5-0-0

Meeting adjourned at 7:25pm