

AGAWAM CONSERVATION COMMISSION
August 11, 2022

MEMBERS PRESENT:

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

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker
Pam Kerr

Mr. Kozloski called the meeting to order at 6:03PM

1. 6:00PM-REQUEST FOR DETERMINATION OF APPLICABILITY-67 Hunt St-Aspen Square Management Inc

Mr. Fallon recused himself at 6:05PM.

Aspen Square Management Inc. plans to clear 2-3 ft. of overgrowth, brush, and invasive species off walk path at 67 Hunt St. They are proposing to plant evergreens, treat overgrowth and brush, and landscape. No plan has been submitted at this time for the riverfront work. A site visit was held prior to this meeting. The work is within the riverfront area.

Motion was made by Mr. Meagher and seconded by Mr. Brown to issue positive Determination of Applicability for 67 Hunt St-Aspen Square Management Inc.

VOTE 6 - 0

Motion was made by Mr. Brown and seconded by Mr. Meagher to take items 8, 9, and 10 out of order.

VOTE 6- 0

8. RATIFY EMERGENCY ORDERS- 63 Springfield St
31 Main St Sewer Repair
Outfall between #87 and #95 Parkedge Drive

Motion was made by Ms. Ward and seconded by Mr. Meagher to ratify Emergency Order for 63 Springfield St.

VOTE 6- 0

Motion was made by Ms. Ward and seconded by Ms. Becker Ward to ratify the Emergency Order for 231 Main St., sewer repair.

VOTE 6- 0

Motion was made by Ms. Ward seconded by Mr. Brown to to ratify Emergency Order for work on the outfall between #87 and #95 Parkedge Drive.

VOTE 6- 0

Mr. Fallon returned to the meeting at 6:07pm.

9. ENFORCEMENT ORDER UPDATES: 618 Barry St.
1014 North St. Ext.

Motion was made by Mr. Meagher and seconded by Mr. Brown to lift the Enforcement Order for 618 Barry St., conditional upon an onsite to see that the hay bales have been removed.

VOTE 7- 0

An onsite was performed at 1014 North St. Ex. and the items in/near the wetlands have been removed.

Motion was made by Mr. Brown and seconded by Mr. Meagher to lift the Enforcement Order for 1014 North St. Ext.

VOTE 7-0

10. REQUEST FOR CERTIFICATE OF COMPLIANCE - 618 Barry St.
260 Garden St.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue a Certificate of Compliance for 618 Barry St., conditional upon an onsite to see that the hay bales have been removed.

VOTE 7-0

The project at 260 Garden St. never commenced and the Order of Conditions has expired.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue a Certificate of Compliance for 260 Garden St, for the work that never commenced.

VOTE 7-0

12. APPROVAL OF MINUTES-July 14, 2022

Motion was made by Mr. Meagher and seconded by Ms. Galiatsos to approve the July 14, 2022 minutes.

VOTE 5-0 2 (Brown, Ward)

2. 6:15PM PUBLIC HEARING-NOTICE OF INTENT-13 Mark Dr-Scott

Mr. Jeff Smith of Salvini Associates and Dwight Scott of Hedgehog Industries Corp. were present to speak on the project. This is an existing building lot in the riverfront area with BVW. The plan includes erosion controls and abuts a maintained field. DEP has not yet issued a file number. Mr. Kozloski noted that the brook is piped in some areas which changed the riverfront area in previous developments on the street. Mr. Kozloski opened the meeting up to the public and there were no comments. The Commission has not yet received comments from Engineering Department

Motion was made by Ms. Ward and seconded by Ms. Becker to continue the public hearing for Notice of Intent-13 Mark Drive-Scott, to the next meeting.

VOTE 7-0

Motion was made by Mr. Brown and seconded by Ms. Ward to take agenda item 4 out of order.

VOTE 7-0

4. 2022 Pavement Management Program-Agawam DPW

Motion was made by Ms. Ward and seconded by Mr. Brown to approve the 2022 Pavement Management Program as this does not require an NOI unless additional work is being done on drainage or outside the right-of-way.

