

AGAWAM CONSERVATION COMMISSION
July 28, 2011

MEMBERS PRESENT:

Henry A. Kozloski, Chairman
Sheryl Becker
Magda Galiatsos
Fred Harpin
Jill Messick
Mark Soticheck

ALS PRESENT:

Pamela R. Kerr

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

1. 6:30 PM – PUBLIC HEARING – Notice of Intent – Wright Street – Nardi

Mr. Kozloski opened this public hearing and explained that the applicant's representative submitted a letter requesting a continuance of this hearing to the next meeting.

Motion was made by Ms. Messick and seconded by Mr. Soticheck to continue the public hearing for Nardi on Wright Street to the next meeting as requested by the applicant's representative.

VOTE 6-0

Motion was made by Mr. Harpin and seconded by Mr. Soticheck to amend the order of the agenda.

VOTE 6-0

4. PUBLIC HEARING CONT. – Notice of Intent – School Street and River Road – bike loop – Town of Agawam

The Commission received revised NOI information to address DEP's comments and also a response from NHESP. There was no public input this evening. The Commission closed the public hearing. The Order of Conditions was written later in the meeting.

5. ENFORCEMENT ORDER Updates

There was nothing new to report on the Enforcement Orders.

8. APPROVAL OF MINUTES – July 14, 2011

Motion was made by Ms. Messick and seconded by Mr. Soticheck to approve the minutes of July 14, 2011 as written.

VOTE 4-0-2 (Soticheck & Harpin abstained)

9. RATIFY EMERGENCY ORDER – Robinson Park

Mr. Kozloski explained that the original Emergency Order was set to expire. He re-issued another Emergency Order which needs to be ratified this evening. The Order covers work needed for tree removal as a result of the June 1st tornado. He stated that the work is almost complete at this time.

Motion was made by Mr. Soticheck and seconded by Ms. Messick to ratify the Emergency Order issued to DCR (Robinson Park).

VOTE 6-0

The members then wrote the Order of Conditions for the bike loop on School Street and River Road. A copy can be obtained from the Town Clerk's office or the Conservation Commission office.

Motion was made by Ms. Messick and seconded by Ms. Galiatsos to issue the Order of Conditions for the Town of Agawam bike loop on School Street and River Road as written.

VOTE 4-0-2 (Harpin & Soticheck abstained)

6. Correspondence/complaints

The Commission received a letter from the developer of Robin Ridge Estates requesting an extension to the Order of Conditions.

Motion was made by Ms. Messick and seconded by Ms. Galiatsos to extend the Order of Conditions for Robin Ridge Estates for one year.

VOTE 6-0

The members agreed that a site visit should be scheduled with the developer to go over the outstanding enforcement order issues.

Motion was made by Mr. Harpin and seconded by Ms. Messick to add the continued public hearing for Columbia Gas (this hearing was continued from the last meeting).

VOTE 6-0

The Commission received a response from NHESP on this project. There being no public input, the Commission closed the public hearing and wrote the Order of Conditions for sediment sampling in the Connecticut River. A copy can be obtained from the Town Clerk's office or the Conservation Commission office.

Motion was made by Ms. Messick and seconded by Ms. Galiatsos to issue the Order of Conditions for Columbia Gas as written.

VOTE 6-0

2. PUBLIC HEARING – Notice of Intent – Shoemaker Lane – Rivermoor-Citizens Rte 57 LLC

John Tourtelotte of Rivermoor, William Morrissey of Citizens Energy and Eric Nelson of Westmass Area Development Corp. were in attendance this evening as well as Dan Nitzsche and Steve D'Ambrosio of GZA Environmental. Mr. Nitzsche explained that this is a 13.1 acre site on Shoemaker Lane and is part of the Agawam Regional Industrial Park. He stated that the Planning Board approved the Site Plan for this proposed 1.7 megawatt solar voltaic facility last week. He went on to explain that the NOI was filed as there is a wetland located at the northeast corner of the site with an existing stream crossing which will be utilized as the entrance for this facility and work associated with it involves buffer zone only. The wetland delineation was approved in 2008 through an ANRAD. He stated that the drainage will remain the same pre and post. A perimeter gravel maintenance road is shown around the site with the exception of the area behind the residences on Cesan Street. He went on to say that a vegetated buffer will be provided along the Cesan Street residences and that it is their intent to keep as many of the mature trees as possible. In areas where the trees will be removed along the Cesan Street side, a planting plan has been proposed with arborvitae, oaks, dogwoods, etc. The entrance road will be paved up to the proposed 10' x 10' maintenance building and the remainder of the road will be gravel. He explained that the vegetation management area between the chain link fence and the gravel road will be maintained so that the vegetation does not grow over 10' high. The area between the wetland and gravel road will be kept to 16' to 22' high. Mr. Harpin asked if a 5' chain link fence was enough for the site. Mr. D'Ambrosio stated that the chain link fence is 4' along Shoemaker Lane, 6' high along the Cesan Street lots to the north east corner; and there is an existing 5' chain link fence along Route 57 which will remain. Mr. Harpin asked how the site would be maintained. Mr. D'Ambrosio stated that the panels will be 6' high in the back and 2.5' high in the front; the vegetation will be mowed once per month or when it hits 10". Ms. Messick asked for the width of the entrance road and existing crossing. Mr. D'Ambrosio stated that the entrance road is 18' wide, the existing crossing is 25' wide. He added that they are hoping to do the site clearing in the Fall and their target date for completion is by the end of the year. Ms. Galiatsos asked if the site would be seeded first and then the panels installed. Mr. Nitzsche stated yes and that it will be seeded with a rye mixture. Mr.

