



Conservation Commission AGENDA

Thursday, June 12, 2025 - 6:00 PM

Regular Meeting
Agawam Senior Center
954 Main Street
Agawam, MA 01001

A. Conservation Commission

- 1) 6:00PM PUBLIC HEARING-NOTICE OF INTENT-South West Street Right-of-Way adjacent to 841 South West Street-Town of Agawam
- 2) REQUEST FOR DETERMINATION CONT.-515 & 533 Mill Street-Dikan & Ashlaban
- 3) REQUEST FOR DETERMINATION-223 Garden Street-MBNZ Holding Co.
- 4) PUBLIC HEARING CONT.-NOTICE OF INTENT-242 River Rd & 56 Forest Ridge Ln-Nakhabenko
- 5) PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North St Ext-VIP Homes & Associates, LLC
- 6) Request for Certificate of Compliance-131 Ridgeway Drive
- 7) ENFORCEMENT ORDER UPDATES
- 8) APPROVAL OF MINUTES-May 22, 2025
- 9) Correspondence and Complaints

NOTICE OF INTENT REPAIR OF STREAM BANK & INSTALLATION OF DRAINAGE PIPE SOUTH WEST STREET



Agawam DPW

Engineering Division

Mario Mazza

Michelle C. Chase, P.E.

Michael F. Albro, P.E.

May 20, 2025

TABLE OF CONTENTS

1. WPA Form 3 – Notice of Intent
2. Project Narrative
3. Figures
 - a. USGS Topographic Map
 - b. FEMA Floodplain Map
 - c. GIS Aerial Map
4. Photographs of Project Area
5. Administrative Forms
 - a. Wetland Transmittal Fee Form
 - b. Notification to Abutters
 - c. List of Abutters
 - d. Certified Mail Receipts

SECTION 1 – WPA FORM 3 - NOTICE OF INTENT



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

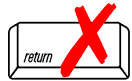
MassDEP File Number

Document Transaction Number

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Stream crossing at South West St, adjacent to #841 South West St

a. Street Address

Feeding Hills

01030

b. City/Town

c. Zip Code

42.037926

-72.699420

d. Latitude

e. Longitude

Latitude and Longitude:

South West Street Right-of-Way

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Mario

Mazza

a. First Name

b. Last Name

Agawam Department of Public Works

c. Organization

1000 Suffield Street

d. Street Address

Agawam

MA

01001

e. City/Town

f. State

g. Zip Code

413-821-0623

413-821-0631

mmazza@agawam.ma.us

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

Town of Agawam

c. Organization

36 Main Street

d. Street Address

Agawam

MA

01001

e. City/Town

f. State

g. Zip Code

413-821-0623

413-821-0631

mmazza@agawam.ma.us

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

exempt

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information (continued)

6. General Project Description:

Stormwater runoff has caused erosion damage to a section of stream bank within the Right-of-Way of South West Street, located at a stream crossing near #841 South West Street. Repair work shall include removing one (1) tree in danger of falling into the stream bed and re-establishing the stream bank with riprap protection. A drainage pipe with flared end section shall be installed at the invert of an existing paved swale to collect stormwater runoff, alleviating future erosion.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. ☐ Single Family Home | 2. ☐ Residential Subdivision |
| 3. ☐ Commercial/Industrial | 4. ☐ Dock/Pier |
| 5. ☒ Utilities | 6. ☐ Coastal engineering Structure |
| 7. ☐ Agriculture (e.g., cranberries, forestry) | 8. ☐ Transportation |
| 9. ☐ Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Hampden County Commissioner's Record Book

a. County

9

c. Book

b. Certificate # (if registered land)

14

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☒ Bank	<u>10</u> 1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

<u>0</u>	<u>0</u>	<u>0</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☒ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. ☐ Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet _____	
g. ☐ Rocky Intertidal Shores	1. square feet _____	
h. ☐ Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. ☐ Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. ☐ Land Containing Shellfish	1. square feet _____	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☒ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☒ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☒ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☐ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.
b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house
2. ☒ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Agawam GIS Map - South West Street Stream Crossing

a. Plan Title

Town of Agawam

b. Prepared By

05-20-2025

d. Final Revision Date

c. Signed and Stamped by

1" = 200'

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

[Handwritten signature]

1. Signature of Applicant

5/20/25

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

SECTION 2 – PROJECT NARRATIVE

NARRATIVE FOR NOTICE OF INTENT
REPAIR OF STREAM BANK & INSTALLATION OF DRAINAGE PIPE
SOUTH STREET RIGHT-OF-WAY
ADJACENT TO #841 SOUTH WEST STREET
FEEDING HILLS, MASSACHUSETTS 01030

Introduction & Property Description

The Agawam Department of Public Works (DPW) is herein providing this narrative as a supplement to the Notice of Intent application for the installation of one (1) stormwater drainage pipe with flared end and the placement of riprap stone on the bank of an unnamed stream adjacent to #841 South West Street. Proposed work will also include the removal of one (1) tree which is in danger of falling into the stream bed.

The project location is entirely within the right-of-way of South West Street, adjacent to the westerly property line of #841 South West Street, near a Town-owned culvert running under the road, approximately 350 feet north of the Agawam/Suffield town boundary.

Examination of GIS information for the Massachusetts Natural Heritage Atlas revealed that the subject property is not located within Natural Heritage and Endangered Species Program (NHESP) jurisdiction. According to the most current MassGIS information, the property is not located within a Special Flood Zone area.

Existing Conditions

The project area is located within a section of South West Street abutting residential lots and forested land cover. There is an unnamed stream that flows from west to east through a culvert under South West Street and continues in a northeasterly direction across the private properties of #841 & #819 South West Street before turning south and flowing past the Agawam town boundary into Connecticut.

The stream crossing is at a low point within South West Street, located between a high point in the road near #782 South West Street to the north and the Agawam town boundary to the south. There is no existing drainage infrastructure in this section of the road except for the existing culvert. Stormwater runoff from the road flows along the gutter line until it reaches the stream crossing where it discharges via sheet flow directly into the stream on the west side of the crossing and is collected within a paved swale on the east side that discharges into the stream. The stream bank at the invert of the paved swale is lined with riprap.

Project Background

Prior to 2020, the area of South West Street at the stream crossing was super-elevated towards the western side of the street. Stormwater runoff generated within the road from #782 South West Street to the town boundary would discharge into the unnamed stream on the western side of the crossing. In autumn of 2020, the Town of Agawam performed a Full Depth Reclamation on South West Street from Barry Street to the Agawam/Suffield town boundary. The stream crossing area of South West Street was re-designed with a standard centerline crown, so runoff now flows towards both the western and

eastern sides of the stream crossing. The DPW installed a paved swale on the eastern side of South West Street at the stream crossing to collect the runoff from the change in flow direction.

Since the reclamation was completed, the DPW has performed a number of site visits at the South West Street stream crossing and observed stormwater runoff eroding the stream bank at the invert of the paved swale. The DPW has installed riprap at the end of the paved swale to help stabilize the bank and prevent sediment discharge into the stream, but runoff has continued to erode the area. Site investigations in April and May of 2025 reveal that the erosion has undermined the roots of a tree adjacent to the paved swale, which is now leaning against another tree on the bank and in danger of falling into the stream bed.

Erosion has begun to form along the edge of the eastern headwall of the South West Street culvert. The headwall is in poor condition and further erosion may cause damage to the headwall and the culvert. The residents of #841 South West Street have stated that their electric service wires run underneath the area where the erosion is occurring. The DPW does not process plans showing the location of subsurface utilities in this area. However it has been visually confirmed that wires from the utility pole near the stream crossing run underground. Continued erosion in this area could expose or damage the electric service.

Proposed Work

The Town of Agawam is seeking approval from the Conservation Commission to repair the damage to the stream bank due to the erosion caused by the stormwater runoff. Work shall include repairing the eroded areas with topsoil, removing the fallen tree and re-establishing the riprap along the stream bank at the invert of the paved swale to alleviate future erosion. The DPW is also proposing to install a 10-inch HDPE drainage pipe with a flared end section at the invert of the paved swale which will collect the stormwater and discharge it directly into the stream. The drainage pipe will further help prevent erosion to the stream bank.

No new impervious surface will be added to the project area as a result of the proposed work. Only the stormwater runoff currently generated by the asphalt surface of South West Street and abutting landscaped properties will be collected by the installed drainage pipe.

All work described above shall be performed by the Town of Agawam. Existing utilities shall be located prior to digging and protected during construction so as not to cause damage or interrupt service. All work shall be performed within the right-of-way of South West Street. Any damages sustained to private property by the DPW outside of the limit of work shall be repaired to their original condition.

Long Term Pollution Prevention Plan:

This project will fall under the Town's NPDES permit and Agawam's Stormwater Ordinance for construction stormwater maintenance and erosion control. Future maintenance and repair of the riprap, paved swale and drainage pipe shall be the responsibility of the Town of Agawam.

The riprap shall be inspected at least twice a year and after every major storm for displaced stones, scouring and erosion along the edges of the riprap. Any observed damage will be repaired immediately.

Woody vegetation will be removed from the riprap as necessary to prevent tree roots from dislodging the stone.

A copy of the Town's NPDES Year 6 annual report can be found at:
<https://www.agawam.ma.us/537/NPDES-MS4-General-Permit>

SECTION 3 – FIGURES

FIGURE 1 – USGS Topographic Map

FIGURE 2 – FEMA Flood Hazard Map

FIGURE 3 – GIS Aerial Map

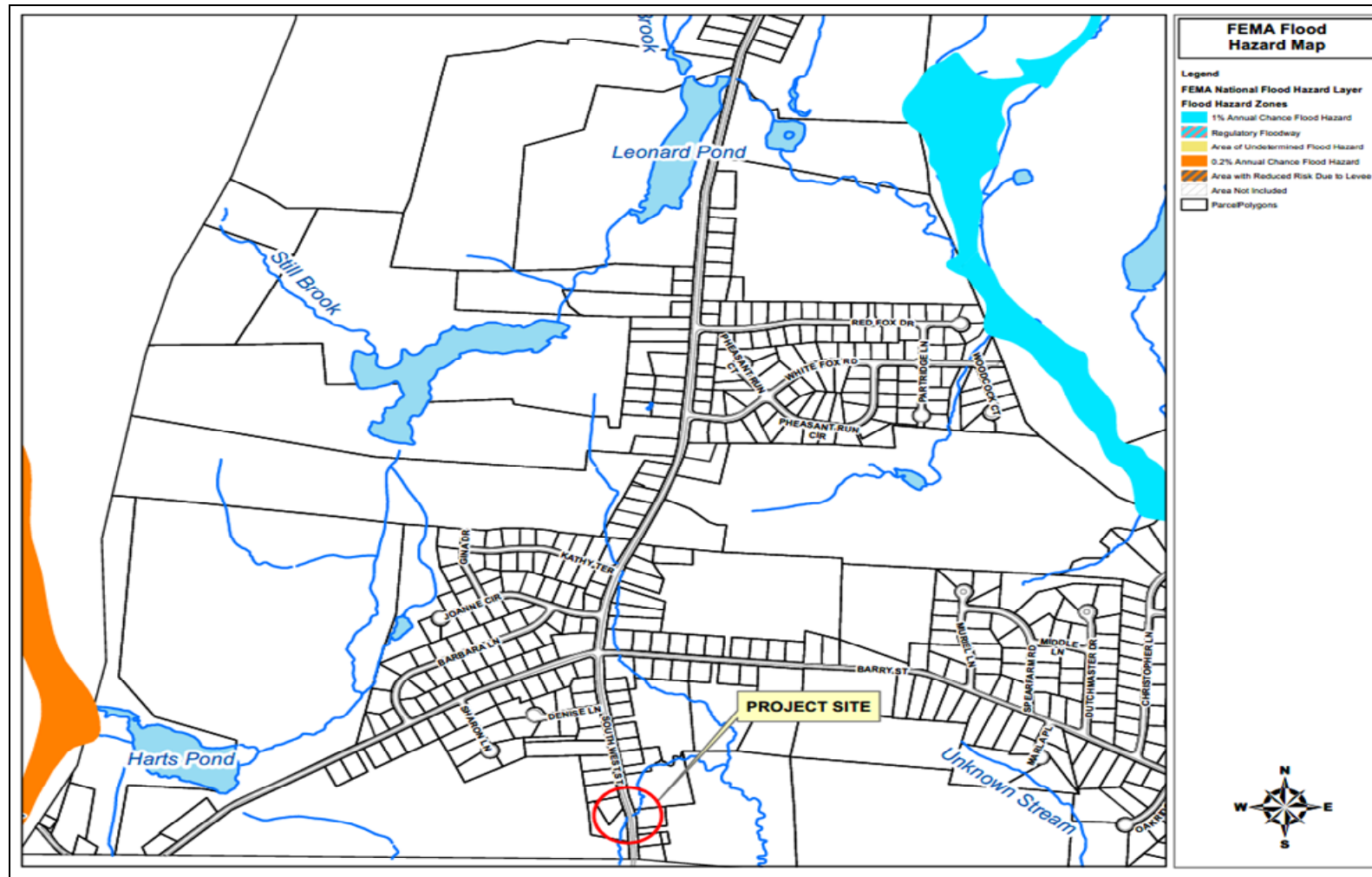
FIGURE 1 - USGS TOPOGRAPHIC MAP OF PROJECT AREA:



Source: <http://www.mass.gov/mgis>

Please Note: Map Is Not To Scale.

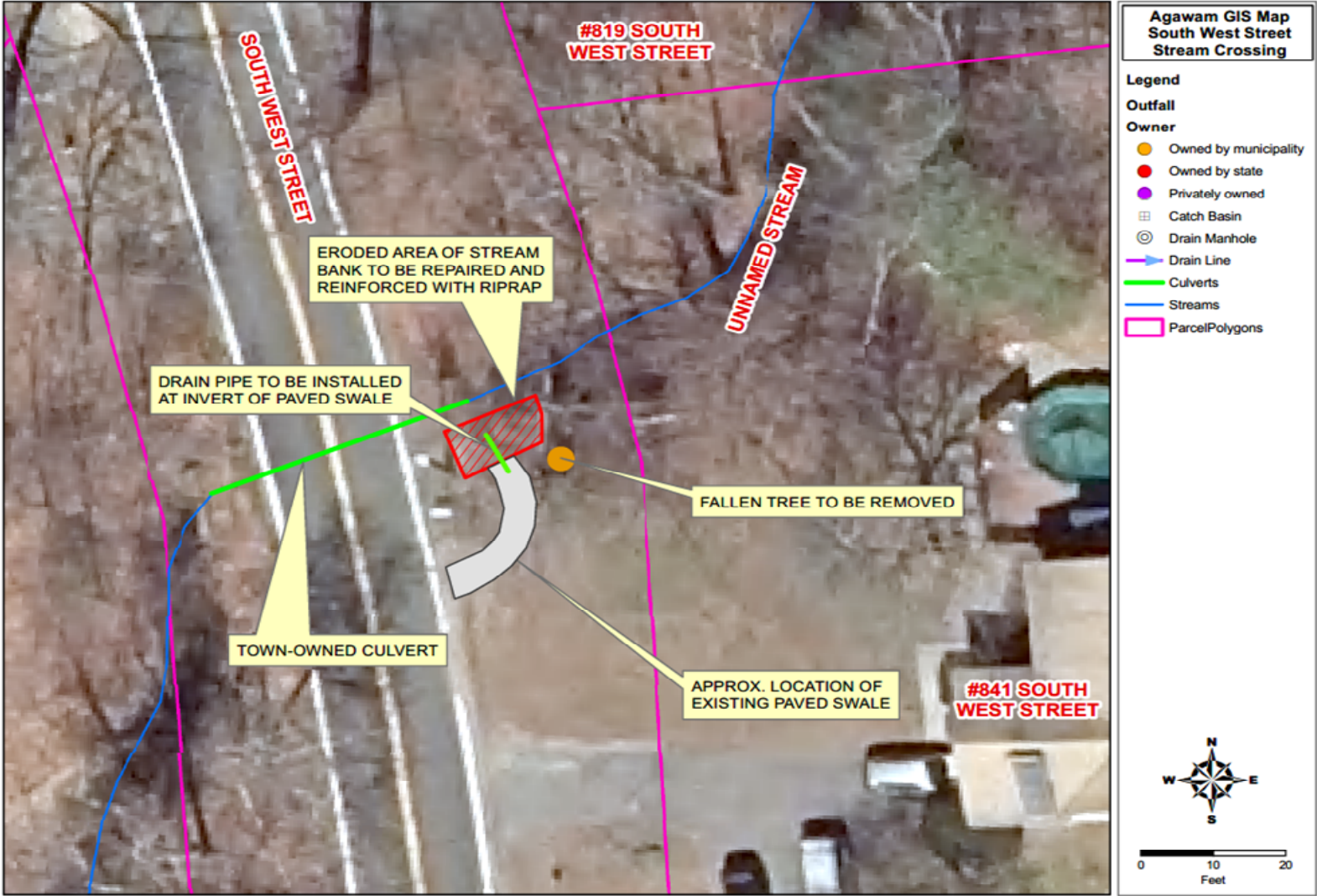
FIGURE 2 - FEMA FLOOD HAZARD MAP OF PROJECT AREA:



Source: [MassGIS FEMA National Flood Hazard Layer, July 2023](#)

Please Note: Map Is Not To Scale.

