

AGAWAM CONSERVATION COMMISSION
June 24, 2021

MEMBERS PRESENT:

Henry Kozloski
S. Page Fallon
Keven Brown
Jill Ward
Frank Meagher
Magda Galiatsos
Sheryl Becker

MEMBERS ABSENT:

ALSO PRESENT:

Marc Strange, Taryn Egerton

VIA Zoom Webinar

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

1. 6:00 PM – REQUEST FOR DETERMINATION OF APPLICABILITY – 299 River Road – Aquino

Marlene Aquino was present. She explained that she is proposing to install a 21' round above ground pool. Mr. Kozloski noted that the property is in the flood plain and asked if Ms. Aquino knew the elevation where the pool is to be installed. Ms. Aquino said she did not receive an elevation certificate. Mr. Kozloski said the Commission cannot give a negative RDA without proof of the elevation. Ms. Aquino requested to continue the RDA to the July 8, 2021 Conservation Commission meeting.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Request for Determination of Applicability for 299 River Road – Aquino to July 8, 2021.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to take the Agenda out of order.

ROLL CALL VOTE 7 – 0

8. APPROVAL OF MINUTES – June 10, 2021

Motion was made by Ms. Ward and seconded by Mr. Fallon to approve the minutes of June 10, 2021 as written.

ROLL CALL VOTE 7 – 0

6. P.H. CONT. – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street & 0 Doane Avenue.

The Commission received a request from Mr. MacNaughton to continue the Public Hearing – Aspenwood Associates LLC to July 8, 2021.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue the Public Hearing – Notice of Intent – Aspenwood Associates LLC – 0 Silver Street & 0 Doane Avenue to the July 8th, 2021 Conservation Commission meeting.

ROLL CALL VOTE 7 - 0

2. 6:15 – ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION
(ANRAD) – 311 Shoemaker Lane – Zielinski, Halladay Farms

Jeffrey Smith of Pride Engineering spoke saying that he did delineations on the east branch of Philo Brook and a wet meadow on the easterly side of the stream. He discussed DEP's comments concerning the wetlands. Mr. Kozloski said that the best way to resolve the wetland questions is with a peer review. He went on to say that this is a large parcel of land and the whole site must be looked at. There needs to be clarification on the resource areas, topography and wetland boundaries.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to do a peer review for – (ANRAD) - 311 Shoemaker Lane – Zielinski, Halladay Farms.

ROLL CALL VOTE 7 – 0

A proposal was received from Stockman Associates for a peer review for 311 Shoemaker Lane. The total hours would be 26 hrs @ \$100/hr for a total of \$2600.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to accept Stockman Associates proposal for a peer review for (ANRAD) – 311 Shoemaker Lane – Zielinski, Halladay Farms.

ROLL CALL VOTE 7 – 0

Mr. Smith requested to continue to the July 8, 2021 Conservation Commission meeting.

Motion was made by Ms. Ward and seconded by Mr. Meagher to continue – Abbreviate Notice of Resource Area Delineation – (ANRAD) – 311 Shoemaker Lane – Zielinski, Halladay Farms to the July 8, 2021 Conservation Commission meeting.

ROLL CALL VOTE 7 – 0

Mr. Kozloski noted that a site visit will be set up with the Commission, Mr. Smith and Ms. Stockman.

3. PUBLIC HEARING CONT. – Abbreviated Notice of resource Area Delineation (ANRAD) – New York Avenue – Draghetti

Stockman Associates peer review was received by the Commission. Ms. Stockman said she concurs with the flagging in the field and she recommends the approval of the boundaries with 3 specific findings. Her first recommendation is that the 200' riverfront area associated with the perennial stream to the west is shown only as approximate and it's approval is not being requested therefore, the Commission should include a finding that the riverfront area boundary within the subject property has not been reviewed and approved. Her second recommendation is to have a clear and concise finding that the eastern BVW boundary is approved. Her third comment was that there is flagging of the BVW and bank located off the subject property. The ANRAD form clearly limits the scope to the property designated as Map 13, Lot 11. She went on to say the ORAD should include a finding that the buffer zone boundary as depicted on the plans are approved.

