

AGAWAM CONSERVATION COMMISSION
March 28, 2019

Members Present:

Henry A. Kozloski, Chair
Sheryl Becker
S. Page Fallon
Magda Galiatsos
Frank Meagher
Jill Messick

Also Present:

Pam Kerr
Amanda Boissonneault

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

1. 6:00 PM - Public Hearing – Notice of Intent – Shoemaker Ln., Silver St. & Suffield St. – 261 Upgrade Projects – Tennessee Gas Pipeline Company

Deborah McCartney from Tennessee Gas and Rebecca Weissman from SWCA Environmental were in attendance to present this NOI. The resource area boundaries were confirmed in October 2018. Ms. Weissman explained at approximately the same time the determination was issued, the applicant applied for a 401 Water Quality Certificate Application with MA DEP. The wetland boundaries were reviewed during a site visit, and the minor changes that were suggested were incorporated into the resource area map. These slight changes are to Wetland N, Wetland K, Wetland E and Stream MA3. Ms. Weissman explained they decided to use the more conservative estimate when calculating the wetland impacts, and that this does not necessarily change the wetlands under the approved RDA. This allowed both applications to have the same calculations and consistency.

Ms. McCartney explained there will be no loss of wetlands during the project, however there will be a few wooded areas that will be converted and maintained in a low vegetative cover. Conventional trenching will be used for the majority of the project. A horizontal directional drill will be used for a .03 mile portion of the project. This drill will be go under Wetland N, a stream channel and Shoemaker Lane. Ms. McCartney stated they have minimized the wetland impacts as much as possible, and in a few areas were able to shift the project site to avoid the wetland. Mr. Kozloski asked how the streams will be crossed. Ms. Weissman said there are five water bodies that will be crossed, one using a dam and pump method, three will be crossed by flume, and one will be crossed by the horizontal directional drill. All waterways will be restored to their original state once construction has been completed. Existing crossings will be utilized to minimize impacts. One new access road will be installed from Hickory Street pipe yard to the compressor station. A mat bridge will be used for minimal impact, and there is not a wetland close to the crossing.

Mr. Fallon asked what happens to the soil that is displaced from the horizontal drill. Ms. McCartney said the drill cuttings will be removed and disposed of. Ms. Galiatsos asked if the current pipe would remain in place. Ms. McCartney explained there is an existing 10-inch pipe that is active and will be remaining in the ground. There is also an inactive 6-inch pipe, originally replaced by the 10 inch pipe, that will be removed in some but not all areas. North of Shoemaker Lane there is an area where the 6-inch pipe will be removed and the existing trench will be used for the new pipe. Ms. Becker asked if the applicants have heard from NHESP? Ms. McCartney said their application is currently under review, and they have received approved protocol for preconstruction surveys. There will be regular surveys and monitoring for box turtles and eastern worm snakes prior and during construction. Ms. Messick asked if the same materials removed from the stream crossings will be used to reconstruct the disturbed area. Ms. McCartney answered that is the intention, and will be setting aside and labeling removed materials so they can be replaced in order. Ms. Messick asked how accurate the reconstruction will be. Ms. McCartney said photographs will be taken prior to any construction, and they will replicate any pools, meanders and riffles to the best of their ability. Ms. Messick asked if there would be any loss of canopy due to construction. Ms. Weismann explained there will be 2.5 acres of emergent marsh BVW that will be temporarily impacted and will grow back in one growing season. Another 2.36 acres of BVW will have a temporal loss, with a scrub shrub wetland taking 3-5 years to grow back and a forested wetland taking up to 15 years to return to the original canopy. There is .54 acres that will be permanently converted from a forested or scrub shrub wetland to an emergent wetland. The applicants are going to work with the town and DEP to come up with an offsite mitigation package. Ms. McCartney explained the upgrade projects include both the pipe upgrade and equipment replacement and piping at the compressor station. Tree clearing will start in March 2020, with physical construction anticipated for June through October 2020.

Mr. Kozloski opened the hearing to the public.

Edward Cecchi, 1342 Suffield Street asked about horizontal drilling and how deep the pipe will be when it crosses under Shoemaker Lane. Ms. McCartney described the process and answered the pipe will be approximately 30 to 40 feet deep in that area. Mr. Cecchi asked how much of the 6-inch pipe will be removed north of Shoemaker Lane. Ms. McCartney answered approximately one mile of 6-inch pipe will be removed from the ending point of the horizontal drilling.

No one else spoke for or against.

The Commission members discussed utilizing a peer review due to the scale of the project and the complexity of the resource areas.

Motion made by Ms. Messick and seconded by Ms. Becker to require a Peer Review for the Notice of Intent for the Tennessee Gas Pipeline Company 261 Upgrade Projects.