FIGURE 3 - GIS AERIAL MAP OF PROJECT AREA:



Source: Agawam ArcMap GIS

SECTION 4 – PHOTOGRAPHS OF PROJECT AREA



South West Street stream crossing prior to Full Depth Reclamation – November, 2015



South West Street stream crossing with paved swale – December 1, 2020



South West Street stream crossing, Erosion at end of paved swale – December 1, 2020



South West Street stream crossing, Erosion at end of paved swale – December 3, 2020



South West Street stream crossing, Collapse of paved swale at due to erosion by stormwater runoff –
August 4, 2021



South West Street stream crossing, Erosion caused by stormwater runoff near utility pole –
August 19, 2021



South West Street stream crossing, Riprap installed by DPW to reduce erosion –
August 19, 2021



South West Street stream crossing, Erosion continues along edges of riprap area – July 19, 2023



South West Street stream crossing, Tree damaged due to erosion – April 17, 2025



South West Street stream crossing, Erosion due to stormwater runoff along culvert headwall –
May 16, 2025



South West Street stream crossing, Continued erosion from runoff observed at stream bank –
May 16, 2025

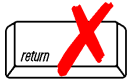
SECTION 5 – ADMINISTRATIVE FORMS

1. Wetland Transmittal Fee Form
2. Notification to Abutters
3. List of Abutters
4. Certified Mail Receipts



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

A. Applicant Information

1. Location of Project:

Stream crossing at South West St, adjacent to #841 South West St

a. Street Address

Exempt

c. Check number

Feeding Hills

b. City/Town

Exempt

d. Fee amount

2. Applicant Mailing Address:

Mario

a. First Name

Mazza

b. Last Name

Agawam Department of Public Works

c. Organization

1000 Suffield Street

d. Mailing Address

Agawam Department of Public Works

MA

f. State

01001

g. Zip Code

e. City/Town

413-821-0623

h. Phone Number

413-821-0631

i. Fax Number

mmazza@agawam.ma.us

j. Email Address

3. Property Owner (if different):

a. First Name

Town of Agawam

b. Last Name

c. Organization

36 Main Street

d. Mailing Address

Agawam Department of Public Works

MA

f. State

01001

g. Zip Code

e. City/Town

413-821-0623

h. Phone Number

413-821-0631

i. Fax Number

mmazza@agawam.ma.us

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Exempt			

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

NOTIFICATION TO ABUTTERS

By Certified Mail (Return Receipt Requested)

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131 section 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

1. A Notice of Intent was filed with the Town of Agawam Conservation Commission seeking permission to remove, fill, dredge or alter an area subject to protection under M.G.L. c. 131 section 40. The following is a description of the proposed activity/activities:

The Agawam Department of Public Works has determined that stormwater runoff from South West Street is causing erosion damage to the stream bank at the culvert crossing near #841 South West Street, discharging sediment into the stream bed, undermining tree roots and potentially damaging the stone headwall of the culvert. This project consists of repairing the eroded sections of the bank as well as removing one (1) tree in danger of falling into the stream bed. In order to alleviate future erosion, a drainage pipe with a flared end section will be installed at the invert of the existing paved swale to collect stormwater runoff and riprap stone will be placed on the stream bank.

2. The name of the applicant is: the Town of Agawam.
3. All work shall be performed within the right-of-way of South West Street, adjacent to #841 South West Street, Feeding Hills, Massachusetts, Assessor's Map B2 Block 2 Parcel 1
4. Copies of the Notice of Intent may be examined at the Conservation Commission office in the Agawam Town Hall Building located at 36 Main Street between the hours of 8:30 AM and 4:30 PM, Monday through Friday.
5. Copies of the Notice of Intent may be obtained from the Agawam Department of Public Works located at 1000 Suffield Street, Agawam MA, between the hours of 8:30 AM and 4:30 PM, Monday through Friday by calling (413) 821-0600. There is a \$95 copying fee for copies of the Notice of Intent, including plan sheets.
6. The Public Hearing will be held at the Agawam Senior Center, located at 954 Main Street in Agawam, Massachusetts. Information regarding the time of the Public Hearing may be obtained by calling the Conservation Commission at (413)-786-0400.
7. Notice of the Public Hearing, including its date, time and location, will be published at least five (5) business days prior to the hearing in the Republican newspaper and will be posted in the Agawam Town Hall at least forty-eight (48) hours in advance of the meeting date.
8. You may contact the Western Regional Office of the Massachusetts Department of Environmental Protection (MassDEP) at (413) 784-1100 for more information on this application or the Wetlands Protection Act.

100' Abutters List (Agawam GIS May 20, 2025)

Subject Property: Stream crossing within Right-of-Way of South West Street, adjacent to #841 South West Street

Parcel ID	Owner	Address	City	State	Zip
B3 4 1	James R Matroni	819 South West Street	Feeding Hills	MA	01030
B2 1 1	Peter J Briancesco	826 South West Street	Feeding Hills	MA	01030
B2 2 1	Michael W Griffin Jr	841 South West Street	Feeding Hills	MA	01030
B2 2 4	Linda Lewis	847 South West Street	Feeding Hills	MA	01030



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE
436 DWIGHT STREET, SPRINGFIELD, MA 01103 413-784-1100

MAURA T. HEALEY
Governor

REBECCA L. TEPPER
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

BONNIE HEIPLE
Commissioner

DATE: May 28, 2025

Municipality AGAWAM
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant:	AGAWAM DEPARTMENT OF PUBLIC	Owner:	TOWN OF AGAWAM
Address:	1000 SUFFIELD STREET AGAWAM, MA 01001	Address:	36 MAIN STREET AGAWAM, MA, 01001
LOCUS:	#841 SOUTH WEST STREET		

This project has been assigned the following file # : WE 087-0707

A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.

Although a file # is being issued, please note the following:

[1] Was that paved swale showing in the Dec. 1, 2020 photo or other work later on, approved by the commission? There is absolutely no treatment there. Any oils or sand or salt have a paved path into the stream. There should have been something like a level spreader used at the outlet of the paved swale to prevent this erosion and some kind of treatment provided. If this was not permitted by the commission, there should be a stormwater report submitted for this discharge point.

[2] For the Bank stabilization, bioengineering techniques need to be considered prior to any use of rip-rap. The applicant should utilize the Technical Supplement 14I, Streambank Soil Engineering, Part 654 National Engineering Handbook. Was any flow rate calculated for the stream flow to determine if bioengineering techniques could be used or what size rip-rap will be required?

[3] There must be a setback from the Bank resource area at the outlet.. The specifications on the outlet and the specs on the proposed rip-rap should be provided to the commission.

[4] Please specify in the NOI and then in the OOC how much Riverfront alteration there will be.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.



Printed on Recycled Paper

AGAWAM DEPARTMENT OF PUBLIC WORKS
1000 SUFFIELD STREET
AGAWAM, MA 01001

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-961-9583

Cc: Agawam Conservation Commission, TOWN HALL, 36 MAIN STREET, Agawam, MA, 01001
Owner: TOWN OF AGAWAM, 36 MAIN STREET, AGAWAM, MA, 01001

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.



<http://www.mass.gov/dep>
Printed on Recycled Paper

Request for Determination of Applicability

Under the Wetlands Protection Act 310 CMR 10.00

Project Location:

515 & 533 Mill Street
Agawam, Massachusetts 01001
(Assessor's Parcel IDs: H10-2-19 & H10-1-4)

Submitted To:

Town of Agawam Conservation Commission
36 Main Street
Agawam, Massachusetts 01001

Applicant(s) & Property Owner(s):

515 Mill Street
Sergey Dikan
114 Birch Hill Road
Agawam, Massachusetts 01001

533 Mill Street
Mikhail & Tamara Ashlaban
5 Ogden Street
Chicopee, Massachusetts 01013

RLA Project File No. 250105

May 8, 2025

R LEVESQUE ASSOCIATES, INC.

A LAND PLANNING SERVICES COMPANY

40 School Street, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



TABLE OF CONTENTS

SECTIONS

1. COVER LETTER
2. WPA FORM 1 – REQUEST FOR DETERMINATION OF APPLICABILITY
3. RDA NARRATIVE
4. FIGURES
 - 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
 - 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
 - 4.3 FIGURE 3 – NRCS SOILS MAP
 - 4.4 FIGURE 4 – NHESP PRIORITY HABITATS

LIST OF APPENDICES

APPENDIX A: SITE PLAN

I. COVER LETTER

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



May 8, 2025

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
36 Main Street
Agawam, Massachusetts 01001

**RE: Request for Determination of Applicability
515 & 533 Mill Street
Agawam, Massachusetts 01001
(Assessor's Parcel IDs: H10-2-19 & H10-1-4)
RLA Project File No. 250105**

Dear Chairman Kozloski and Commissioners:

On behalf of the applicants and property owners, Sergey Dikan and Mikhail Ashlaban, please find the requisite number of copies of a Request for Determination of Applicability and associated filing plan for the above referenced properties. The applicant is filing this Request to confirm whether the boundaries of resource areas depicted are accurately delineated and to confirm jurisdiction of the subject properties under the Wetlands Protection Act 310 CMR 10.00.

As required, a copy of this Request for Determination of Applicability has been submitted electronically via email to the Town of Agawam Conservation Commission and through eDEP to the Massachusetts Department of Environmental Protection.

We are requesting to be placed on the Commission's next available agenda. Should you have any questions or comments regarding this filing, please do not hesitate to contact our office at your earliest convenience.

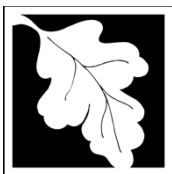
Sincerely,
R LEVESQUE ASSOCIATES, INC.

Nina Fazio

Nina Fazio
Permitting Coordinator

A LAND PLANNING SERVICES COMPANY

2. WPA FORM I – REQUEST FOR DETERMINATION OF APPLICABILITY



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Agawam
Municipality

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:		
Sergey / Mikhail	Dikan / Ashlaban	
First Name	Last Name	
114 Birch Avenue / 5 Ogden Street		
Address		
Agawam / Chicopee	MA	01001 / 01013
City/Town	State	Zip Code
	ymuravskiy@yahoo.com	
	Email Address	
Phone Number		
2. Property Owner (if different from Applicant):		
Same as applicants		
First Name	Last Name	
Address		
City/Town	State	Zip Code
Phone Number	Email Address (if known)	
3. Representative (if any)		
Robert	Levesque	
First Name	Last Name	
R Levesque Associates, Inc.		
Company Name		
40 School Street		
Address		
Westfield	MA	01085
City/Town	State	Zip Code
(413) 568-0985	robl@rlaland.com	
Phone Number	Email Address (if known)	

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):		
515 & 533 Mill Street	Agawam	
Street Address	City/Town	
42.07159	-72.64814	
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)	
H10	2-19 & 1-4	
Assessors' Map Number	Assessors' Lot/Parcel Number	
b. Area Description (use additional paper, if necessary):		
The subject properties are located south of Mill Street.		
c. Plan and/or Map Reference(s): (use additional paper if necessary)		
Existing Conditions Plan	05-08-2025	
Title	Date	
Title	Date	

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability **Agawam**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

There is no proposed work as part of this filing.

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Agawam

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

C. Determinations

1. I request the Agawam Conservation Commission make the following determination(s). Check any that apply:

- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- ☒ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- ☐ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).
- _____

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

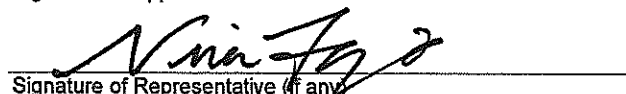
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

5-4-2025
Date


Signature of Representative (if any)

05/05/2025
Date

3. RDA NARRATIVE

NARRATIVE TO REQUEST FOR DETERMINATION OF APPLICABILITY

For

515 & 533 MILL STREET
AGAWAM, MASSACHUSETTS 01001
(ASSESSOR'S PARCEL IDS: H10-2-19 & H10-1-4)

INTRODUCTION

On behalf of the applicants and property owners, Sergey Dikan and Mikhail Ashlaban, R Levesque Associates, Inc. is providing this narrative as a supplement to the Request for Determination of Applicability for the above-referenced properties. The applicant is filing this Request to confirm whether the boundaries of resource areas depicted are accurately delineated and to confirm jurisdiction of the subject properties under the Wetlands Protection Act 310 CMR 10.00.

PROPERTY DESCRIPTION

The subject properties are located south of Mill Street and consist of approximately 6.58 ± acres as shown on the associated site plan prepared by R Levesque Associates, Inc. The property known as 515 Mill Street is owned by Mr. Sergey Dikan and is recorded in the Hampden County Registry of Deeds Book 24346, Page 391. The property known as 533 Mill Street is owned by Mr. Mikhail Ashlaban and Ms. Tamara Ashlaban and is recorded in the Hampden County Registry of Deeds Book 20091, Page 539.

Examination of GIS information from the Massachusetts Natural Heritage Atlas revealed that the subject properties are not located within Natural Heritage and Endangered Species Program jurisdiction. The subject properties are not located within a Special Flood Zone Area according to flood insurance rate map number 25013C0384E, effective date July 16, 2013.

EXISTING CONDITIONS & TOPOGRAPHY

The subject properties consist of mostly wooded land, with residential structures along the Mill Street frontage of the properties. In general, the topography of the site is generally flat, sloping from the north along Mill Street to the south by Route 57. Please refer to the USGS Topographic Map included within this application packet under Section 4.

SOILS

According to the Web Soil Survey Map, the soil types mapped on the project site consist of: Merrimac fine sandy loam, 0 to 3 percent slopes (254A); Merrimac fine sandy loam, 3 to 8 percent slopes (254B); Merrimac fine sandy loam, 8 to 15 percent slopes (254C); and Gravel (600). Please refer to the attached NRCS Soil Map included within this application packet under Section 4.

The Merrimac series consists of very deep, somewhat excessively drained soils formed in outwash. They are nearly level through very steep soils on outwash terraces and plains and other glaciofluvial landforms. Slope ranges from 0 through 35 percent.

WETLAND RESOURCE AREAS

The wetland resource areas were flagged in the field by R Levesque Associates, Inc. in May 2025. The definition of each applicable resource area is presented below in italic text, followed by a description of the resource area presented below in boldface text.

Please note that wetlands delineated off-site have been shown to accurately portray buffer zone onto the subject property. The delineation of wetland resource areas off-site is not the subject of this filing.

Bordering Vegetated Wetlands (BVW)

As defined in 310 CMR 10.55 (2) (a), "Bordering Vegetated Wetlands are freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants..."

A Bordering Vegetated Wetland (BVW) is located within the southeast portion of 515 Mill Street. The BVW has been flagged in the field and is shown on the accompanying filing plan with sequentially numbered flagging labeled "A-100" through "A-117".

Buffer Zone

Buffer Zone as defined in 310 CMR 10.04 is *"the area of land extending 100 feet horizontally outward from the boundary of any areas specified in 310 CMR 10.02(1)(a)"*.

Buffer Zone is associated with the Bordering Vegetated Wetland and has been shown on the accompanying plan to extend 50' and 100' from the boundary of the delineated resource area.

[END OF NARRATIVE]

4. FIGURES

- 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
- 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
- 4.3 FIGURE 3 – NRCS SOILS MAP
- 4.4 FIGURE 4 – NHESP PRIORITY HABITATS

USGS Topographic Map

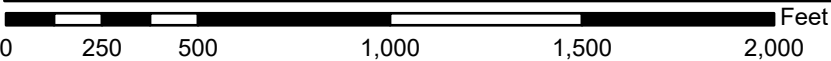


Property Tax Parcels
USGS Topographic Maps

National Flood Hazard Layer FIRMMette



72°39'17"W 42°4'28"N



1:6,000

72°38'39"W 42°4'2"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/29/2025 at 7:07 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Soil Map—Hampden County, Massachusetts, Central Part
(GISDATA_L3_TAXPAR_POLY_ASSESSPolygon)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part

Survey Area Data: Version 18, Aug 27, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
254A	Merrimac fine sandy loam, 0 to 3 percent slopes	5.6	81.8%
254B	Merrimac fine sandy loam, 3 to 8 percent slopes	0.9	13.5%
254C	Merrimac fine sandy loam, 8 to 15 percent slopes	0.2	2.7%
600	Pits, gravel	0.1	1.9%
Totals for Area of Interest		6.8	100.0%

NHESP Priority Habitat



NHESP Estimated Habitats of Rare Wildlife



NHESP Priority Habitats of Rare Species



Property Tax Parcels

APPENDIX A: SITE PLAN

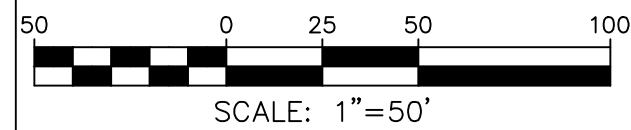
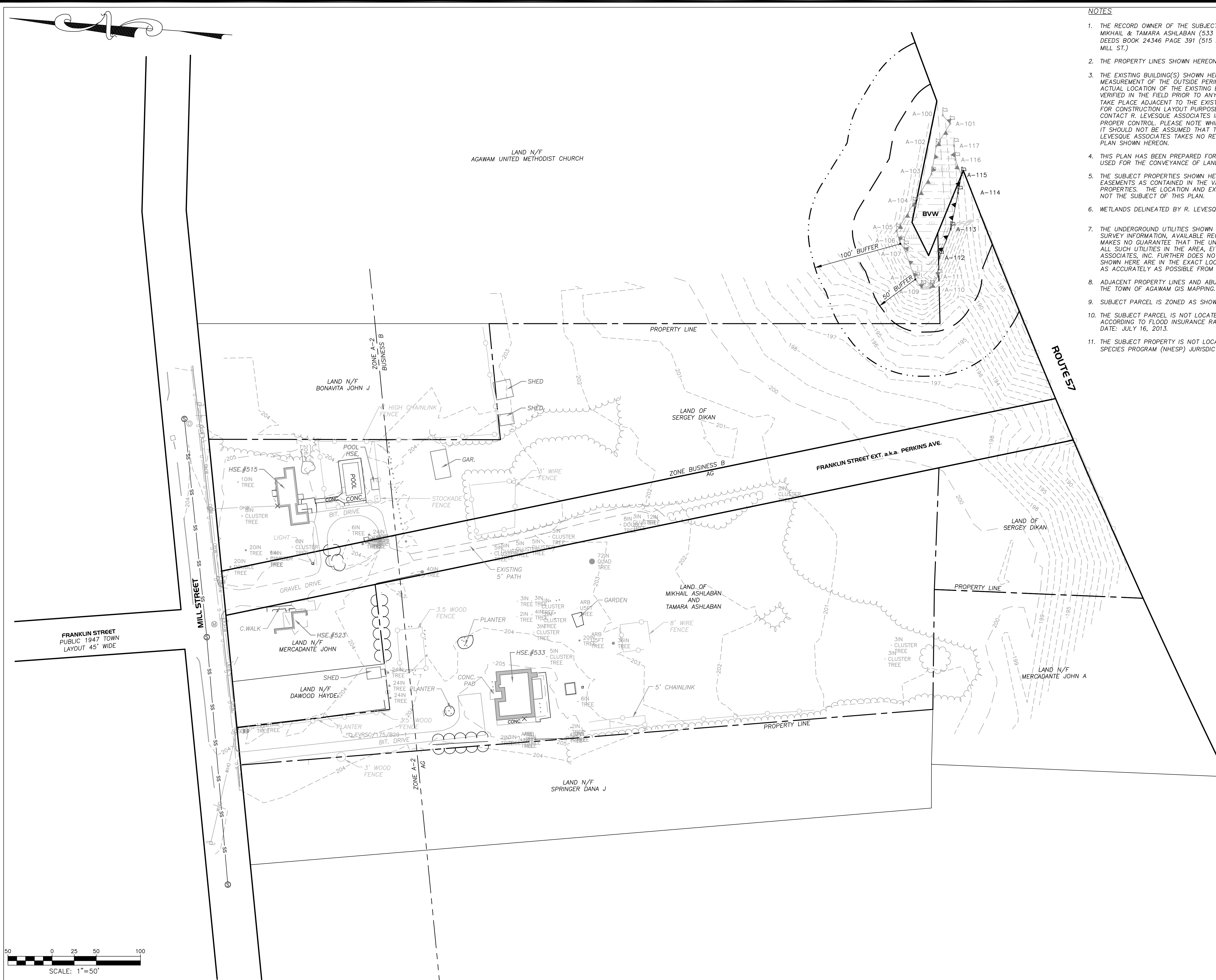
SITE PLAN ENTITLED "CONSERVATION FILING PLAN"

PREPARED FOR SERGEY DIKAN

PREPARED BY R LEVESQUE ASSOCIATES, INC.