Harpin suggested they hydroseed. Ms. Galiatsos stated that her concern would be whether the seed would take prior to the winter and whether there would be erosion problems. Ms. Becker asked if there would be increased run off post construction. Mr. D'Ambrosio stated that drainage calculations were submitted to the Engineering Department and the runoff post construction will actually be a little less as the dense grass (now sparse) will slow the runoff down. Ms. Messick asked about proposed grading. Mr. Nitzsche stated that they will be maintaining the existing drainage pattern. Mr. Kozloski asked what percentage of trees they propose to cut in the vegetation management area. He went on to say that a lot of those trees are 60' or higher. Mr. Nitzsche stated that they can't "top" trees that large and that anything over 22' would be removed. Mr. Kozloski suggested that the Commission put in the Order of Conditions that a planting plan be submitted for the vegetation management area which would have to be approved by the Commission after an on-site after the cutting. Mr. Nitzsche agreed with that and stated that they will probably propose native shrubs or dwarf species. Ms. Messick asked if any work was proposed to the existing culvert. Mr. D'Ambrosio stated no. Ms. Becker asked if any herbicides would be used. Mr. Nitzsche stated no. Mr. Kozloski then asked for any public input.

Ann Robblee, 887 Shoemaker Lane stated that she is very concerned that the water table will change with the tree removal on this site. She went on to say that since the construction of Route 57 her water table has risen; a new drainage system had to be installed; and her foundation cracked. She stated that the water table on her land is still very high. Mr. Nitzsche stated that it is very unlikely that there will be a large impact to the water table as the proposed dense vegetation will slow the runoff. Ms. Galiatsos stated that the Conservation Commission would be concerned with any effects on the wetland and whether it would dry up. Mr. Kozloski stated that this wetland used to extend under Route 57 would it was trenched when the highway was built. He went on to say that DEP issued a Superseding Order of Conditions on Route 57 and it was out of the Commission's hands.

Sandy Preevy, 907 Shoemaker Lane stated that Phylo Brook runs next to her house and that if it goes any higher it will go into her cellar. Mr. Nitzsche stated again that the proposed seed mix will contain some deeply rooted grass and there should not be any adverse effects on the brook or wetland.

Ms. Messick stated that this land is zoned industrial and there are many allowed uses that could have been placed here which would have included a building, parking lot and roadway. That, she stated, would have created much more impervious area and runoff from the site that this proposal with which the site will be grass with a gravel roadway.

Robert Preevy, 907 Shoemaker Lane asked what their recourse is if the brook changes or its flows increase. Mr. Kozloski explained that the Engineering Department reviews these plans and drainage calculations and that it has been his experience in cases such as this that area will dry quicker with the trees being removed and the runoff to the wetland

may decrease. Mr. Nitzsche stated that the site will be mowed with a brush hog and it is not their intent to create a lawn.

Mike Lynch, 925 Shoemaker Lane asked how many panels would be located there. Mr. D'Ambrosio stated 6,000. Mr. Lynch questioned whether the proposed plantings would screen the site totally. Mr. Nitzsche stated that during the fall and winter there will be no leaves on the trees and that some arborvitae will be planted.

Robert Preevy, 907 Shoemaker Lane asked if the catch basins exist. Mr. D'Ambrosio stated yes. Mr. Kozloski suggested that straw waddles be placed around the catch basin to prevent sediment getting in them. He stated that he finds that to be more effective as the filter fabric needs to be cleaned regularly to work properly.

There being no additional public input, the Commission closed the public hearing. The Commission then wrote the Order of Conditions for Rivermoor on Shoemaker Lane.

Motion was made by Mr. Harpin and seconded by Ms. Galiatsos to issue the Order for Rivermoor as written with the deletion of two items: requirement for de-con station at entrance to site and removal of panels from the buffer zone.

VOTE 3-3 (Messick, Soticheck & Becker opposed)

There was further discussion among the members regarding the two items in question. Mr. Harpin stated that he does not feel that a de-con station is necessary at this site as the plan shows a "rumble strip" area for the truck tires to travel over and lose some of the dirt on them. He stated that with the abutters concerns this evening regarding additional water or drainage from this site he does not support the need to wash every truck before it leaves the site. He stated further that if the members wanted panels removed from the buffer zone they should have informed the applicant of that during the public hearing process, not at the time of voting on the project. Ms. Galiatsos stated that she did not see a need for a de-con station at the site. Mr. Kozloski stated that as far as the panels being in the buffer zone, that is allowed and he would not support moving them at this time. He also stated that he does not see the need for a de-con station at this site. After a lengthy discussion, Mr. Soticheck agreed that the two items in question be removed from the Order as he had written them in.

Motion was made by Mr. Harpin and seconded by Ms. Galiatsos to issue the Order of Conditions for Rivermoor on Shoemaker Lane as written, minus the two items discussed above (de-con station and removal of panels from buffer zone).

VOTE 5-0-1 (Soticheck abstained)

3. PUBLIC HEARING – Notice of Intent – River Road – Kanegsberg

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Mr. Kozloski opened this public hearing and explained that the applicant's representative requested that this hearing be continued to the next meeting.

Motion was made by Ms. Messick and seconded by Ms. Becker to continue the public hearing for the Notice of Intent for Kanegberg on River Road to the next meeting as requested.

VOTE 6-0

The meeting adjourned at 8:05 PM.