3. 6:30PM PUBLIC HEARING-NOTICE OF INTENT-106 North West St-AAD, LLC

Rob Levesque with R. Levesque Associates LLC was in attendance to present this project. He explained that this NOI is being submitted in response to the Enforcement Order that was issued

by the Commission for unpermitted work/violations. There are four area of activity/restoration. Boulders will be placed along the 50 ft. buffer to identify the area in the future. Area 1 has 6,600 sq. ft. of disturbance to be replanted. Area 2 has around 10590 sq. ft disturbance around the pond to be restored. Area 3 has 9,352 sq. ft. of buffer zone and vegetation has been removed. The area is being proposed to be maintained as a lawn. Area 4 has historic debris that was cleaned and is proposed to reforest naturally. An onsite will be conducted Thursday, August 18, at 3:00 pm. Mr. Levesque asked for a continuance until the next meeting.

Mr. Kozloski opened the meeting to the public.

Douglas Dreyer of 228 Southwick St. questioned whether any work on the outlet is proposed. Mr. Levesque stated the work would only be directly adjacent to the pond.

Motion was made by Ms. Ward, seconded by Ms. Becker to continue the public hearing for Notice of Intent-106 North St-AAD LLC.

VOTE 7-0

5. PUBLIC HEARING CONT.-NOTICE OF INTENT-497 South Westfield St-Depalma & Tirone

Rob Levesque of R. Levesque Associates and the applicant Joe Tirone were present for this agenda item. Mr. Levesque stated the perennial stream does not touch the property. There is an outlet to Taylor Pond which was not shown on the plan, but has now been added. All of the bordering vegetative wetland areas have been identified. The Conservation Commission peer reviewer Stockman sent in comments regarding the wetland delineation. The comments regarding the river front have been resolved and areas of relic hydric soil exist, but have been managed and dewatered and do not have characteristics of a wetland. It is of the opinion of R. Levesque Associates that this area contains relict soils and is not an isolated wetland. Ms. Stockman does not feel that sufficient data has been collected to make the determination. Her comments state that the Conservation Commission cannot determine isolated vs. relict. That is under DEP and/or U.S. Army Corps of Engineers to determine.

The Commission went onsite today and Mr. Fallon stated you cannot tell if relict hydric soil is present. Mr. Meagher who was also present for the onsite visit stated the area was very dry, heavily vegetated, and no signs of a wetland.

Ms. Becker asked about the drainage history. Mr. Levesque stated they had topographical information for a decade and there is a slight change on the southeast side near where it borders the vegetated area.

Mr. Kozloski stated that multiple violations were conducted by farmer that is leasing the land. Commission will wait two weeks to issue any enforcement due to the drought.

Ms. Kerr suggested the Commission add a finding to the Order of Conditions that this property contains an area of hydric soils and that DEP and USALE have authority to determine if relict soils or an isolated wetland.

Motion was made by Ms. Becker and seconded by Mr. Fallon to accept the wetland boundaries as shown on the wetland resource plan drawn by R. Levesque Associates Inc.

VOTE 7-0

Motion was made by Mr. Brown and seconded by Ms. Galiatsos to continue the public hearing, for Notice of Intent-Depalma & Tirone-497 South Westfield St to the August 25, 2022 meeting.

VOTE 7-0

6. PUBLIC HEARING CONT.-NOTICE OF INTENT-0 South West St & 0 Pine St-Town of Agawam.

The Commission received a request to continue the public hearing to August 25, 2022.

Motion was made by Ms. Becker, seconded by Mr. Fallon to continue the public hearing for Notice of Intent-0 South West St and 0 Pine St-Town of Agawam., to the next meeting as requested.

VOTE 7-0

7. PUBLIC HEARING CONT.-NOTICE OF INTENT-Main St-Westfield River -Interceptor Sewer Relocation Project-Agawam DPW (continued to September 22, 2022).

This item was previously continued.

12. CORRESPONDENCE & COMPLAINTS.

There was an anonymous complaint for ATV activity continuing at the Aspenwood Estates Property. Ms. Egerton reminded the Commission they required restoration plan in the order of conditions for the damage caused to the wetland by the ATVs.

There is an application before the Zoning Board of Appeals for two drive-through restaurants, and a medical walk-in facility on the corner of Main & Suffield. A Notice of Intent will be submitted to the Conservation Commission as the property contains riverfront area from the Westfield River.

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There is a neighbor dispute concerning town owned property on River Rd. The legal department is the main point of contact regarding this complaint.

Motion made by Mr. Brown and seconded by Mr. Fallon to adjourn the meeting.

Meeting was adjourned at 7:50 pm.