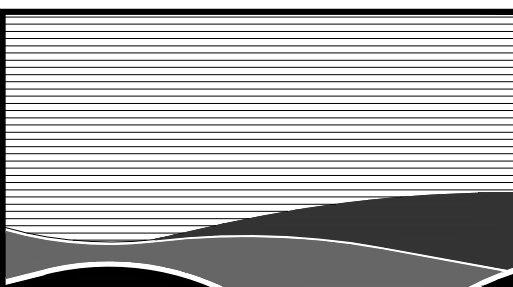
DATED MAY 8, 2025

S:\Projects\2025\250105 - Dikan - 515 and 533 Mill St., Feeding Hills\05 Civil\3D\250105 - RDA.dwg



NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCEL IS SERGEY DIKAN (515 MILL ST.) AND MIKHAIL & TAMARA ASHLABAN (533 MILL ST.). SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 24346 PAGE 391 (515 MILL ST). DEEDS BOOK 20091 PAGE 539 (533 MILL ST.)
2. THE PROPERTY LINES SHOWN HEREON ARE BASED UPON A RLA BOUNDARY SURVEY.
3. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
4. THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
5. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
6. WETLANDS DELINEATED BY R. LEVESQUE ASSOCIATES INC IN MAY 2025.
7. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AVAILABLE RECORD DATA. R. LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R. LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
8. ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM GIS MAPPING.
9. SUBJECT PARCEL IS ZONED AS SHOWN ON PLAN.
10. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C0384E - EFFECTIVE DATE: JULY 16, 2013.
11. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.



R L A

R LEVESQUE ASSOCIATES INC

Landscape Architects
Civil Engineers - Land Surveyors
Environmental Consultants

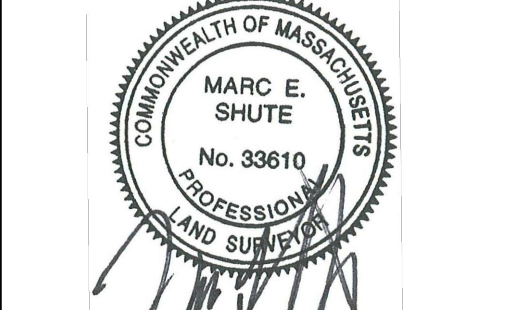
ph: 413.568.0985 fax: 413.568.0986

40 School Street
Westfield, MA 01085

rlaland.com

CONSERVATION FILING PLAN

515 Mill Street and Franklin Street Extension
Parcel ID HIO-2-19 and HIO-I-04
Agawam, MA.



PREPARED FOR:

Sergey Dikan
114 Birch Hill Road
Agawam, MA 01001

ISSUANCE DATE: 5-8-2025

REVISIONS:	DATE:

DRAFTED BY: J.L.T.A.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 250105

DRAWING#	REV.
W-1	-

Request for Determination of Applicability

Under the Massachusetts Wetlands Protection Act 310 CMR 10.00

Proposed Building Addition

Project Location:

223 Garden Street
Feeding Hills, Massachusetts 01030
(Parcel ID: G8-2-3)

Submitted To:

Town of Agawam Conservation Commission
36 Main Street
Agawam, Massachusetts 01001

Applicant & Property Owner:

MBNZ Holding Co.
c/o Mr. Nasser Zebian
223 Garden Street
Feeding Hills, Massachusetts 01030

RLA Project File No. 250214

April 17, 2025

R LEVESQUE ASSOCIATES, INC.

A LAND PLANNING SERVICES COMPANY

40 School Street, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



TABLE OF CONTENTS

SECTIONS

- 1. COVER LETTER
- 2. ADMINISTRATIVE FORMS
 - 2.1 WPA FORM 1 – REQUEST FOR DETERMINATION OF APPLICABILITY
- 3. PROJECT NARRATIVE
- 4. FIGURES
 - 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
 - 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
 - 4.3 FIGURE 3 – NRCS SOILS MAP

LIST OF APPENDICES

APPENDIX A: SITE PLAN

I. COVER LETTER

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rland.com



April 17, 2025

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
36 Main Street
Agawam, Massachusetts 01001

**RE: Request for Determination of Applicability
223 Garden Street
Feeding Hills, Massachusetts 01030
(Assessor's Parcel ID: G8-2-3)
RLA Project File No. 250214**

Dear Chairman Kozloski and Commissioners:

On behalf of the applicants and property owner, MBNZ Holding Co. c/o Nasser Zebian, please find the requisite number of copies of a Request for Determination of Applicability and associated filing plan for the above referenced properties. This Request is being filed to confirm whether the activities depicted on the plan are subject to the Wetlands Protection Act.

As required, a copy of this Request for Determination of Applicability has been submitted electronically via email to the Town of Agawam Conservation Commission and through eDEP to the Massachusetts Department of Environmental Protection.

We are requesting to be placed on the Commission's next available agenda. Should you have any questions or comments regarding this filing, please do not hesitate to contact our office at your earliest convenience.

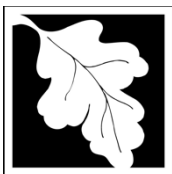
Sincerely,
R LEVESQUE ASSOCIATES, INC.

Nina Fazio
Permitting Coordinator

A LAND PLANNING SERVICES COMPANY

2. ADMINISTRATIVE FORMS

2.1 WPA FORM 1 – REQUEST FOR DETERMINATION OF APPLICABILITY



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability **Agawam**
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 **Municipality**

A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:	
WBNZ Holding Co.	Nasser Zebian
First Name	Last Name
223 Garden Street	
Address	
Feeding Hills	MA
City/Town	State
413-427-2766	01080
Phone Number	Zip Code
nasserzebian@hotmail.com	
Email Address	
2. Property Owner (if different from Applicant):	
Same as applicant	
First Name	Last Name
Address	
City/Town	State
Phone Number	Zip Code
Email Address (if known)	
3. Representative (if any)	
Robert	Levesque
First Name	Last Name
R Levesque Associates, Inc.	
Company Name	
40 School Street	
Address	
Westfield	MA
City/Town	State
(413) 568-0985	01085
Phone Number	Zip Code
rob@rlaand.com	
Email Address (if known)	

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):	
223 Garden Street	Feeding Hills
Street Address	City/Town
42.06288	-72.65540
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
68-2	3
Assessors' Map Number	Assessors' Lot/Parcel Number
b. Area Description (use additional paper, if necessary):	
The property is located north of Garden Street. Please see the attached project narrative for more details.	
c. Plan and/or Map Reference(s): (use additional paper if necessary)	
Proposed Site Improvements	04-16-2025
Title	Date
Title	Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Agawam
Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

The applicant proposes a building addition adjacent to the existing garage.

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Agawam

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

C. Determinations

1. I request the Agawam make the following determination(s). Check any that apply:
Conservation Commission

☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.

☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.

☒ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.

☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Nina Fazio

Signature of Representative (if any)

Date

04-17-2025

Date

3. PROJECT NARRATIVE

PROJECT NARRATIVE TO REQUEST FOR DETERMINATION OF APPLICABILITY

For

223 GARDEN STREET
FEEDING HILLS, MASSACHUSETTS 01030
(ASSESSOR'S PARCEL ID: G8-2-3)

INTRODUCTION

On behalf of the applicant and property owner, MBNZ Holding Co. c/o Nasser Zebian, R Levesque Associates, Inc. is providing this project narrative as a supplement to the Request for Determination of Applicability for the above-referenced property. This Request is being filed to confirm whether the activities depicted on the plan are subject to the Wetlands Protection Act.

PROPERTY DESCRIPTION

The subject property is located north of Garden Street and consists of approximately 1.6 ± acres as shown on the associated site plan set prepared by R Levesque Associates, Inc. Said property is recorded in the Hampden County Registry of Deeds in Book 24996, Page 11.

Examination of GIS information from the Massachusetts Natural Heritage Atlas revealed that the subject properties are not located within Natural Heritage and Endangered Species Program jurisdiction. The project site is not located within a Special Flood Zone Area according to flood insurance rate map number 25013C0384E, effective date July 16, 2013. Please see below for further information on resource areas related to this project site.

EXISTING CONDITIONS & TOPOGRAPHY

The subject property currently operates as an auto body / repair shop, Vermette Auto Body, with associated parking, access drives, and site improvements. In general, the topography of the site is generally flat, with on-site elevations ranging from 187 to 192. Please refer to the USGS Topographic Map included within this application packet under Section 4.

SOILS

According to the Web Soil Survey Map, the soil types mapped on the subject property consist entirely of: Merrimac fine sandy loam, 0 to 3 percent slopes (254A). Please refer to the attached NRCS Soil Map included within this application packet under Section 4 for greater detail on the soils defined below.

The Merrimac series consists of very deep, somewhat excessively drained soils formed in outwash. They are nearly level through very steep soils on outwash terraces and plains and other glaciofluvial landforms. Slope ranges from 0 through 35 percent.

WETLAND RESOURCE AREAS

The wetland resource areas were flagged by R Levesque Associates, Inc. in April 2025. The definition of each applicable resource area is presented below in italic text, followed by a description of the resource area presented below in boldface text.

Please note that wetlands delineated off-site have been shown to accurately portray buffer zone onto the subject property. The delineation of wetland resource areas off-site is not the subject of this filing.

Bordering Vegetated Wetlands (BVW)

As defined in 310 CMR 10.55 (2) (a), *“Bordering Vegetated Wetlands are freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants...”*.

A Bordering Vegetated Wetland (BVW) is located off-site to the north. The BVW has been flagged in the field and is shown on the accompanying filing plan with sequentially numbered flagging labeled “A-100” through “A-108”. The proposed activities do not disturb the BVW.

Buffer Zone

Buffer Zone as defined in 310 CMR 10.04 is *“the area of land extending 100 feet horizontally outward from the boundary of any areas specified in 310 CMR 10.02(1)(a)”*.

Buffer Zone associated with the off-site Bordering Vegetated Wetland and has been shown offset 100' from delineated boundaries. The proposed activities do not disturb the buffer zone.

Bank

In 310 CMR 10.54(2) it states, *"A Bank is the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland."*

Bank is associated with an off-site perennial stream to the north and has been marked in the field with sequentially numbered flagging labeled "MAHW-100" through "MAHW-1110". The Mean Annual High Water (MAHW) was flagged and is synonymous with Top of Bank in this instance. The proposed activities do not disturb the Bank.

Riverfront Area

Riverfront Area (RA) as defined in 310 CMR 10.58(3) *"...is the area of land between a river's mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away. The riverfront area may include or overlap other resource areas or their buffer zone. The riverfront area does not have a buffer zone."*

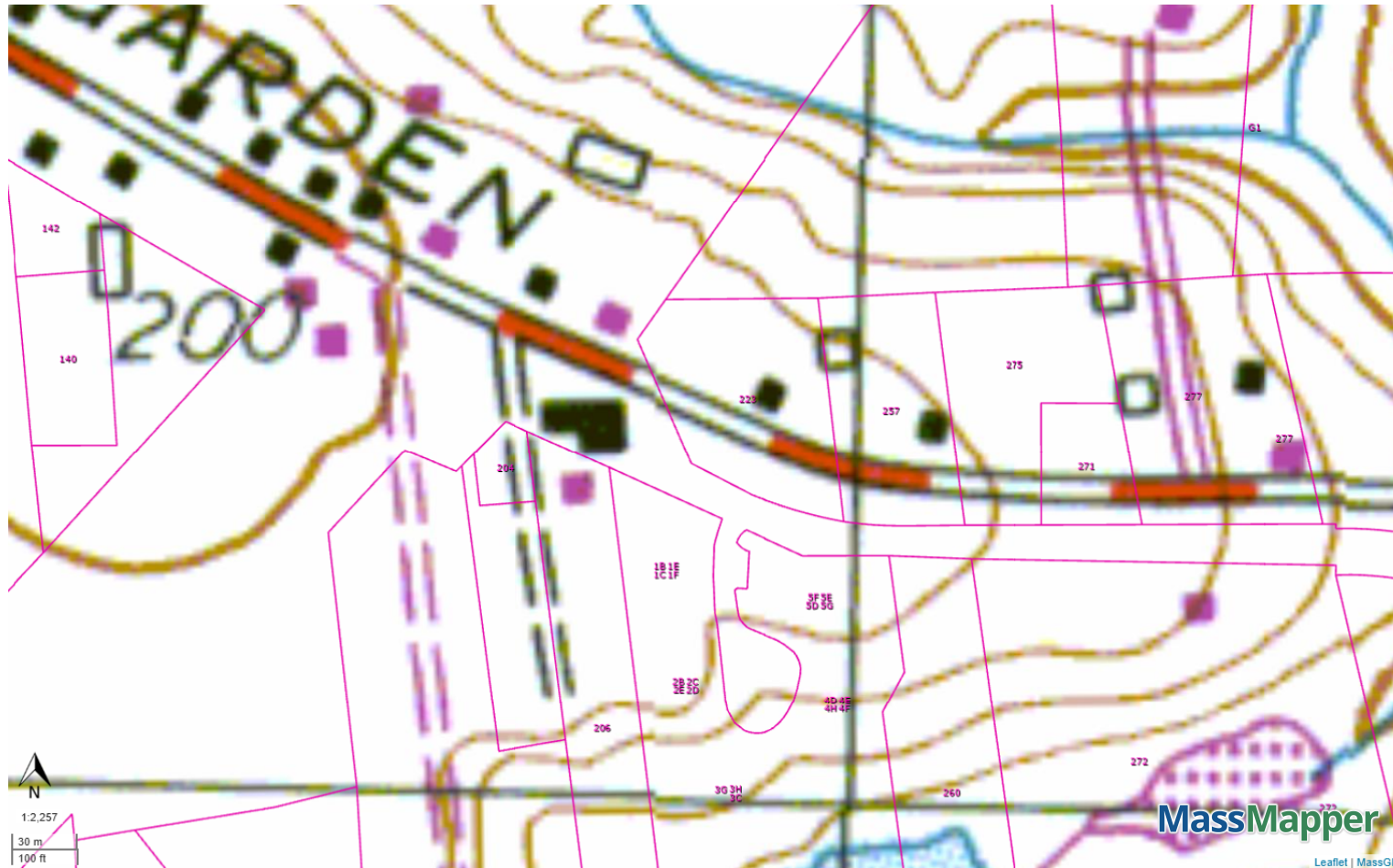
Riverfront Area is associated with off-site perennial stream and has been shown 200' from the delineated mean annual high-water line. The proposed activities do not disturb the Riverfront Area.