Motion was made by Ms. Ward and seconded by Mr. Meagher to approve the ANRAD for New York Avenue – Draghetti to include the 3 findings from Emily Stockman as explained above.

ROLL CALL VOTE 7 – 0

4. CERTIFICATE OF COMPLIANCE – 57 Almgren Drive – OMG, Inc.

Melissa Trombley of Fuss & O'Neill, stated that the site was built to the original drawings but the detention basin was not maintained. Mr. Kozloski noted that Engineering had gone on site and had observed overgrown trees and brush. They could not see the outfall due to the overgrowth. Mr. Kozloski recommended a site visit with Engineering to determine how to make the basin comply with the original Order of Conditions. Michael Soares, wetland scientist with Fuss & O'Neill, stated that the site was built according to the original design but not maintained. It was noted that the Order of Conditions goes with the property even though there are new owners. Mr. Kozloski is requesting that the current property owners restore the detention basin with Engineering's help. He added that they must have an Order of Compliance on the original Order of Conditions. He recommended tabling the Order of Compliance until the work is done. The owners need to be told that they have to restore the detention basin. Mr. Soares said the owner thought the basin had returned to wetland so he thought he was not allowed to do the maintenance. Mr. Kozloski noted that the outlet pipe is plugged and not working properly. He also noted that the first owner did not ask for a Certificate of Compliance. Ms. Ward suggested requesting an expert opinion as there is now no evidence that the system was built correctly. It was noted that Engineering said a man-made detention basin cannot be considered a wetland. Mr. Kozloski feels that the outlet structure should be cleaned and a couple of trees removed to make the basin work. Ms. Galiatsos suggested having Engineering meet with Fuss & O'Neill to see when the work can begin. Ms. Stockman said that her understanding is that the Commission

must decide if this is still a detention basin or a wetland. If they deem it as a detention basin, the C of C can be approved with ongoing maintenance and recorded at the Registry of Deeds.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to determine that the detention basin was built correctly.

ROLL CALL VOTE 7 – 0

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to issue the Certificate of Compliance for 57 H.P. Almgren Drive with the condition that the regular maintenance be required and the detention basin be restored with the help of Engineering.

ROLL CALL VOTE 7 - 0

5. PUBLIC HEARING CONT. – Notice of Intent – 57 H.P. Almgren Drive – OMG, Inc.

Melissa Trombley of Fuss & O’Neill gave a brief summary of the proposed parking lot expansion. She said they are proposing to add 31 new parking spaces to the existing 92 spaces on site. She noted that the stormwater system was designed for larger construction. She went on to say that 19 of the spaces are at the front of the office building and 12 are adjacent to the current driveway. The proximity to the swale is approximately 25’ from the wetland flag. The silt fence will be installed during construction, then removed and restored to grass therefore having no impact on the wetlands. Mr. Kozloski noted that the swale runs parallel to Almgren Drive and is a swale not wetland.

Mr. Kozloski opened the hearing to the public. There were no comments.

Motion was made by Ms. Ward and seconded by Mr. Fallon to close the Public Hearing – Notice of Intent – 57 H.P. Almgren Drive – OMG, Inc.

ROLL CALL VOTE 7 – 0

The Order of Conditions will be written based on the current plan specifying that the O of C will be on site at all times, no work will begin until the silt fence is installed, it will be recorded at the Registry of Deeds and no oil spills or material will be left on site.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue a Certificate of Compliance – 57 H.P. Almgren Drive to include the Order of Conditions as outlined above.

ROLL CALL VOTE 7 - 0

7. Correspondence and Complaints

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A complaint was received from Mark Stinson at the DEP concerning a large silt plume from the Bondi's Island area that he thinks is associated with the CT River Crossing project. Mr. Kozloski will go on site and take pictures.

The Commission discussed whether to have in person meetings or continue with Zoom for future meetings. Mr. Kozloski will take pictures at the Senior Center to help make a decision later.

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

ROLL CALL VOTE 7 – 0

Meeting was adjourned at 7:20 PM.

Hpg