

AGAWAM CONSERVATION COMMISSION
April 25, 2019

Members Present:

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

Members Absent

Magda Galiatsos

Also Present:

Pam Kerr
Amanda Boissonneault

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

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

The applicant requested a continuance of this hearing to the Commission's next meeting.

Motion made by Ms. Messick and seconded by Mr. Meagher to continue the public hearing for the ANRAD for 0 & 683 S. Westfield Street to the Conservation Commission's May 9, 2019 meeting.

VOTE 5-0

2. Abbreviated Notice of Resource Area Delineation Cont. – 0, 1246 & 1266 Springfield St. – Eagle Investments LLC

The applicant requested a continuance of this hearing to the Commission's next meeting.

Motion made by Ms. Messick and seconded by Mr. Fallon to continue the public hearing for the ANRAD for 0, 1246, & 1266 Springfield Street to the Conservation Commission's May 9, 2019 meeting.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to take the agenda out of order.

VOTE 5-0

4. Public Hearing Cont. – Abbreviated Notice of Resource Area Delineation – 255 & 267 S. Westfield St. – DePalma

A proposal by Emily Stockman of Stockman Associates LLC was submitted on April 24, 2019.

Motion made by Ms. Messick and seconded by Ms. Becker to accept the peer review proposal submitted by Stockman Associates LLC for the Abbreviated Notice of Resource Area Delineation for 255 & 267 S. Westfield Street.

VOTE 5-0

The applicant requested a continuance of this hearing to the Commission's next meeting.

Motion made by Ms. Messick and seconded by Mr. Fallon to continue the public hearing for the ANRAD for 255 & 267 S. Westfield St. to the Conservation Commission's May 9, 2019 meeting.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to take the agenda out of order.

VOTE 5-0

7. Enforcement Order Update

944 Springfield Street – Filipe Cravo with RLA and property owner Frank Dibenetto were in attendance. A site visit with Commission Members was conducted prior to this evening's meeting. Mr. Cravo presented a restoration plan that includes a silt fence around the edge of the proposed restoration area that will be revised to a staked straw waddle to prevent any further disturbance. The moved soil will be removed, the area will be loamed and seeded, and a few shrubs will be planted along the edge of pavement to prevent encroachment. Ms. Kerr explained a plan for mitigation is required in the Order of Conditions that includes cleanup of debris in the riverfront area near the dumpster and down the slope. Mr. Dibenetto said the pallets and trailer will be removed once construction is complete. The Commission Members and applicants discussed what would be required to satisfy the mitigation required in the Order of Conditions. There is a question of where the property line is; the property lines on the restoration plan and the Town GIS map do not match. The applicant would be unable to perform any restoration on property that does not belong to him. Mr. Cravo will research this further and provide any updated information to the Commission. The Commission members and applicants reviewed all the items required in the Enforcement Order, and are in agreement that the restoration plan satisfies the requirements. The Commission will review the mitigation plan once it is received. The Commission is to be notified when the applicant intends to clean up the debris by the dumpster.

Motion made by Ms. Messick and seconded by Ms. Becker to approve the Restoration Plan dated April 17, 2019, per the Enforcement Order issued on April 11, 2019.

VOTE 5-0

Motion made by Ms. Messick and seconded by Ms. Becker to put the agenda in order.