[END OF PROJECT NARRATIVE]

4. FIGURES

- 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
- 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
- 4.3 FIGURE 3 – NRCS SOILS MAP

USGS Topographic Map

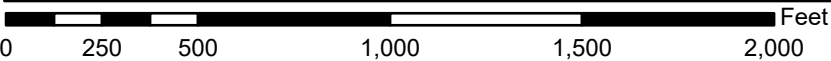
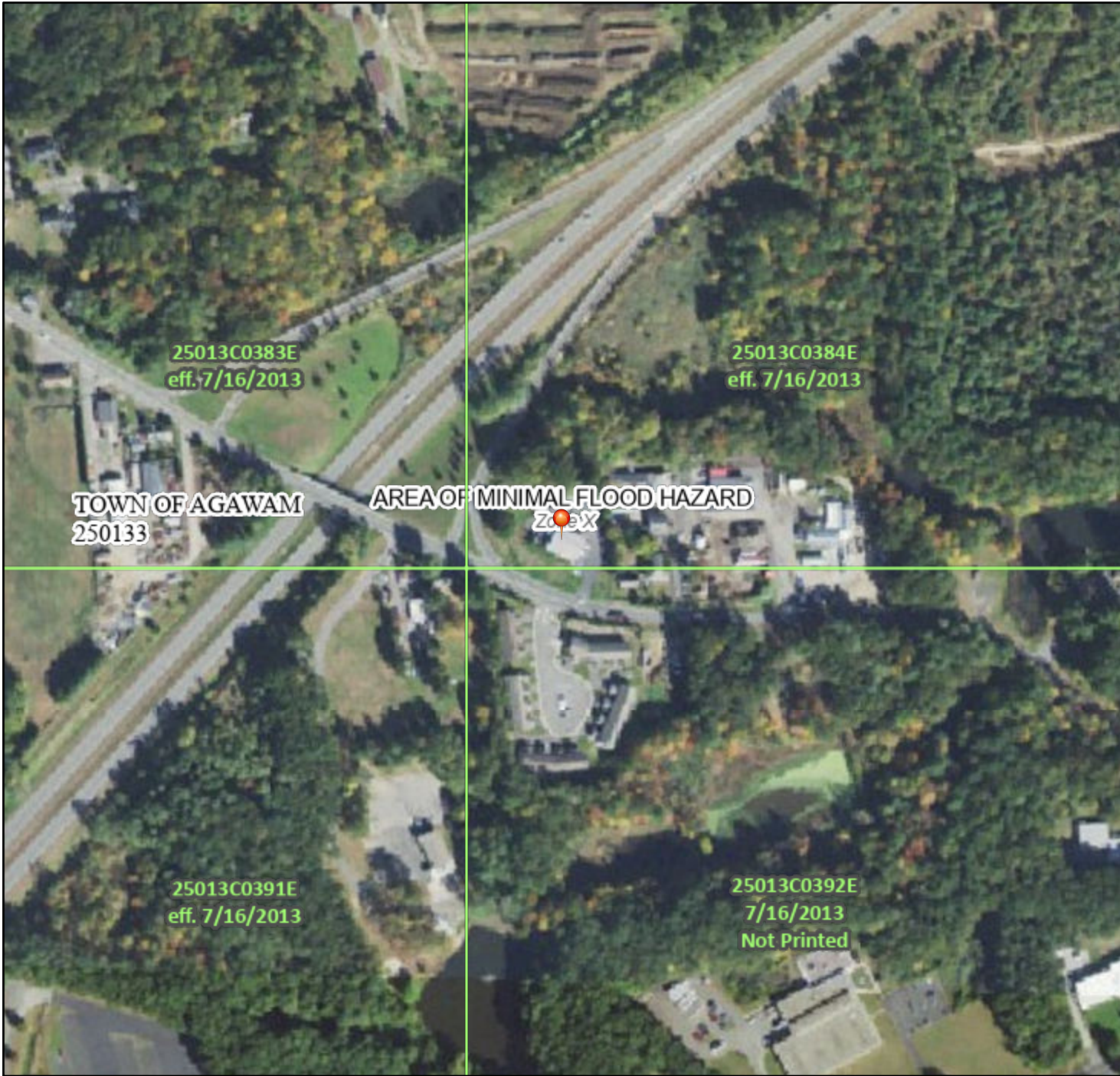


Property Tax Parcels
USGS Topographic Maps

National Flood Hazard Layer FIRMMette



72°39'38"W 42°3'59"N



1:6,000

72°39'1"W 42°3'32"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
OTHER FEATURES		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
OTHER FEATURES		Base Flood Elevation Line (BFE)
		Limit of Study
OTHER FEATURES		Jurisdiction Boundary
		Coastal Transect Baseline
OTHER FEATURES		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/16/2025 at 6:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Soil Map—Hampden County, Massachusetts, Central Part
(GISDATA_L3_TAXPAR_POLY_ASSESSPolygon)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part

Survey Area Data: Version 18, Aug 27, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
254A	Merrimac fine sandy loam, 0 to 3 percent slopes	1.7	100.0%
Totals for Area of Interest		1.7	100.0%

APPENDIX A: SITE PLAN

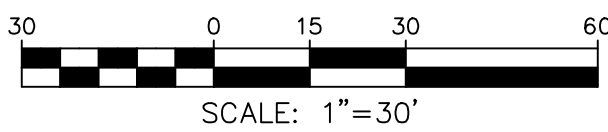
SITE PLAN ENTITLED "PROPOSED SITE IMPROVEMENTS"

PREPARED FOR VERMETTE AUTO BODY

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED APRIL 16, 2025

TYPE (MINIMUM)	REQUIRED	EXISTING	PROPOSED
AREA	10,000 S.F.	73,961 S.F.	73,961 S.F.
FRONTAGE	100 FT	254.36'	254.36'
FRONT YARD	35 FT	75.6'	75.6'
SIDE YARD	10 FT	61.0'	43.6'
REAR YARD	35 FT	126.5'	103.5'
HEIGHT (MAX)	45 FT (3 STORIES)	1.5 STORIES	1.5 STORIES
BUILDING COVERAGE (MAX)	50%	±7.8%	±12.1%
REQUIRED PARKING *	36	36	36



1. THE RECORD OWNER OF THE SUBJECT PARCEL IS MBNZ HOLDING CO. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 24996 PAGE 41.
2. THE PROPERTY LINES SHOWN HEREON ARE BASED UPON A PLAN RECORDED IN THE HAMPDEN COUNTY REGISTRY OF DEEDS IN PLAN BOOK 319 PAGE 43.
3. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
4. THIS PLAN HAS BEEN PREPARED FOR SITE PLANNING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
5. SUBJECT PARCEL CONTAINS 73,961 S.F.
6. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
7. THE OFFSITE BORDERING VEGETATED WETLANDS AND PERENNIAL STREAM DEPICTED HEREON WERE FLAGGED BY R LEVESQUE ASSOCIATES INC. AND LOCATED VIA RTK GPS SURVEY ON APRIL 14, 2025.
8. THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R LEVESQUE ASSOCIATES, INC. ON MARCH 12, 2025.
9. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, DIGSAFE MARKINGS AND AVAILABLE RECORD DATA. R LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
10. ABUTTERS DEPICTED HEREON ARE TAKEN FROM THE TOWN OF AGAWAM MUNICIPAL GIS WEBSITE
11. SUBJECT PARCEL IS ZONED BUSINESS B ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
12. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C0383E - EFFECTIVE DATE: JULY 16, 2013.
13. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

**223 GARDEN STREET - PARCEL G8 2 3
AGAWAM, MASS.**



ISSUANCE DATE: April 15, 2025

REVISIONS:	DATE:
------------	-------

DRAFTED BY: J.L. & J.W.M.

UNAUTHORIZED ALTERATION OF
THIS DOCUMENT IS A VIOLATION
OF MASSACHUSETTS STATE LAW

SCALE: 1" = 30'

RLA PROJ. NUMBER: 250214

DRAWING#	REV.
----------	------

C-1



Town of Agawam

Department Of Public Works

DPW
1000 Suffield Street
Agawam, MA 01001
Phone: 413-821-0600
Fax: 413-821-0631

MEMORANDUM

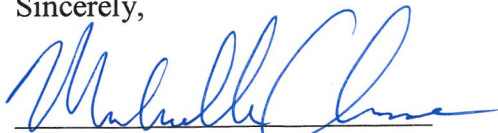
To: Planning Department
CC: File
From: Engineering Division
Date: May 1, 2025
Subject: SP 353 – #223 Garden Street – Building Addition

The Agawam Engineering Division has reviewed the Site Plan Approval Application for the proposed building addition to be located at #223 Garden Street; prepared by R Levesque Associates, Inc; dated April 17, 2025. Based on our review, we have the following comments:

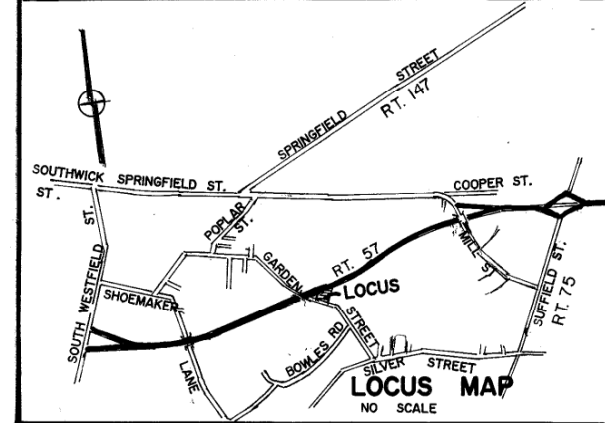
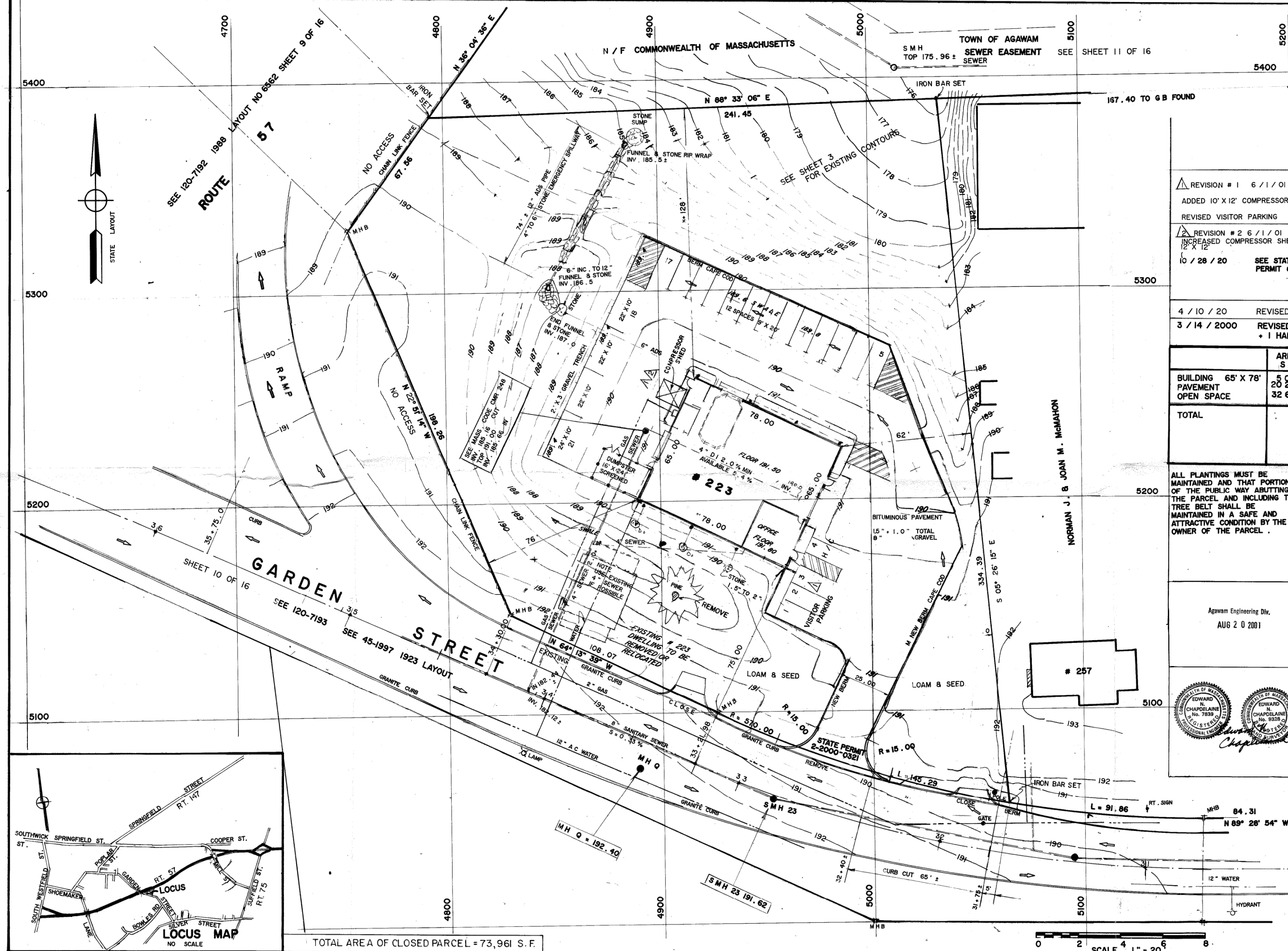
1. A review of the original site plans for the property – dated June 1, 2001 – indicate that the impervious area onsite has expanded outside of the limits approved by the Agawam Planning Board (see attached plan). The existing conditions shown on the submitted site plans show the parking lot area has been extended towards the eastern property line of the subject parcel and a gravel parking area that has been added to the north. Stormwater calculations will need to be submitted to Engineering to verify the existing drainage infrastructure is capable of meeting the stormwater runoff requirements generated by this increase in impervious surface. It is likely that detention or infiltration will be required to maintain peak stormwater runoff rates.
2. The proposed accessible parking spaces should have a width of 9 feet.
3. It appears the frontage for the subject parcel abuts the State Right-of-Way for Route 57. The proposed building addition may trigger a review from the Massachusetts Department of Transportation. Engineering recommends the Developer confirm the limits of the State Right-of-Way within Garden Street.
4. The site plans show a note pointing to the location of the existing water service line, but the pipe is not shown.

Engineering reserves the right to make additional comments as new information is submitted. If you have any questions, please do not hesitate to contact this division.

Sincerely,


Michelle C. Chase, P.E.
Town Engineer


Michael F. Albro, P.E.
Assistant Town Engineer



SITE PLAN APPROVAL
AGAWAM PLANNING BOARD
June 21, 2001

REVISION # 1 6/1/01
ADDED 10' X 12' COMPRESSOR SHED
REVISED VISITOR PARKING

REVISION # 2 6/1/01
INCREASED COMPRESSOR SHED TO 12' X 12'
10/28/20 SEE STATE CURB CUT APPROVAL PERMIT # 2-2000-0321 DATED OCTOBER 12, 2000

4/10/20 REVISED PARKING TOTAL 21 SPACES AS PER ENGINEERING
3/14/2000 REVISED PARKING 20 SPACES 10' X 20' + 1 HANDICAP 15' X 20' (4 EMPLOYEES)

	AREA S F	%	AREA ACRES
BUILDING 65' X 78'	5 070	8.75	0.1164
PAVEMENT	20 251	34.95	0.4649
OPEN SPACE	32 629	56.30	0.7491
TOTAL		100.00	

ALL PLANTINGS MUST BE MAINTAINED AND THAT PORTION OF THE PUBLIC WAY ABUTTING THE PARCEL AND INCLUDING THE TREE BELT SHALL BE MAINTAINED IN A SAFE AND ATTRACTIVE CONDITION BY THE OWNER OF THE PARCEL.

MHB MASS. HIGHWAY BOUND GRANITE I P IRON PIN
178 EXISTING CONTOUR
178 PROPOSED FINISHED GRADE
PRIOR TO ANY INSTALLATION OF ANY SEWER, WATER OR DRAINAGE LINES, THE CONTRACTOR / OWNER SHALL CONTACT THE TOWN OF AGAWAM'S ENGINEERING DIV. 786-0400 EXT. 275/8 NO PIPING/APURTENANCES WILL BE INSTALLED OR BACKFILLED WITHOUT THE PERMISSION OF THE DIV.

Agawam Engineering Div.
AUG 2 0 2001

DESIGN - BUILDER
FORISH CONSTRUCTION CO. INC.
LEONARD T. FORISH
PRESIDENT
MAINLINE INDUSTRIAL PARK
WESTFIELD, MASSACHUSETTS
TEL. 413-568-8824

RECORD OWNER
JERRY L. ZERRA & ROSE Z. DYKE
HAMPTON COUNTY REGISTRY
BOOK 4027 PAGE 230
BOOK 4635 PAGE 165
C/O STEPHEN E. BOROFKY, ESQ.
708 BROAD STREET
MANCHESTER, NH 03104-3103
TEL. 603-625-6441

SITE PLAN
AGAWAM - MASS.
HAMPTON COUNTY
PREPARED FOR
VERMETTE AUTO BODY INC.
787 SILVER STREET
AGAWAM, MASSACHUSETTS 01001
TEL. 786-8226

DURKEE, WHITE, TOWNE & CHAPDELAINE
CIVIL ENGINEERS & LAND SURVEYORS
356 FRONT STREET
CHICOPEE, MASSACHUSETTS 01013

DATE FEB. 2, 2000
SCALE 1" = 20'
120-7175
Page 82 of 151

Notice of Intent

Under Massachusetts Wetlands Protection Act 310 CMR 10.00

Proposed Single-Family Addition & Compensatory Flood Storage

Project Location:

248 River Rd. & 56 Forest Ridge Ln.
Agawam, MA 01001
(Map/Parcel ID: L6/10/3 & L6/5/26)

Submitted To:

Town of Agawam Conservation Commission
36 Main St.
Agawam, MA 01001

Applicant:

Serge Nakhabenko
242 River Rd.
Agawam, MA 01001

Property Owner – 248 River Road:

Serge Nakhabenko
242 River Rd.
Agawam, MA 01001

Property Owner – 56 Forest Ridge Lane:

Bryan Hunt
56 Forest Ridge Ln.
Agawam, MA 01001

Project File #: 240505

April 24, 2025

R LEVESQUE ASSOCIATES, INC

A LAND PLANNING SERVICES COMPANY

40 School Street, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



TABLE OF CONTENTS

SECTIONS

1. COVER LETTER
2. WPA FORM 3 – NOTICE OF INTENT
3. PROJECT NARRATIVE
4. FIGURES
 - 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
 - 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
 - 4.3 FIGURE 3 – NRCS SOILS MAP
 - 4.4 FIGURE 4 – NHESP MAP
5. ADMINISTRATIVE FORMS
 - 5.1 WETLAND TRANSMITTAL FEE FORM & COPY OF FILING FEE CHECKS
 - 5.2 AFFIDAVIT OF SERVICE
 - 5.3 ABUTTERS LIST & MAP
 - 5.4 NOTIFICATION TO ABUTTERS

LIST OF APPENDICES

APPENDIX A: SITE PLAN

I. COVER LETTER

R LEVESQUE ASSOCIATES, INC.