VOTE 6-0

Motion made by Ms. Messick and seconded by to continue the public hearing for the Notice of Intent for the 261 Upgrade Projects to the Commission's April 25, 2019 meeting.

VOTE 6-0

2. Public Hearing Cont. – Abbreviated Notice of Resource Area Delineation – 0 & 683 S. Westfield St. – DePalma

The applicant submitted a request to continue the ANRAD to the next meeting.

Motion made by Ms. Galiatsos and seconded by Ms. Messick to continue the ANRAD for 0 & 683 S. Westfield Street to the Commission's April 11, 2019 meeting.

VOTE 6-0

3. Public Hearing Cont. – Notice of Intent – 466 South Westfield Street – Shibley/Sweeney

Terry Reynolds, Victor Shibley, Dan Nitche with GZA, Arborist Charles McCarthy and Landscape Architect David Payne were in attendance. Mr. Reynolds provided revised plans, a revised storm water report, and an updated tree removal list and planting plan. There has been a site visit since the Commission's last meeting. Mr. Reynolds explained the infiltration basin has been pulled back approximately up to 30 feet from the wetland line. The infiltration basin will be fully planted along the berms and will have internal plantings as well. There are a number of trees that are being removed, the majority of them being outside the 50 foot buffer. Approximately four trees will be saved, with the majority of the trees to be removed being diseased or damaged. The outfall has been revised since the plans that were submitted on 3/25/19, and is now being directed away from the wetland, westerly, towards the buffer zone. Mr. Kozloski questioned the location of the outlet, stating now the water flow is directed towards someone else's property. Mr. Reynolds answered no, it's now being directed where the current flow is directed. New planting plans were included that show landscaping along the northern border and show additional landscaping along the west side of the project as well as proposed plantings in the rain garden. The recreation area has been taken out of the rain garden and now is shown to run along the buffer zone. The path through the wetland is no longer being proposed. Mr. Kozloski asked how close the rear of the buildings are to the infiltration basin, stating it seems to be smaller on the plan versus what was marked during the site visits. Mr. Reynolds said the back of the buildings are approximately 30-35 feet from the wetland. Mr. Messick asked if that was from the back of the building or the patios. Mr. Reynolds said those will be decks not patios and the measurement is from the back of the buildings. Mrs. Messick asked who would be in charge of mowing. Mr. Reynolds said a maintenance company would be responsible for mowing and would be responsible for knowing where to mow and where not to.

Dan Nitche with GZA spoke to the Commission in regards to the applicants fulfilling the requirements of the regulations for working within the buffer zone. Mr. Fallon asked if there was an underdrain in the rain garden, Mr. Reynolds answered yes and that there is two feet of engineered media with a six-inch layer of stone and pipe. Emily Stockman, from Stockman Associates, asked about the passive recreation area. The passive recreation area was removed

from the rain garden, however there is still a path shown through the rain garden on the revised plans. Mr. Reynolds said there are stepping-stones placed in the rain garden to allow for people to walk through the rain garden without trampling the media. Ms. Kerr said they will be asking the Engineering Department to weigh in on this type of path in a storm water management system. Ms. Stockman also asked about discharge from the rain garden that was previously directed towards the BVW, but is now directed towards a property line. Mr. Reynolds said there is existing flow directed towards that area. Ms. Kozloski asked for markers to be placed so the Commission members can see where the back of the houses are in relation to the infiltration basin during another site visit. The Commission members discussed losing canopy in the buffer zone and if there would be any adverse impacts to the wetland.

Arborist Charles McCarthy went over the inventory of the trees located in the infiltration basin and rain garden area. There are 29 trees identified and a tree risk assessment was provided in the report (the trees are numbered 1-30, there is no number 28). Ms. Stockman asked Mr. McCarthy and Mr. Reynolds to review the report and plans to make sure they accurately reflect the findings. Mr. McCarthy said that some of the trees he inventoried were dead or nearly dead. Anything with a high likelihood of failure were recommended for removal. Ms. Stockman stated it seems the high risk assessment that was assigned to some of the trees is in direct relationship to the project. There seems to only be a high risk assessment assigned because these trees are in a construction zone. She asked if construction was removed, would these trees have been assessed to have a habitat value? Mr. McCarthy explained that most of the trees were damaged and had a high likelihood of failure whether they were in a construction zone or not. Ms. Stockman said that some of these damaged trees do provide valuable habitat, especially those with cavities. Mr. McCarthy expressed concern for these damaged trees to be protected only to then fall on a residence or homeowner. Ms. Becker stated she is concerned about losing canopy and subsequent effects on the resource area. Ms. Stockman stated there are now studies that show there is negative thermal effect on resource areas due to the loss of canopy in the buffer zone. The Commission has previously requested a report showing the temporal effects of removing the canopy.