VOTE 5-0

3. Public Hearing Cont. – Notice of Intent – 466 S. Westfield St. – Shibley/Sweeney

Terry Reynolds, Dan Niche, Kathleen Sweeney, Victor Shibley and peer reviewer Emily Stockman were in attendance. Mr. Reynolds submitted responses to Ms. Stockman's comments on April 24th, and submitted revised planting plans, erosion control plans and grading and drainage plans electronically. Mr. Reynolds stated the infiltration basin has been moved forward to give at least 10 feet of separation in all areas from the BVW. The existing farm road will be discontinued and gravel will be removed. Almost all impacts have been removed from the 50-foot buffer and they are even on the impacts for the 50-100 foot buffer. Impacts from the buildings will be addressed in stormwater management. Mr. Kozloski asked how many square feet are being restored in the 50-foot buffer zone. Mr. Reynolds answered approximately 9780 sq. feet. Mr. Kozloski asked how much area is being impacted by the buildings. Mr. Reynolds could not provide that number. Mr. Kozloski asked if there would be decks, hatchways or walk out basements; Mr. Reynolds answered walk out basements. Mr. Reynolds stated the intent is to create a solid buffer that is better than what is currently there. Ms. Becker asked what type of herbicides will be used; Mr. Reynolds answered the original proposed herbicides will no longer be used, and only allowed or ecofriendly herbicides would be considered. Mr. Niche said the restored area between the BVW and infiltration basin will not be cleared or mowed and will be a no touch zone. Ms. Becker expressed concern about the back yard of the buildings being only 15-20 feet from the infiltration basin. Mr. Kozloski and the applicants discussed if there is an adverse impact to the resource area for work proposed in the buffer zone. Mr. Niche answered that the proposed work to the buffer zone is an improvement to current conditions, and will not have an adverse effect because they are adding vegetation. Mr. Kozloski stated there are buildings being proposed in the buffer zone which could have a negative impact. Ms. Stockman explained this is a partially impacted buffer zone due to past agricultural uses. Buffer zones are regulated to make sure there isn't an adverse impact to the adjacent wetland, and specific concerns about impacts to the buffer zone and how they could affect the wetland need to be detailed. The plan before the Commission is recreating vegetation after the work is done. Ms. Stockman is concerned that a low build assessment has been asked for verbally and in writing, but has not been provided by the applicant. Mr. Niche responded that the applicant's position is that proposed development is what needs to be built for the investment involved, and that there is no alternative to reduce units. Mr. Kozloski asked for this information in writing. Ms. Stockman asked the Commission members to review low impact developments. Ms. Stockman said statements were made that the only soils acceptable for storm water management were only located where the rain garden and infiltration basin are located. However, the soil logs that were provided to the Commission show soils with almost identical profiles located throughout the site. Ms. Stockman advised the Commission Members to specifically look at storm water and to look over the regulatory requirements. There is a discussion about the rain garden and its function in stormwater management. Mr. Reynolds explained it is a water quality basin that provides habitat. The rain garden will have engineered media that has been designed to infiltrate water to a stone storage area where the water will be discharged. Mr. Reynolds said it is designed for a 100-year event. The Commission has submitted the Storm Water Management report for the Engineering Department to review. Mr. Kozloski asked if the catch basins on the property will be inspected regularly? Mr. Reynolds answered that all inspections will all be handled under a maintenance contract. Mr. Kozloski asked if a phasing plan has been submitted. Mr. Reynolds answered no, because it's hard to know what the phases will be because it is a difficult site. Ms. Kerr advised the applicants that a phasing plan is a requirement of the A5 zoning bylaw, which will need to be submitted to the Planning Board. The Commission discussed language that can be added to an

Order of Conditions to assist in monitoring the phasing of the project and site conditions during construction. Ms. Kerr asked Mr. Reynolds to point out the passive recreation area that is required by the zoning bylaw. Mr. Reynolds described passive recreation areas, which includes the area between the infiltration basin and wetland that is not to be mowed. Mr. Kozloski asked for a hard copy of the most recent and updated plan to be provided for review. The Commission is waiting on input from the Engineering Department to ensure the storm water requirements are being met.

Motion made by Ms. Messick and seconded by Mr. Meagher to continue the public hearing for the Notice of Intent for 466 S. Westfield Street to the Commission's May 9, 2019 meeting.

VOTE 5-0

5. Public Hearing (cont. to 4/25/19) – Notice of Intent – Springfield Water & Sewer Commission – M St. & Connecticut River

A submittal was not received prior to this meeting.

Motion made by Ms. Messick and seconded by Ms. Becker to table the Notice of Intent for M. Street and Connecticut River to May 23, 2019.

VOTE 5-0

6. Certificate of Compliance

CT Expansion Project Suffield St. – TGP (Tabled to 4/25/19) - Ms. Kerr said she will reach out to TGP for a new contact in order to get an update on the status of this request.

Motion made by Ms. Messick and seconded by Mr. Meagher to table the request for a Certificate of Compliance for the CT Expansion Project to the Commission's May 9, 2019 meeting.

VOTE 5-0

155 North West St. – A Notice of Intent was filed for the construction of an irrigation pond for a tobacco property. The Order of Conditions is now showing up on the deed of a home at the front of the property. Mr. Kozloski visited the property; the pond has been built but there are piles of brush that need to be removed. A letter was submitted stating a hold back has been done on their end to ensure the brush is removed.

Motion made by Ms. Messick and seconded by to issue a Certificate of Compliance for 155 North West Street.

VOTE 5-0

7. Enforcement Order Updates

Federal Street – No Update

Bondi's Island (cont. to 5/13/19) – No Update

8. Approval of Minutes – March 28, 2019 & April 11, 2019

March 28, 2019 – Motion made by Ms. Messick and seconded by Ms. Becker to approve the March 28, 2019 minutes as written.

VOTE 5-0

April 11, 2019 – Motion made by Ms. Messick and seconded by Ms. Becker to approve the April 11, 2019 minutes as written.

VOTE 5-0

9. Correspondences and Complaints

Junior High School - Mr. Kozloski and Mr. Fallon visited the site. There are ways to access the site without having to go through the wetland, including an old train bed that a path could be built on. This will go through CPA and will take place in the future.

Maple View Commons – We received a memo from the Engineering Department, the developer has requested a Certificate of Occupancy for the last unit. The Building Inspector and Engineering Department are aware of the issues on the property. An updated punch list has been created that includes everything that needs to be addressed on the property, including an as-built plan for the Commission.

10. Discussion – Local Wetland Ordinance

11. Public Hearing (cont. to 5/23/19) – Notice of Intent – Shoemaker Ln., Silver St. & Suffield St. – 261 Upgrade Projects – Tennessee Gas Pipeline Company

The meeting adjourned at 8:10 PM