40 School Street, Westfield, MA 01085 p

413.568.0985 · f 413.568.0986 · www.rlaland.com



April 24, 2025

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
36 Main Street
Agawam, MA 01001

**RE: Notice of Intent
Proposed Single-Family Addition & Compensatory Flood Storage
248 River Rd. & 56 Forest Ridge Ln.
Agawam, MA 01085
(Map: L6 Parcels: 10/3 & 5/26)**

Dear Chairman Kozloski & Commissioners:

On behalf of the applicant, Serge Nakhabenko, please find an original and requisite number of copies of a Notice of Intent (NOI) application and filing plans for the proposed work at the above referenced site. The applicant proposes to construct an addition to an existing single-family home at 248 River Road within Bordering Land Subject to Flooding and Riverfront Area. Requisite compensatory flood storage is proposed at 56 Forest Ridge Lane.

Included herewith are the requisite filing fees. A copy of the Notice of Intent has been submitted electronically via email to the Town of Agawam Conservation Commission and submitted electronically to the Mass DEP.

We are hereby requesting to be placed on the Commission's next available agenda. Should you have any questions or comments regarding the Notice of Intent, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
R LEVESQUE ASSOCIATES, INC

Ryan Nelson
Wetland/Soil Scientist & Project Manager

cc: Serge Nakhabenko

A LAND PLANNING SERVICES COMPANY

2. WPA FORM 3 – NOTICE OF INTENT



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

248 River Rd. & 56 Forest Ridge Ln.

a. Street Address

Agawam

b. City/Town

01001

c. Zip Code

Latitude and Longitude:

L6

f. Assessors Map/Plat Number

42.05228; 42.05555

d. Latitude

72.60845; 72.61130

e. Longitude

10/3 & 5/26

g. Parcel /Lot Number

2. Applicant:

Serge

a. First Name

Nakhabenko

b. Last Name

c. Organization

242 River Rd.

d. Street Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

540-414-1602

h. Phone Number

i. Fax Number

LSEExpress.ma@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Serge; Bryan

a. First Name

Nakhabenko; Hunt

b. Last Name

c. Organization

248 River Rd.; 56 Forest Ridge Ln.

d. Street Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

540-414-1602

h. Phone Number

i. Fax Number

LSEExpress.ma@gmail.com

j. Email address

4. Representative (if any):

Robert

a. First Name

Levesque

b. Last Name

R. Levesque Associates, Inc.

c. Company

40 School Street

d. Street Address

Westfield

e. City/Town

MA

f. State

01085

g. Zip Code

413-568-0985

h. Phone Number

413-568-0986

i. Fax Number

robl@rlaland.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$330

a. Total Fee Paid

\$152.50

b. State Fee Paid

\$177.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

A. General Information (continued)

6. General Project Description:

The Proposed project consists of an addition to a single-family home at 248 River Rd. in the flood zone and also is a riverfront redevelopment project. Required compensatory flood storage is proposed at 56 Forest Ridge Ln.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. ☒ Single Family Home | 2. ☐ Residential Subdivision |
| 3. ☐ Commercial/Industrial | 4. ☐ Dock/Pier |
| 5. ☐ Utilities | 6. ☐ Coastal engineering Structure |
| 7. ☐ Agriculture (e.g., cranberries, forestry) | 8. ☐ Transportation |
| 9. ☐ Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Hampden

a. County

10888 (56 Forest Ridge Ln.)

c. Book

40775 (248 River Rd.)

b. Certificate # (if registered land)

523 (56 Forest Ridge Ln.)

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☒ Bordering Land Subject to Flooding	6,761 +/- 1. square feet 87 +/- 3. cubic feet of flood storage lost	4,500 +/- 2. square feet 97 +/- 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☒ Riverfront Area	Connecticut River 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 12,196 +/-
square feet

4. Proposed alteration of the Riverfront Area:

<u>6,761 +/-</u>	<u>3,120 +/-</u>	<u>3,641 +/-</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☒ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. ☐ Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet _____	
g. ☐ Rocky Intertidal Shores	1. square feet _____	
h. ☐ Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. ☐ Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. ☐ Land Containing Shellfish	1. square feet _____	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

04-10-2025
Mass Mapper

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
 - b. ☐ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Conservation Filing Plan

a. Plan Title

R. Levesque Associates, Inc.

Robert M. Levesque, RLA, ASLA

b. Prepared By

4-10-2025

c. Signed and Stamped by

As Shown

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1031

2. Municipal Check Number

4-9-2025

3. Check date

1030

4. State Check Number

4-9-2025

5. Check date

LS Express Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Agawam

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

<u><i>Sage Nathaniel</i></u>	<u>4.4.25</u>
1. Signature of Applicant	2. Date
<u><i>Sage Nathaniel</i></u> <u><i>Bryan A. H.</i></u>	<u>4.4.25</u>
3. Signature of Property Owner (if different)	4. Date
<u><i>Alvin</i></u> <u><i>R Levesque Assoc.</i></u>	<u>04-24-2025</u>
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

3. PROJECT NARRATIVE

NARRATIVE ADDENDUM TO NOTICE OF INTENT

For

Proposed Single-Family Home Addition & Compensatory Flood Storage

248 River Rd. & 56 Forest Ridge Ln.

Agawam, Massachusetts 01001

Map: L6 Parcel: 10/3 & 5/26

INTRODUCTION

R Levesque Associates, Inc. is submitting this Notice of Intent application of behalf of the applicant, Serge Nakhabenko, for the proposed addition to a single-family home located within Bordering Land Subject to Flooding and Riverfront Area at 248 River Rd. Requisite compensatory flood storage is proposed at 56 Forest Ridge Ln. in Agawam, MA.

The proposed project is shown in greater detail on site plans entitled "Conservation Filing Plan" dated 4/10/2025, prepared by R Levesque Associates, Inc.

SITE DESCRIPTION

248 River Road - The property is comprised of a single-family residential home with typical site improvements such as a paved driveway, lawn areas, and landscaping. The subject property is recorded in the Hampden County Registry of Deeds under Land Court Certificate # 40775. The parcel is approximately 0.29 acres and is within the "Residence A-2" (RA2) Zoning District. The topography is relatively flat, with a plateau ranging between elevations 55 to 57. There is a steep embankment down to an elevation of approximately 40 feet near the Mean Annual High Water line of the Connecticut river. The subject property is located within the 100-year flood zone, and is partially located within Natural Heritage & Endangered Species Program (NHESP) Jurisdiction.

56 Forest Ridge Lane - The property consists of a single-family home with typical site improvements proximate to Forest Ridge Lane. The rear remaining land, proximate to Redwood Drive is undeveloped forested land. The subject property is recorded in the Hampden County Registry of Deeds in Book 10888, Page 523 and is approximately 2.92 acres according to Agawam GIS. The topography of this parcel varies greatly, however the proposed area of work slopes gently to the north towards the wetland resource areas. A portion of the subject property is located within the 100-year flood zone, and thus will be utilized for compensatory flood storage. The property is not located within Natural Heritage & Endangered Species Program (NHESP) Jurisdiction.

The proposed project is shown in greater detail on site plans entitled "Conservation Filing Plan" dated 4/10/2025, prepared by R Levesque Associates, Inc.

Soils

According to NRCS Soil Survey mapping, the project site located at 248 River Rd. and 56 Forest Ridge Lane consists of Hadley very fine sandy loam, 0 to 3 percent slopes (96A).

The Hadley series consists of very deep well drained soils formed in silty alluvium. They are nearly level soils on flood plains. Saturated hydraulic conductivity is moderately high or high in the surface layer and upper substratum and moderately high to very high in the lower substratum. Slope ranges from 0 to 3 percent. The taxonomic class is coarse-silty, mixed, superactive, nonacid, mesic Typic Udifluvents.

PROJECT DESCRIPTION

The proposed project involves the following:

248 River Road

1. Installation of erosion controls along the permitted limit of work;
2. Demolition and removal of a portion of the existing driveway and landscaping;
3. Excavation for proposed addition foundation and construction of addition;
4. Installation and/or rerouting of underground utilities including sanitary sewer, electric, gas, and water services;
5. Installation of new paved driveway, final site grading, and landscaping.
6. Removal of invasive plants and debris along the slope next to the CT River as mitigation for the proposed project.

56 Forest Ridge Lane

1. Installation of silt fence/erosion controls along the proposed limit of work.
2. Installation of stone anti-tracking pad at construction entrance at the end of Redwood Drive.
3. Clearing and stumping of vegetation within the proposed limit of work (approximately 4,500 S.F.). This alteration is exempt from Riverfront Area alteration calculations per 310 CMR 10.58(4)(d)(1)(a).
4. Strip and stockpile topsoil, and then excavate to achieve subgrades of compensatory flood storage area as shown on the accompanying site plan.

5. Inlay at least 6 inches of loam topsoil to achieve final grades as shown on the accompanying site plan.
6. Once final grades are achieved, the area shall be planted as shown and then seeded with a conservation seed mix.
7. Erosion controls shall be maintained until a certificate of compliance is issued by the Agawam Conservation Commission.

RESOURCE AREAS

Wetland resource areas identified within a jurisdictional vicinity of the project site consist of Bank, Bordering Land Subject to Flooding, Riverfront Area, and Bordering Vegetated Wetlands. Wetland resource areas were delineated by R Levesque Associates, Inc. in February and March 2025. The following is a description of the resource areas as they relate to the subject property.

Bordering Land Subject to Flooding (BLSF)

According to 310 CMR 10.57(2)(a)1., "Bordering Land Subject to Flooding is an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetlands."

The FEMA Flood Insurance Rate Map No. 25013C0411E, effective date July 16, 2013, illustrates that the site of the proposed house addition located at 248 River Road is within the 100-year flood plain (Zone AE), and is attached as Figure 2 in Section 4 of this application packet. The 100-year flood elevation for the project site is 57.9 (NAVD '88) according to said FEMA mapping. The proposed building construction and site improvements will displace flood waters between elevations 55 and 57.9. The proposed project at 248 River Road will displace approximately 87 cubic yards within BLSF.

The FEMA Flood Insurance Rate Map No. 25013C0411E, effective date July 16, 2013, The proposed compensatory flood storage area located at 56 Forest Ridge Lane is within the same 100 year flood zone as shown on the same FEMA map. Approximately 97 cubic yards of compensatory flood storage is proposed, resulting in approximately 10 cubic yards of surplus compensatory flood storage create as a result of this project.

The compensatory flood storage area is sited within the same reach of the CT river flood plain, and will have an unrestricted hydraulic connection to the same waterway. The compensatory flood storage area has been sited to minimize disturbance to existing mature trees to the greatest practical extent feasible, while meeting the performance standards for BLSF.

Riverfront Area

Riverfront Area (RA) as defined in 310 CMR 10.58(3) *"...is the area of land between a river's mean annual high water line measured horizontally outward from the river and a parallel line located 200 feet away. The riverfront area may include or overlap other resource areas or their buffer zone. The riverfront area does not have a buffer zone."*

248 River Rd

Riverfront Area is associated with the Connecticut River, located to the east of the property. The Mean Annual High Water (MAHW) line for the Connecticut River was marked in the field with sequentially numbered blue flags labeled "MAHW-1" through "MAHW-8". Riverfront Area has been shown to extend 200 feet from the delineated MAHW line. Approximately 12,196 square feet of Riverfront Area exists on the subject property. There is approximately 3,303 square feet of existing degraded Riverfront Area on the subject property.

Significant portions of the site have been previously developed. Therefore, this project is presented as Riverfront Area Redevelopment under 310 CMR 10.58(5), where the *"issuing authority may allow work to redevelop a previously developed riverfront area, provide the proposed work improves existing conditions."* Under this category, *"work to redevelop previously developed riverfront areas shall conform to the following criteria:"*

(a) At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.

The site is improved over existing conditions by means of providing Riverfront Area mitigation in excess of what is required. Additionally, the project includes the installation of two drywells to help infiltrate roof runoff from the house, despite the project not requiring to provide stormwater management.

(b) Stormwater management is provided according to standards established by the Department.

Since this is a single-family residence, MassDEP stormwater management standards are not applicable.

(c) Within 200 foot riverfront areas, proposed work shall not be located closer to the river

than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5) (f) or (g).

Proposed work is not located closer to the Connecticut River than existing conditions.

(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5) (f) or (g).

The majority of the proposed addition will take place on the west side of the house, expanding away from the river.

(e) The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5) (f) or (g).

Proposed work shall take place within degraded area and will result in an increase of riverfront area alteration of 637 s.f., therefore mitigation under 310 CMR 10.58(5)(g) is proposed. At least 1,274 s.f. of riverfront area mitigation is required.

(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:

- 1. removal of all debris, but retaining any trees or other mature vegetation;*
- 2. grading to a topography which reduces runoff and increases infiltration;*
- 3. coverage by topsoil at a depth consistent with natural conditions at the site; and*
- 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site;*

No restoration is proposed.

(g) When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5) (c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level

of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 to 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Environmental Affairs.

Riverfront area mitigation is proposed along the slope between the CT River and the edge of the backyard. This area (1,545 s.f.) contains invasive plant species and debris which are to be removed. This mitigation area exceeds the 2:1 ratio required for new riverfront area alteration area.

56 Forest Ridge Lane

Per 310 CMR 10.58(4)(d)(1)(a) No Significant Adverse Impact, *"At a minimum, a 100 foot wide area of undisturbed vegetation is provided. This area shall extend from mean annual high-water along the river unless another location would better protect the interests identified in M.G.L. c. 131 § 40. If there is not a 100 foot wide area of undisturbed vegetation within the riverfront area, existing vegetative cover shall be preserved or extended to the maximum extent feasible to approximate a 100 foot wide corridor of natural vegetation. Replication and compensatory storage required to meet other resource area performance standards are allowed within this area;"*

The proposed compensatory storage area has been sited to be as least impactful to the 100 foot Inner Riparian corridor however, approximately alteration must occur in this area in order to maintain a hydraulic connection to the floodplain at the appropriate elevations for this project. The connection within the 100 foot Inner Riparian corridor will utilize a specific area to minimize the necessity of removing mature trees.

Overall the proposed compensatory storage area will occupy approximately 4,500 s.f. of Riverfront Area however this alteration is permissible under 310 CMR 10.58(4)(d)(1)(d) which states, *"The calculation of square footage of alteration shall exclude areas of replication or compensatory flood storage required to meet performance standards for other resource areas, or any area of restoration within the riverfront area."*

Bordering Vegetated Wetland (BVW)

As stated in 310 CMR 10.55(2)(a), *"Bordering Vegetated Wetlands are freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants..."*.

A Bordering Vegetated Wetland (BVW) is located on the property located at 56 Forest Ridge Lane, on the northern portion of the property, adjacent to a perennial stream. This wetland can be best classified as a forested palustrine wetland. The BVW has been marked in the field with sequentially numbered flagging labeled, "A-98" through "A-106", as shown on the associated site plan. Offsite wetlands have been shown only for reference purposes to accurately depict buffer zone onto the subject property. The determination of offsite wetland resource areas are not the subject of this filing. BVW is not located within a jurisdictional vicinity to the 248 River Road property. No work is proposed within Bordering Vegetated Wetlands, therefore BVW will not be disturbed as part of this project.

Buffer Zone

Buffer Zone as defined in 310 CMR 10.04 is *"the area of land extending 100 feet horizontally outward from the boundary of any areas specified in 310 CMR 10.02(1)(a)"*.

248 River Road

Buffer zone is not present on this property since there are no intermittent streams or wetlands within a jurisdictional vicinity to this site.

56 Forest Ridge Lane

Buffer Zone is associated with a Bordering Vegetated Wetland (BVW) located on the north portion of 56 Forest Ridge Lane. The Buffer Zone is shown on the accompanying plan to extend 50 and 100 feet from the boundary of BVW. The proposed compensatory flood storage excavation work will be located within the 100' wetland buffer zone. The compensatory flood storage area has been designed to minimize to the greatest extent practicably feasible disturbance to existing mature trees. Please refer to the accompanying plan for greater detail on the location of proposed work in relation to wetland resource areas.

Erosion Controls & Best Management Practices

Measures proposed to minimize earth disturbing impacts of the proposed project will be undertaken through the use of Best Management Practices. This includes, but is not limited to: limiting the area of disturbance, installing erosion controls between the work area and adjacent resource areas and their associate buffer zones, construction entrance anti-tracking pads, temporary stormwater controls, etc. Please refer to the accompanying plan set which depicts the location and details on erosion controls. The proposed project does not exceed 1 acre of earth disturbance and therefore does not require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) or obtaining an EPA Construction General Permit (CGP) Notice of Intent (NOI).