David Payne, Landscape Architect, said there are approximately 200 shrubs, 100 trees and 750 perennials incorporated in the multi-layer planting plan. Mr. Payne gave an example of the types of plants that will be utilized. Mr. Meagher expressed concern over the lost canopy if the existing trees are to be removed and possible replacement of the canopy. Ms. Messick suggested that the two buildings be moved or eliminated to allow for the infiltration basin to be moved out of the buffer zone. Ms. Stockman asked if there were non-native species that were being proposed; Mr. Payne answered there is a mix of native and non-native species. Ms. Stockman also asked if a species that will eventually provide a taller canopy could be used in the infiltration basin; Mr. Payne said there are some species that would work. Ms. Stockman noticed a herbicide is going to be used during one of the planting phases in the infiltration basin and rain garden, and asked for more information to be provided on what herbicide is going to be used. Ms. Stockman asked the applicants to provide an alternative analysis to show justification of the house sites in correlation with the infiltration basin and the buffer zone. The placement of the house sites that forces the infiltration basins to encroach on the BVW. Mr. Nitcher said there have been decades of allowed work in the buffer zone, and it is only as of recently, and

especially in this region, where the focus on the buffer zone has changed. A site visit will be scheduled with the applicants once the house locations have been staked.

Motion made by Ms. Messick and seconded by Ms. Becker to continue the Notice of Intent for 466 South Westfield Street to the Commission's next meeting.

VOTE 6-0

4. Public Hearing Cont. – Request for Determination of Applicability– 586 Mill Street – Way Finders Inc.

Dan Nitche with GZA and Jim Linfield with Way Finder's were in attendance. The Commission conducted a site visit last week with Mr. Nitche and Mr. Linfield, among others, and walked the property. Approximately 10 to 15 borings were taken and there was no evidence of wetland soils encountered and no wetland vegetation was observed.

Motion made by Ms. Messick and seconded by Mr. Meagher to issue a Negative Determination for 586 Mill Street.

VOTE 6-0

5. Public Hearing Cont. – Abbreviated Notice of Resource Area Delineation- 0, 1246 & 1266 Springfield St. – Eagle Investments, LLC

The applicant submitted a request to continue the ANRAD to the next meeting.

Motion made by Ms. Messick and seconded by Ms. Becker to continue the ANRAD for 0, 1246 & 1266 Springfield Street to the Commission's April 11, 2019.

VOTE 6-0

6. Public Hearing Cont. – Request for Determination of Applicability – 176 Garden Street – The Russian Pentecostal Church

Steve Salvini was in attendance. A site visit was conducted by the Commission Members prior to this meeting. Mr. Kozloski questioned how the paved and concrete areas were shown and defined on the plan; Mr. Salvini said he could add labels to these areas. There was a discussion about whether there is a perennial or intermittent stream on the property.

Motion made by Ms. Messick and seconded by Mr. Meagher to issue a Positive Determination for 176 Garden Street, approving the boundary of the Bordering Vegetated Wetland and determined that the stream is intermittent at this location.

VOTE 6-0

7. Enforcement Order Updates - Federal Street, Bondi's Island

No updates at this time.

8. Approval of Minutes – March 14, 2019

Motion made by Ms. Messick and seconded by Ms. Becker to approve the March 14, 2019 minutes as written.

VOTE 5-0-1 (Meagher abstained)

9. Correspondences and Complaints –

The Health Director notified the Commission of a complaint she received from the owner of 287 Shoemaker Lane that a portion of Worthington Brook that runs along their property runs “gray and soapy” during heavy rains. She provided photos of the brook to the Commission she took during a recent heavy rain adjacent to #287 as well as north of Shoemaker Lane where the water was running clear. The members agreed to send a memo to the Engineering Department asking them to investigate the source of the problem as it appears the materials are not getting into the Brook through overland flows but more likely through the stormwater system.

10. Discussion – Local Wetland Bylaw

Ms. Kerr will provide documents to be reviewed for the Commission’s next meeting.

11. Public Hearing (Continued to 3/31/19) – Notice of Intent – Springfield Water & Sewer Commission – M Street & Connecticut River

Ms. Kerr explained the applicants have reached out to her, and a submittal is anticipated shortly.

Motion made by Ms. Messick and seconded by Ms. Galiatsos to continue the Notice of Intent for M Street & Connecticut River until the Commission’s April 25, 2019 meeting.

VOTE 6-0

12. Certificate of Compliance (Tabled to 4/11/19) – CT Expansion Project Suffield St. -TGP

The meeting adjourned at 8:35 PM