

AGAWAM CONSERVATION COMMISSION
May 27, 2010

MEMBERS PRESENT:

Henry A. Kozloski, Chairman
Steven Douglas
Magda Galiatsos
Jill Messick
Mark Soticheck

MEMBERS ABSENT:

Sheryl Becker
Fred Harpin

Mr. Kozloski called the meeting to order at 6:30 PM.

1. APPROVAL OF MINUTES – May 13, 2010

Motion was made by Mr. Soticheck and seconded by Ms. Messick to approve the minutes of May 13, 2010 as written.

VOTE 5-0

2. REQUEST FOR DETERMINATION – Garden Street – Russo

Rob Levesque of R. Levesque Associates was in attendance to present this RDA for a parcel on Garden Street owned by Thomas Russo. He stated that the parcel is approximately six acres and they have mapped bordering vegetated wetland on the south side of the parcel. He went on to say that there are a series of ponds on the parcel as well. A site walk was performed this evening before the meeting at which time it was found that there is also a stream associated with the ponds and has some qualities of a perennial stream. He asked that the members table this item to the next meeting to allow him to do further research and add the mean annual high water line to the plan. He stated that this will have little or no factor in the proposed development as the Riparian zone is probably within the resource area (bordering vegetated wetland). He will contact the office prior to the next meeting to schedule another site visit.

Motion was made by Mr. Soticheck and seconded by Ms. Messick to continue the RDA for Russo on Garden Street to the next meeting as requested by the applicant's representative.

VOTE 5-0

Motion was made by Mr. Soticheck and seconded by Ms. Messick to amend the agenda to include the "add-on's" and a discussion of the ESRI software and Mark Drive.

VOTE 5-0

6. CERTIFICATE OF COMPLIANCE – Lot 1 Connor’s Cove

Mr. Kozloski stated that he made this inspection and recommended that a full Certificate of Compliance be issued on lot 1 Connor’s Cove.

Motion was made by Mr. Soticheck and seconded by Ms. Messick to issue a Certificate of Compliance on Lot 1 Connor’s Cove.

VOTE 5-0

CERTIFICATE OF COMPLIANCE – Lot 8 Elizabeth Street

Mr. Kozloski stated that a partial certificate has been issued on this lot, however, this is the lot that the homeowners have complained of water ponding in the rear corner of the property. He suggested that a site visit be scheduled with Commission members, the developer, homeowner and Engineering Department.

Motion was made by Ms. Messick and seconded by Mr. Soticheck to issue a Certificate of Compliance on Lot 8 Elizabeth Street pending a favorable site visit by a Commission member.

VOTE 5-0

7. COMPLAINT – 1744 Main Street

Photos of a dump truck dumping debris in a wetland area at 1744 Main Street were delivered to the Commission by the neighbors (Jodoins).

Motion was made by Ms. Messick and seconded by Mr. Soticheck to issue an Enforcement Order to Mr. Cirillo of Cirillo Realty, Inc. for dumping in a wetland or buffer zone; to cease and desist; contact Conservation Commission within seven days to schedule a site visit to determine what remedial action is needed; including copies of the pictures; and copies of the pictures also to be sent to DEP.

VOTE 5-0

Ms. Messick stated that DEP has aerial photos of the site that they can use to determine the approximate area of dumping. Upon further discussion, the members asked that this Enforcement Order be hand delivered by a police officer.

3. REQUEST FOR DETERMINATION – 31 Rowley Street – Mendez

Mr. Mendez was in attendance to present and answer questions on this RDA for approval to fill a portion of his backyard to match the area grades. Members met with Mr. Mendez on the site previously to view the area. Mr. Kozloski explained that Mr. Mendez would like to bring his back yard level which includes placing fill to within 5’ from the top of an embankment. He went on to say that there is an approximate 60’ of drop to the wetland.

He recommended that staked haybales be placed along the top of the embankment prior to construction. The members agreed with that suggestion.

Motion was made by Mr. Sotichack and seconded by Ms. Messick to issue a Negative Determination of Applicability for Mendez at 31 Rowley Street with a row of staked haybales to be placed prior to construction along the top of the embankment.

VOTE 5-0

The members also asked to be notified when the staked haybales are in place so that can inspect them.

4. ENFORCEMENT ORDER UPDATES – Anvil Street

Ms. Messick stated there is still erosion occurring behind the yellow house at the top of Anvil Street. There was discussion regarding Commission jurisdiction. Ms. Dachos suggested the Commission send a memo to the Planning Board outlining the concerns with the ongoing erosion problem and asking that they have the developer address this problem prior to the Board's releasing the bond.

Motion was made by Ms. Messick and seconded by Mr. Sotichack to send a memo to the Planning Board regarding the ongoing erosion problems at Anvil Street, asking that this be addressed prior to the release of bond.

VOTE 5-0

Robin Ridge – Ms. Messick stated that her most recent site visit did not find any erosion occurring. Mr. Kozloski stated that the grading plan for lot 5 should address getting the water (culvert) under the driveway. The members agreed to schedule a site visit with the developers and the owner of lot 5 to go over the enforcement orders that were issued. They asked that a representative of the Engineering Department also attend the site visit.

Motion was made by Ms. Messick and seconded by Ms. Galiatsos to send a memo to the Engineering Department stating that the grading plan for lot 5 Robin Ridge Estates should include provisions to get water to flow under the driveway (culvert).

VOTE 5-0

Liquori Drive – Nothing new to report.

Walnut Street – Calabrese – Mr. Kozloski stated that the grading has been done but the grass is not growing yet. Ms. Messick stated that it did not look as though it had been seeded.

Motion was made by Ms. Messick and seconded by Mr. Sotichack to send a letter to Mr. Calabrese stating that the area must be stabilized immediately or the matter will be turned over to the Law Department.

VOTE 5-0

Mr. Kozloski then stated that a building permit has been issued on lot 5B Mark Drive. He stated that he will meet with the owner (Mr. Langone) and inform him that a Notice of Intent will be required as this lot contains riverfront area.

Mr. Kozloski then brought up the email from ESRI regarding an update on the software that is available. He stated that he will speak with the IT Department to determine the best way to receive it (download or by mail).

The Commission received a memo from the Engineering Department regarding erosion behind the retaining wall behind CVS on Springfield Street. The members agreed to schedule a site visit for this location also and to have a representative of the Engineering Department and the property owner there.

The meeting adjourned at 7:30 PM.