**** END OF NARRATIVE ****

4. FIGURES

- 4.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
- 4.2 FIGURE 2 – FEMA FLOODPLAIN MAP
- 4.3 FIGURE 3 – NRCS SOILS MAP
- 4.4 FIGURE 4 – NHESP MAP

USGS Topo - 248 River Rd. Agawam



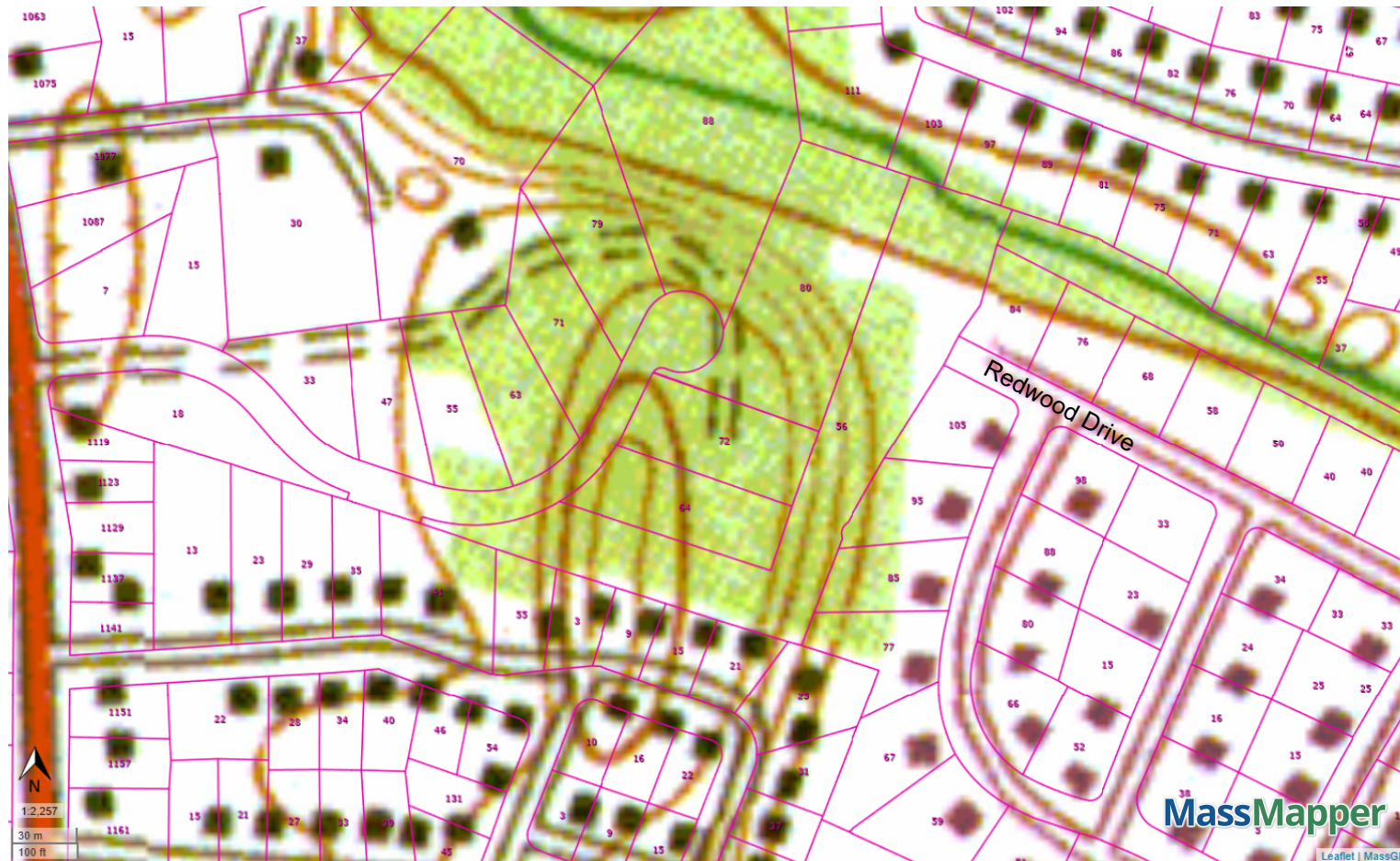
Areas of Critical Environmental Concern
ACECs



Property Tax Parcels

USGS Topographic Maps

USGS Topo - 56 Forest Ridge Ln. Agawam



NHESP Priority Habitats of Rare Species



Areas of Critical Environmental Concern
ACECs



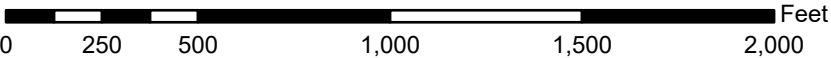
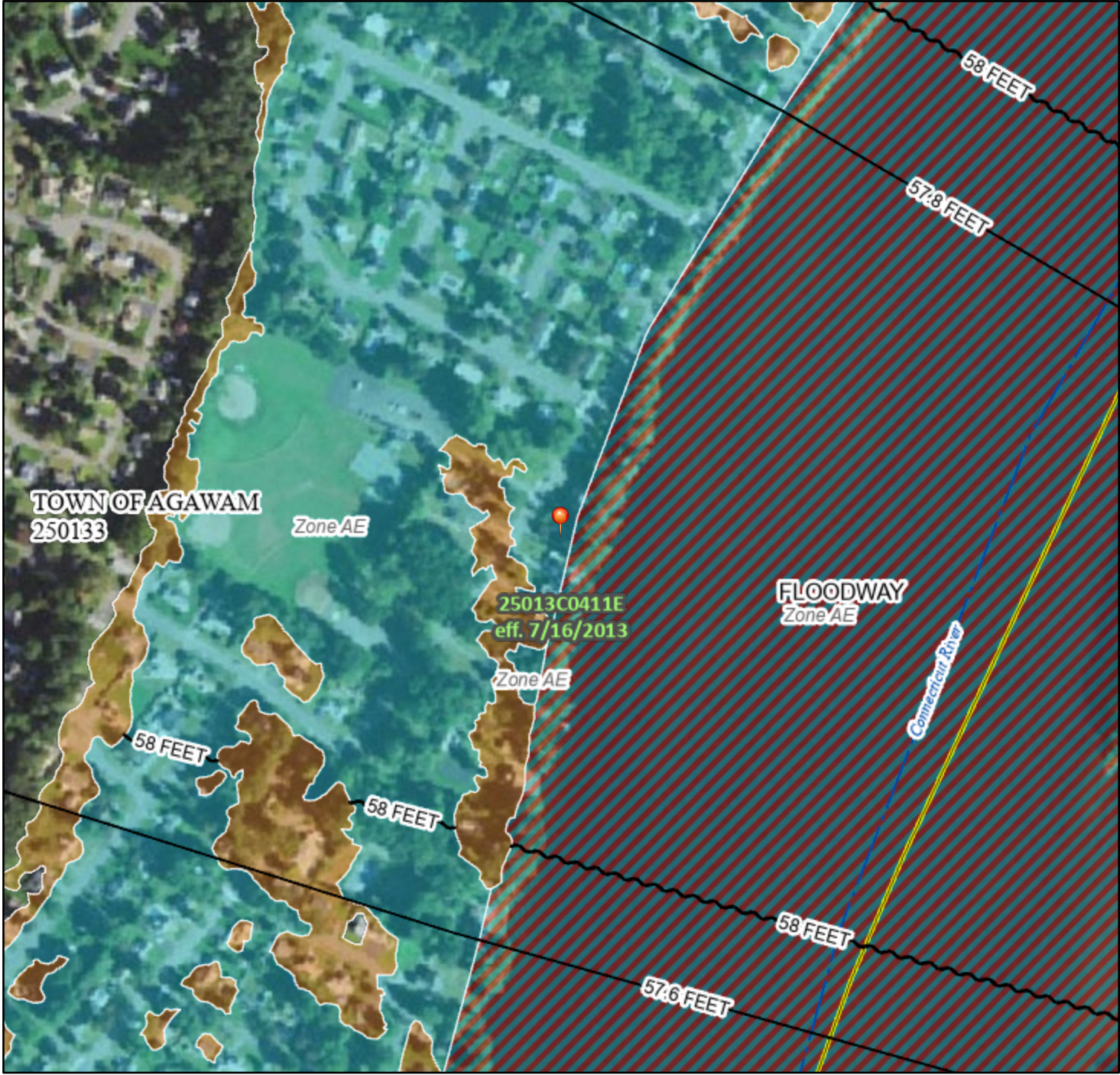
Property Tax Parcels

USGS Topographic Maps

National Flood Hazard Layer FIRMMette



72°36'49"W 42°3'21"N



1:6,000

72°36'12"W 42°2'55"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/24/2025 at 2:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMMette



72°37'5"W 42°3'31"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/24/2025 at 2:31 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Soil Map—Hampden County, Massachusetts, Central Part (Soil Map - 248 River Rd. Agawam)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

Soil Map—Hampden County, Massachusetts, Central Part
(Soil Map - 248 River Rd. Agawam)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part

Survey Area Data: Version 18, Aug 27, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
96A	Hadley very fine sandy loam, 0 to 3 percent slopes	0.3	100.0%
Totals for Area of Interest		0.3	100.0%

Soil Map—Hampden County, Massachusetts, Central Part
(Soil Map - 56 Forest Ridge Ln. Agawam)



Soil Map may not be valid at this scale.

Map Scale: 1:1,790 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Soil Map—Hampden County, Massachusetts, Central Part
(Soil Map - 56 Forest Ridge Ln. Agawam)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part

Survey Area Data: Version 18, Aug 27, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
96A	Hadley very fine sandy loam, 0 to 3 percent slopes	0.7	24.5%
98A	Winooski silt loam, 0 to 3 percent slopes, occasionally flooded	1.0	33.7%
255D	Windsor loamy sand, 15 to 25 percent slopes	0.6	22.2%
718A	Saco Variant silt loam, frequently ponded, 0 to 2 percent slopes, frequently flooded	0.6	19.6%
Totals for Area of Interest		2.8	100.0%

NHESP Map - 248 River Rd. Awagam



5. ADMINISTRATIVE FORMS

- 5.1 WETLAND TRANSMITTAL FEE FORM & COPY OF FILING FEE CHECKS
- 5.2 AFFIDAVIT OF SERVICE
- 5.3 ABUTTERS LIST & MAP
- 5.4 NOTIFICATION TO ABUTTERS



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

248 River Rd.; 56 Forest Ridge Ln.

a. Street Address

1030

c. Check number

Agawam

b. City/Town

\$152.50

d. Fee amount

2. Applicant Mailing Address:

Serge

a. First Name

Nakhabenko

b. Last Name

c. Organization

242 River Rd.

d. Mailing Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

540-414-1602

h. Phone Number

i. Fax Number

LSExpress.ma@gmail.com

j. Email Address

3. Property Owner (if different):

Serge; Bryan

a. First Name

Nakhabenko; Hunt

b. Last Name

c. Organization

242 River Rd.; 56 Forest Ridge Ln.

d. Mailing Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1A - SF Home addition	1	\$110 x 1.5 (RA)	\$165
1B - Site work without a house	1	\$110 x 1.5(RA)	\$165
Step 5/Total Project Fee:			\$330.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$330.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$152.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$177.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

LS EXPRESS INC.
242 RIVER RD
AGAWAM, MA 01001-2880

1031

53-13/110 MA
26892

DATE April 9, 2025

PAY TO THE ORDER OF Town of Agawam \$ 177.50

one hundred seventy-seven dollars and 50/100 DOLLARS

BANK OF AMERICA

ACH R/T 011000138

FOR Wetland Fee (city) 248 River Rd

Serge Nakhachenko MP

⑈001031⑈ ⑆011000138⑆ 466006036159⑈

LS EXPRESS INC.
242 RIVER RD
AGAWAM, MA 01001-2880

1030

53-13/110 MA
26892

DATE April 9, 2025

PAY TO THE ORDER OF Commonwealth of MA \$ 152.50

one hundred fifty two dollars and 50/100 DOLLARS

BANK OF AMERICA

ACH R/T 011000138

FOR Wetland Fee (state)

Serge Nakhachenko MP

⑈001030⑈ ⑆011000138⑆ 466006036159⑈

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, Michael Ratchford, of R Levesque Associates, Inc., hereby certify under the pains and penalties of perjury that on or about April 24, 2025, I gave notification to abutters in compliance with the second paragraph of Mass General Law Chapter 131, Section 40, and the *DEP Guide to Abutter Notification* dated April 8, 1994, in accordance with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Serge Nakhabenko, with the Town of Agawam Conservation Commission on or about April 24, 2025, for property located at 248 River Rd. & 56 Forest Ridge Ln. (Map L6, Parcel 10/3 & Parcel 5/26), Agawam, Massachusetts.

The form of notification, and a list of the abutters to whom it was given, and their addresses are attached to this Affidavit of Service.



Michael Ratchford

04/24/2025

Name

Date

100 Foot Abutters List

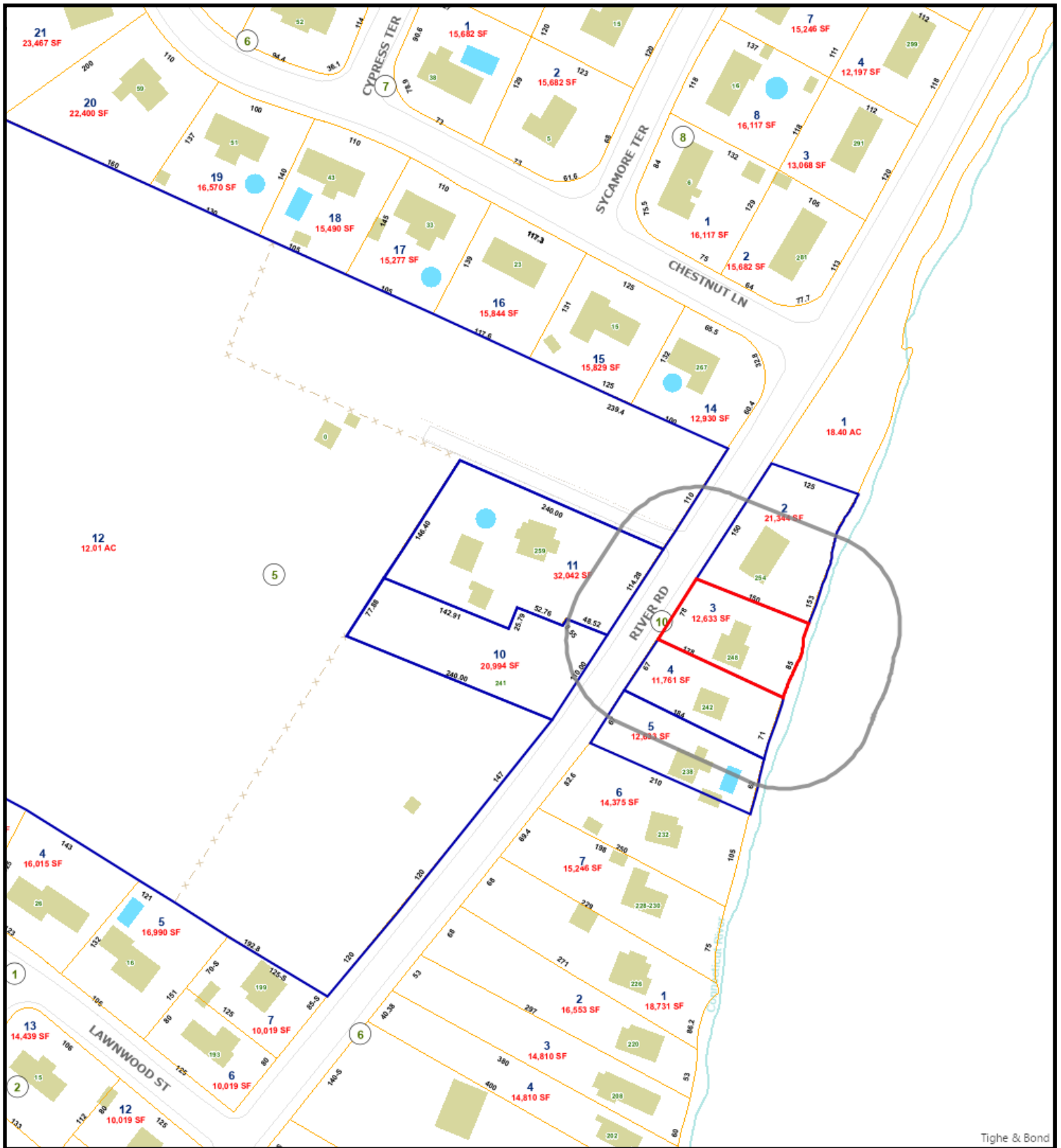
Subject Parcel: 248 River Rd. Agawam, MA 01001 (L6 10 3)

Source: Agawam GIS Abutters Tool

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Address
L6 5 10	ASHLABAN DENIS	533 MILL ST	FEEDING HILLS	MA	01030	241 RIVER RD
L6 10 2	DECARO FRANK	11 BARNEY ST	AGAWAM	MA	01001	254 RIVER RD
L6 10 5	GRECHKA VICTORIA	238 RIVER RD	AGAWAM	MA	01001	238 RIVER RD
L6 10 4	NAKHABENKO SERGE	242 RIVER RD	AGAWAM	MA	01001	242 RIVER RD
L6 5 11	PEETROS TODD M	259 RIVER RD	AGAWAM	MA	01001 2815	259 RIVER RD
L6 5 12	TOWN OF AGAWAM	36 MAIN ST	AGAWAM	MA	01001 1837	RIVER RD

Subject Parcel: 56 Forest Ridge Ln. Agawam, MA 01001 (L6 5 26)

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Address
L6 2 3	BOGLISCH DALTON T	9 ALFRED CR	AGAWAM	MA	01001 3550	9 ALFRED CR
L7 1 19	BOLDUC DANIEL R	103 FLORIDA DR	AGAWAM	MA	01001 3565	103 FLORIDA DR
L6 2 1	BUIISO RANDY J	55 CHARLES ST	AGAWAM	MA	01001 3544	55 CHARLES ST
L7 1 2	CARRIER LAURA L	84 REDWOOD DR	AGAWAM	MA	01001 3527	84 REDWOOD DR
L7 1 17	CBATTS PROPERTIES LLC	91 ELIZABETH ST	FEEDING HILLS	MA	01030	89 FLORIDA DR
L6 5 25	CORLISS NANCY M	105 CHESTNUT LN	AGAWAM	MA	01001 3511	105 CHESTNUT LN
L7 1 31	CORTESE DONIMICK J	80 FOREST RIDGE LN	AGAWAM	MA	01001 2541	80 FOREST RIDGE LN
L6 5 27	COUGHLIN WILLIAM P	64 FOREST RIDGE LN	AGAWAM	MA	01001 2541	64 FOREST RIDGE LN
L6 2 4	FERN-KING CYNTHIA M	15 ALFRED CR	AGAWAM	MA	01001	15 ALFRED CR
L6 5 23	GRAVEL ADAM	85 CHESTNUT LN	AGAWAM	MA	01001	85 CHESTNUT LN
L7 1 35	HARDCASTLE SHIRLEY M	63 FOREST RIDGE LN	AGAWAM	MA	01001 2574	63 FOREST RIDGE LN
K7 4 27	LANZA REBECCA L	47 FOREST RIDGE LN	AGAWAM	MA	01001 2574	47 FOREST RIDGE LN
K7 4 29	LAPOLICE MICHAEL A	55 FOREST RIDGE LN	AGAWAM	MA	01001 2574	55 FOREST RIDGE LN
L6 5 24	MATEUS AVELINO	95 CHESTNUT LN	AGAWAM	MA	01001 3509	95 CHESTNUT LN
L6 2 2	O'DRISCOLL WILLIAM J	3 ALFRED CR	AGAWAM	MA	01001 3550	3 ALFRED CR
L7 1 18	PARSONS DEREK G	97 FLORIDA DR	AGAWAM	MA	01001 3517	97 FLORIDA DR
L6 2 6	PAYE DAVID M	25 ALFRED CR	AGAWAM	MA	01001	25 ALFRED CR
L6 2 5	PETERS DONALD A	21 ALFRED CR	AGAWAM	MA	01001	21 ALFRED CR
L7 1 16	POLIWCZAK JOHN E	81 FLORIDA DR	AGAWAM	MA	01001 3517	81 FLORIDA DR
L7 1 30	POOLER CHERYL A TR	72 FOREST RIDGE LN	AGAWAM	MA	01001 2541	72 FOREST RIDGE LN
L7 1 34	ROBBINS CHRISTOPHER W	71 FOREST RIDGE LN	AGAWAM	MA	01001	71 FOREST RIDGE LN
L7 1 20	RONNAU NORA D	111 FLORIDA DR	AGAWAM	MA	01001 3565	111 FLORIDA DR
L6 5 22	SUBOTIN CHRISTINE A	77 CHESTNUT LN	AGAWAM	MA	01001 3509	77 CHESTNUT LN
K6 7 9	SURREIRA JASON A	35 CHARLES ST	AGAWAM	MA	01001 3544	35 CHARLES ST
K6 7 10	SWINICKI THOMAS J	41 CHARLES ST	AGAWAM	MA	01001 3544	41 CHARLES ST
L7 1 7	TOWN OF AGAWAM	36 MAIN ST	AGAWAM	MA	01001 1825	REDWOOD ST



100 Foot Abutters Map - 248

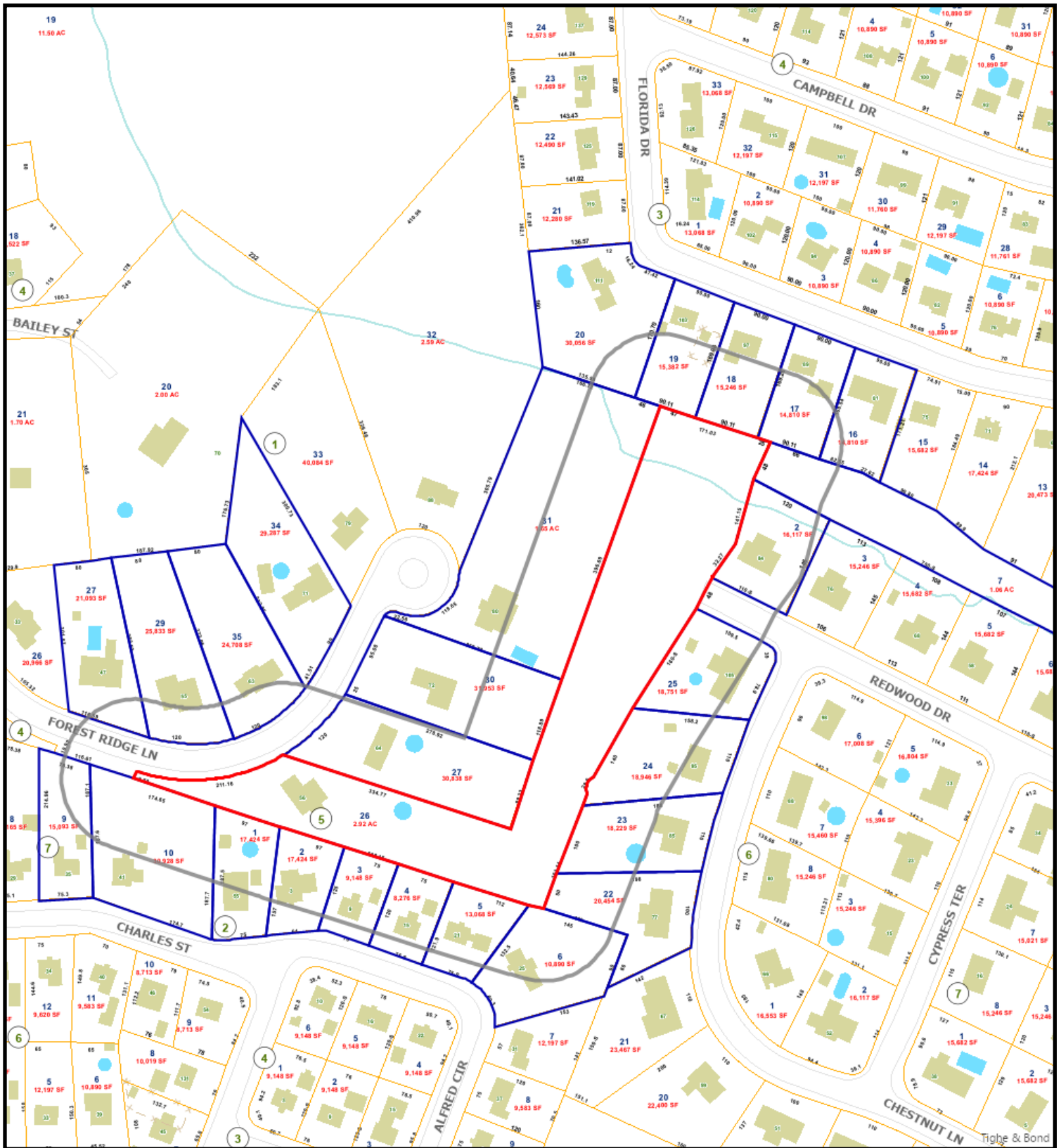
1/24/2025 9:38:35 AM

Scale: 1"=150'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.





100 Foot Abutters Map - 56

1/24/2025 9:49:45 AM

Scale: 1"=190'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Town of Agawam Conservation Commission on April 24, 2025 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

The proposed project consists of an addition to a single-family home at 248 River Rd. located within the 100-year flood zone as well as Riverfront Area. Compensatory flood storage is proposed at 56 Forest Ridge Ln, Agawam.

- B. The name of the applicant is: Serge Nakhabenko
- C. The address of the land where the activity is proposed is: 248 River Rd. & 56 Forest Ridge Ln. Agawam, MA 01001 (Assessor's Map/Parcel #: L6 10/3 & L6 5/26).
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Town of Agawam Conservation Commission, located at 36 Main St. Agawam, MA 01001. The regular business hours of the Commission are Monday through Friday, between the hours of 8:30 AM and 4:30 PM, or by calling 413-786-0400.
- E. Copies of the Notice of Intent may be obtained from the applicant's representative, R. Levesque Associates, Inc. at 40 School St. Westfield, MA, Monday through Friday, between the hours of 9:00 AM and 4:00 PM, or by calling 413-568-0985. An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Town of Agawam Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the local newspaper.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.

APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "CONSERVATION FILING PLAN"

PREPARED FOR SERGE NAKHABENKO

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED APRIL 10, 2025

NOTES

1. THE RECORD OWNER OF 248 RIVER ROAD IS SERGE NAKHABENKO. SEE HAMPDEN COUNTY REGISTRY OF DEEDS LAND COURT CERTIFICATE #40775. THE RECORD OWNER OF 56 FOREST RIDGE LANE IS BRYAN A HUNT. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 10888 PAGE 523.
2. THE PROPERTY LINES FOR 248 RIVER ROAD SHOWN HEREON ARE BASED UPON A PLAN TITLED, "SUBDIVISION OF LOT B2 SHOWN ON PLAN 11096-B FILED WITH CERT. OF TITLE NO. 1776 REGISTRY DISTRICT OF HAMPDEN COUNTY LAND IN AGAWAM" PREPARED BY COBB, BEESLEY, & MILES, ENG'RS., DATED AUG. 1942. SEE HAMPDEN COUNTY REGISTRY OF DEEDS LAND COURT PLAN 11096-C. AND AN R LEVESQUE ASSOCIATES SURVEY CONDUCTED ON 02-11-2025. THE PROPERTY LINES FOR 56 FOREST RIDGE LANE SHOWN HEREON ARE BASED UPON A PLAN TITLED, "DEFINITIVE SUBDIVISION PLANS FOREST RIDGE ESTATES AGAWAM, MASS." PREPARED BY PHARMER ENGINEERING CORPORATION, DATED APR. 21, 1988. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK OF PLANS 261 PAGES 117-129.
3. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
4. THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PERMITTING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
5. 248 RIVER ROAD CONTAINS 12,196± S.F. 56 FOREST RIDGE LANE CONTAINS 127,170 S.F.
6. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
7. WETLAND RESOURCE AREAS DELINEATED BY R LEVESQUE ASSOCIATES ON 02-11-2025 AND 03-03-2025.
8. THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R LEVESQUE ASSOCIATES, INC. ON 02-11-2025.
9. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AVAILABLE RECORD DATA, AGAWAM MA WEB GIS AND, R LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
10. ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM WEB GIS.
11. 248 RIVER ROAD IS ZONED RESIDENCE A-2 AND 56 FOREST RIDGE LANE IS ZONED AGRICULTURAL ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
12. THE SUBJECT PARCELS ARE LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C04111E - EFFECTIVE DATE: 07-16-2013, IN ZONE AE WITH A BASE FLOOD ELEVATION OF 57.9'.
13. A PORTION OF 248 RIVER ROAD IS LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

ZONING REVIEW - 248 River Road - Residence A-2 (RA2)

TYPE (MINIMUM)	REQUIRED	EXISTING	PROPOSED
AREA	15,000 FT²	12,196± FT²	12,196± FT²
FRONTAGE	110 FT	78.08 FT	78.08 FT
FRONT YARD	30 FT	60± FT	36± FT
SIDE YARD	15 FT	15± FT	15± FT
REAR YARD	20 FT	58± FT	53± FT
HEIGHT (MAX)	35 FT (2.5 STORIES)	(1.5 STORIES)	(1.5 STORIES)
BUILDING COVERAGE (MAX)	40%	±10%	±20%

BLSF IMPACTS

ELEVATION (FT)	PROPOSED BLSF DISPLACEMENT AT 248 RIVER RD (C.Y.)	PROPOSED BLSF COMPENSATORY STORAGE AT 56 FOREST RIDGE LN (C.Y.)	NET SURPLUS OF COMPENSATORY FLOOD STORAGE (C.Y.)
55-56	8±	11±	3±
56-57	38±	39±	1±
57-57.9	41±	47±	6±
TOTAL	87±	97±	10±

RIVERFRONT AREA

RIVERFRONT AREA ON PROPERTY	12,196± S.F.
EXISTING DEGRADED RIVERFRONT AREA ON PROPERTY	3,303± S.F.
DEGRADED RIVERFRONT AREA UNDER PROPOSED CONDITIONS	3,940± S.F.
NEW ALTERATION WITHIN RIVERFRONT AREA	637± S.F.
RIVERFRONT AREA MITIGATION REQUIRED AT 2:1 RATE	1,274± S.F.
PROPOSED RIVERFRONT AREA MITIGATION	1,545± S.F.

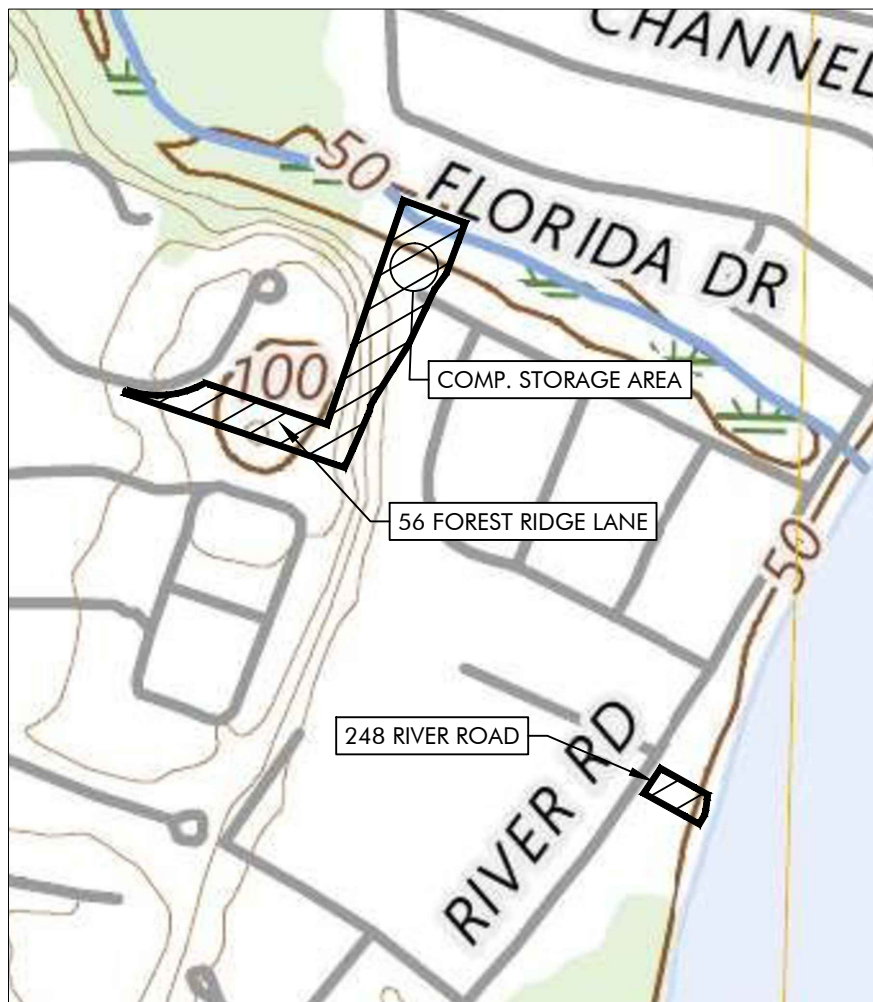
* Per 310 CMR 10.58(4)(d)(1)(a) Compensatory storage does not count towards riverfront area alteration

NOTE:

Per riverfront area performance standards, the improvement over existing conditions shall be met through excess mitigation provided, and implementation of voluntary stormwater management features.

PLANT LIST

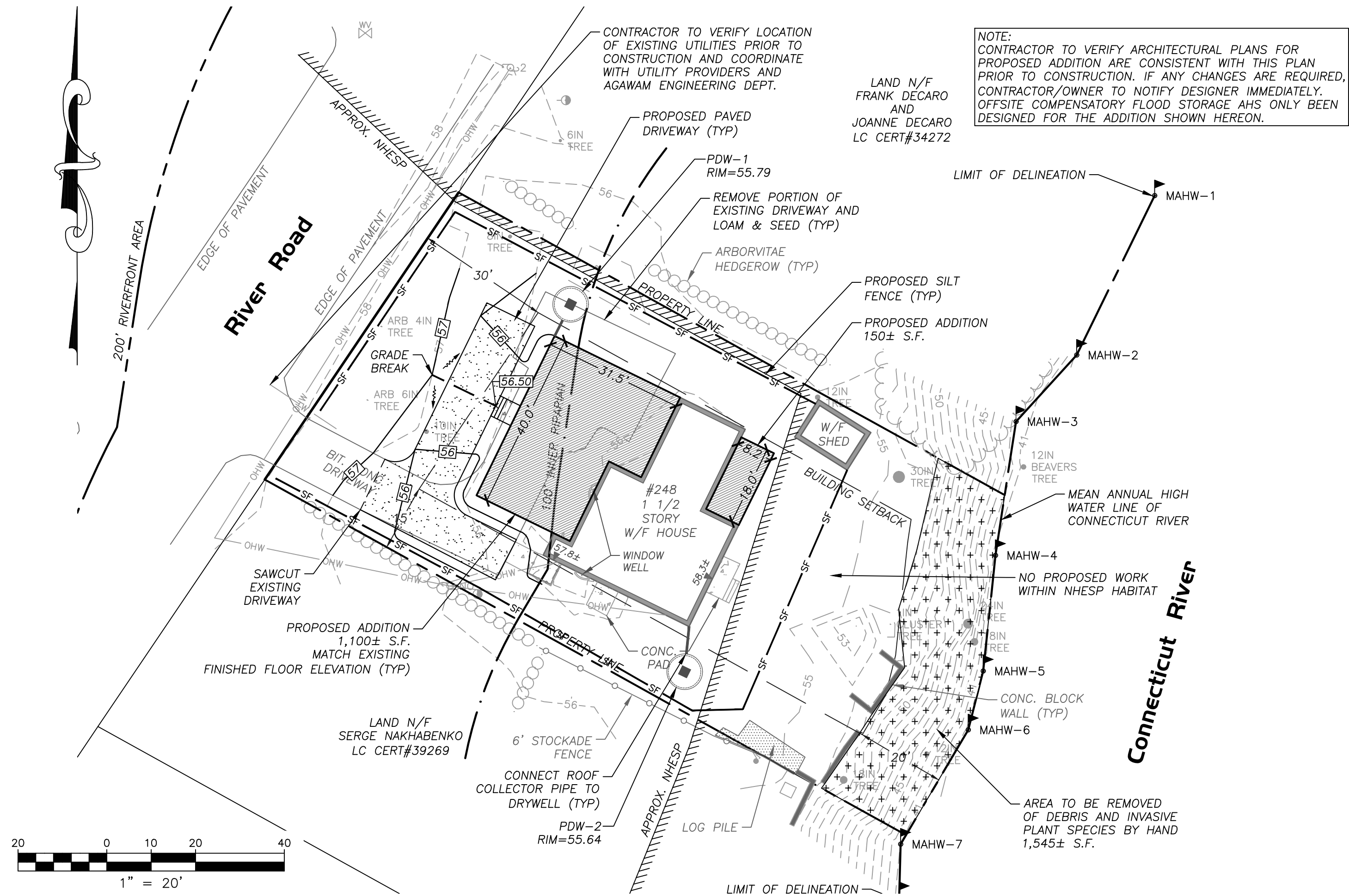
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
QR	5	QUERCUS RUBRA	RED OAK	2-2.5" CAL.
TC	5	TSUGA CANADENSIS	HEMLOCK	2-2.5" CAL.
HV	5	HAMAMELIS VIRGINIANA	WITCH HAZEL	2-2.5" CAL.



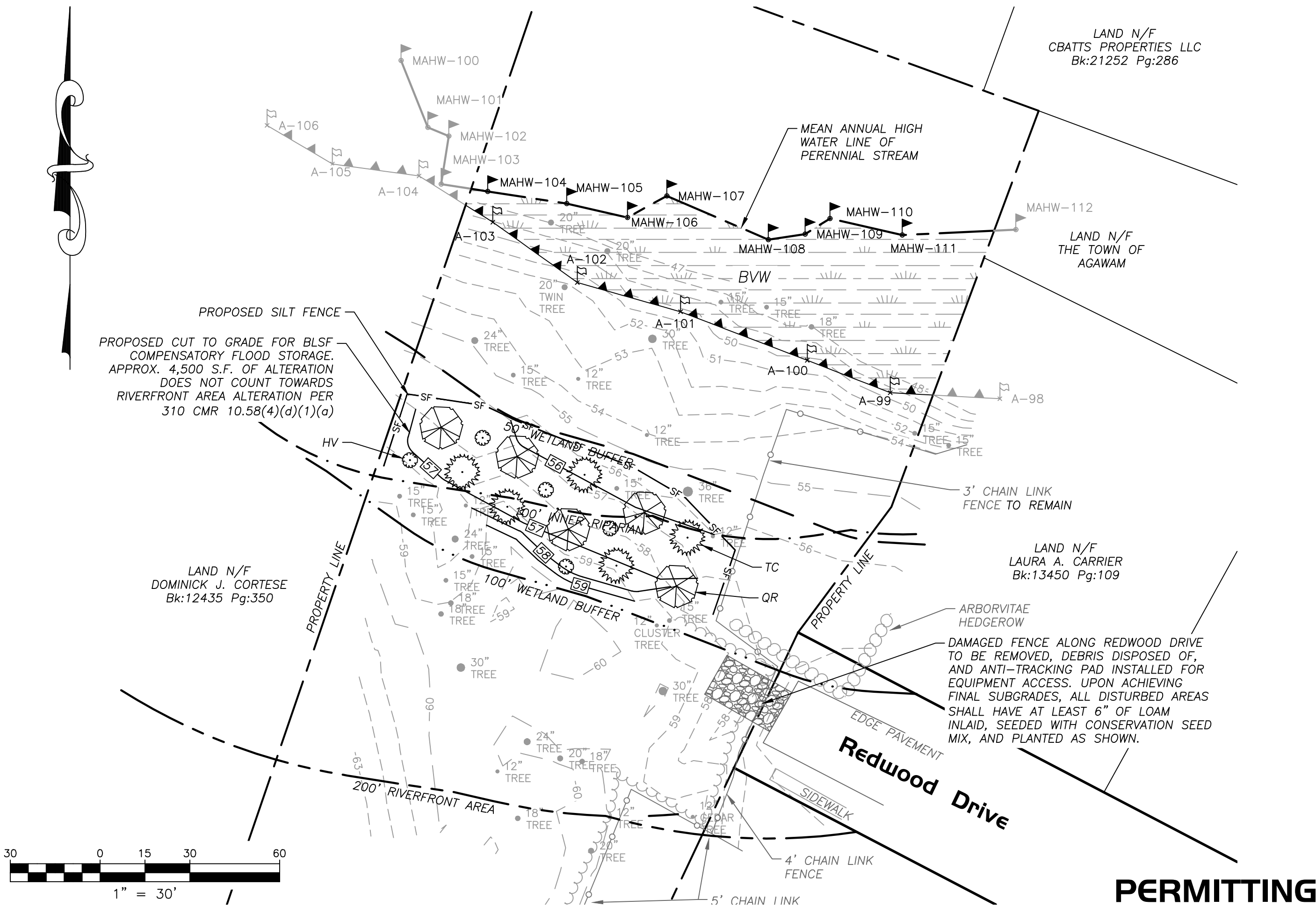
LOCUS

SCALE: 1"=500'

248 RIVER ROAD - PROPOSED ADDITION



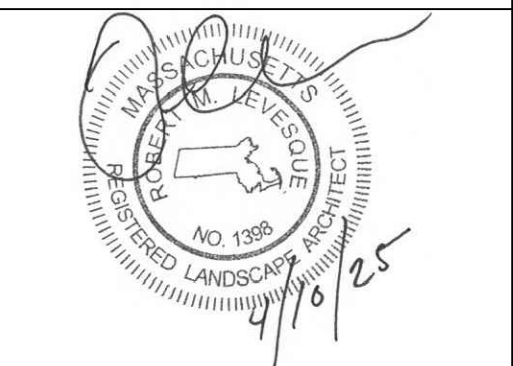
56 FOREST RIDGE LANE - PROPOSED COMPENSATORY FLOOD STORAGE



RLA
R LEVESQUE ASSOCIATES INC.
Landscape Architects
Civil Engineers - Land Surveyors
Environmental Consultants
ph: 413.568.0985 fax: 413.568.0986

40 School Street
Westfield, MA 01085
rlaland.com

CONSERVATION FILING PLAN
248 River Road & 56 Forest Ridge Lane
Parcel ID: L6-IO-3 & L6-5-26
Agawam, MA



PREPARED FOR:
Sergey Nakhabenko
248 River Road
Agawam, MA

ISSUANCE DATE: April 10, 2025

REVISIONS:	DATE:

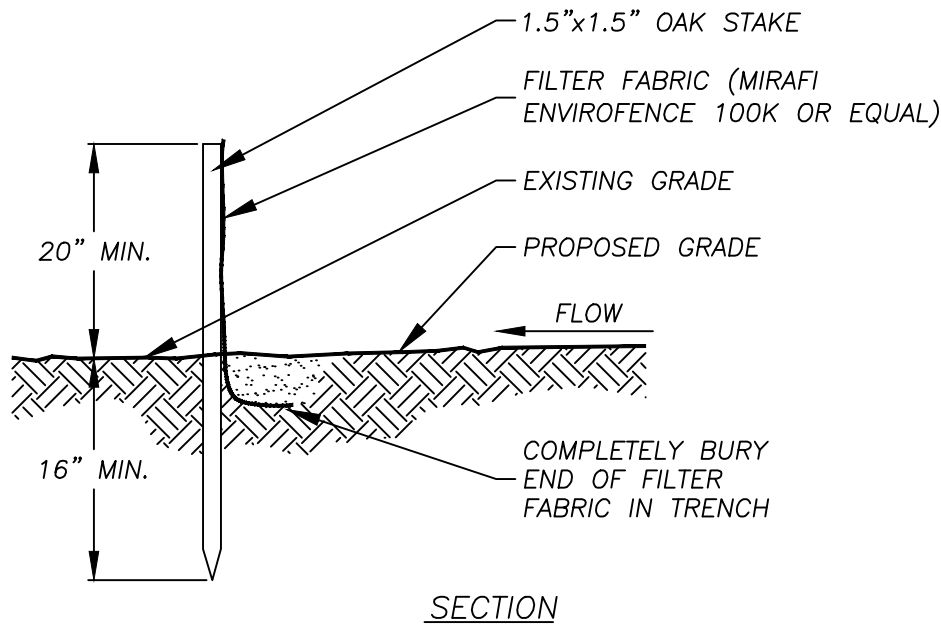
DRAFTED BY: J.L. & R.N.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 240505

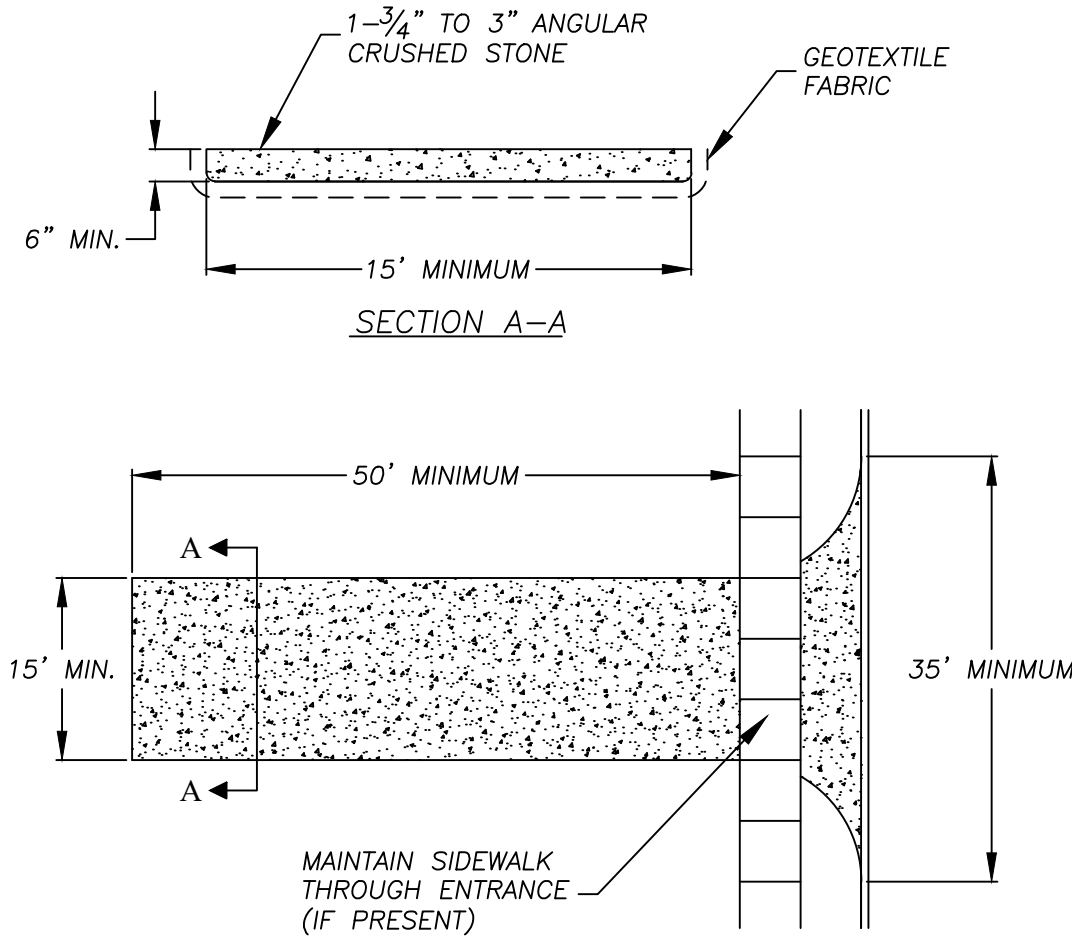
DRAWING#	REV.
W-1	-



SILT FENCE DETAIL
NO SCALE

SILT FENCE INSTALLATION NOTES

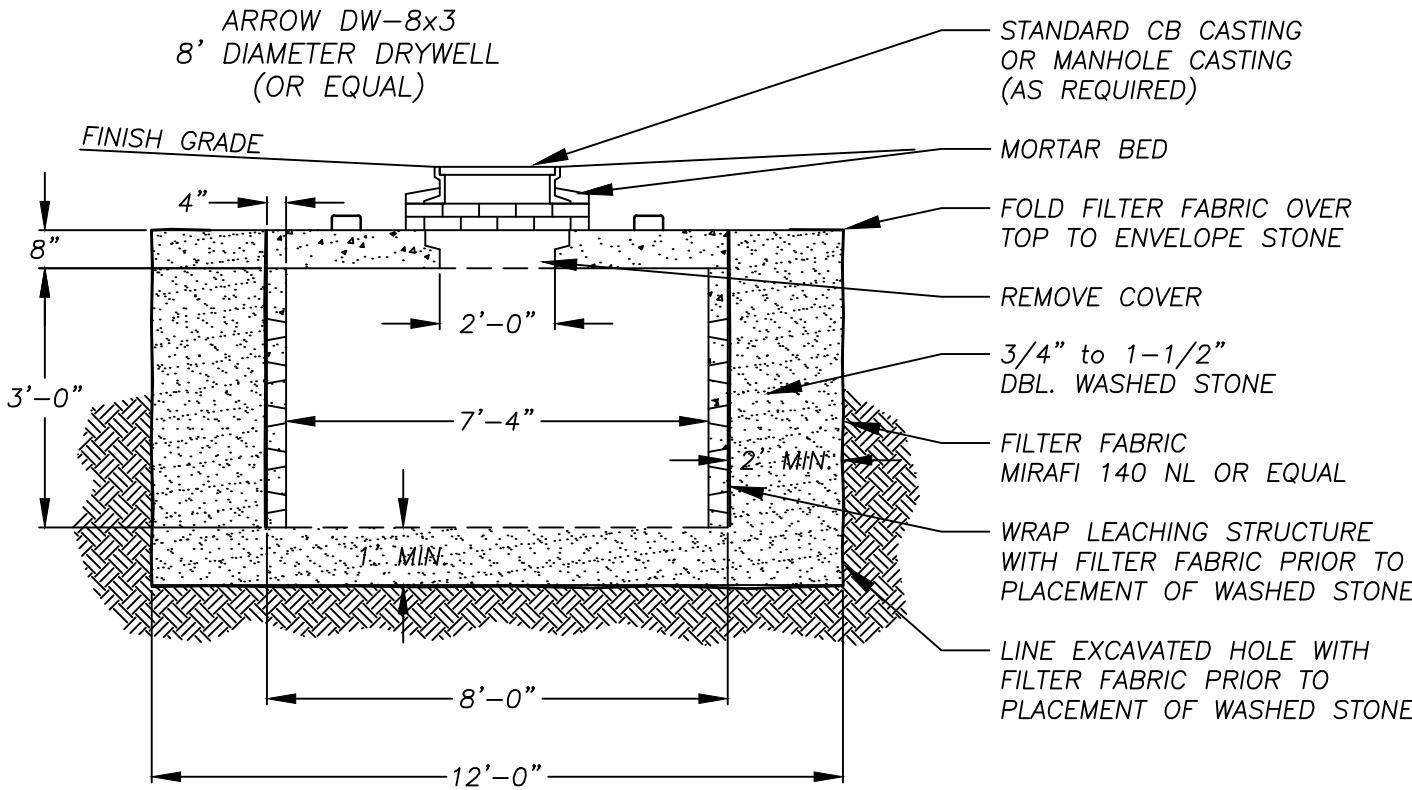
1. THIS SEDIMENT BARRIER UTILIZES MIRAFI ENVIROFENCE (100X) OR EQUAL. IT IS DESIGNED FOR SITUATIONS IN WHICH ONLY SHEET OR OVERLAND FLOWS ARE EXPECTED.
2. THE HEIGHT OF THE BARRIER SHALL NOT EXCEED 36 INCHES (HIGHER BARRIERS MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE OF THE STRUCTURE). IDEALLY THE FILTER FENCE SHALL BE PLACED 10 FEET AWAY FROM THE TOE OF SLOPE.
3. WHEN JOINTS ARE NECESSARY, FILTER FABRICS SHALL BE SPICED TOGETHER ONLY AT A SUPPORT STAKES WITH A MINIMUM 6-INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATION.
4. STAKES SHALL BE SPACED A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND (MINIMUM OF 12 INCHES). IN APPLICATIONS WHERE HEAVY FLOWS ARE EXPECTED SUCH AS IN-STREAM INSTALLATIONS STAKE SPACING SHALL BE PER MANUFACTURER'S RECOMMENDATIONS AND/OR THE ENGINEERS RECOMMENDATIONS.
5. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 6 INCHES WIDE AND 6 INCHES DEEP ALONG THE LINE OF STAKES AND UPSLOPE FROM THE BARRIER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
6. THE PRE ASSEMBLED SILT FENCE SYSTEM SHALL BE UNROLLED, POSITION THE STAKES ON THE DOWNHILL SIDE OF THE TRENCH AND HAMMER THE STAKES AT LEAST 12 INCHES INTO THE GROUND.
7. THE BOTTOM SIX (6) INCHES OF THE FABRIC SHALL BE LAID INTO THE TRENCH TO PREVENT UNDERMINING BY STORM WATER RUNOFF.
8. BACKFILL THE TRENCH OVER THE FILTER FABRIC AND COMPACT SUFFICIENTLY TO PREVENT THE RUNOFF FROM ERODING THE BACKFILL.
9. THE FABRIC SHALL NOT EXTEND MORE THAT 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES OR SUPPORTS OTHER THAN THE STANDARD STAKES.
10. INSTALLED SILT FENCE BARRIERS SHALL BE MAINTAINED ON A REGULAR SCHEDULE WHICH MAY BE PRESCRIBED BY THE LOCAL, STATE OF FEDERAL REGULATORY AUTHORITY; BUT, AT MINIMUM SHALL BE CHECKED WEEKLY AS WELL AS AFTER EACH STORM EVENT. MAINTENANCE SHALL CONSIST OF AN INSPECTION OF THE ENTIRE LENGTH OF THE BARRIER TO DETERMINE IF IT IS FUNCTIONING AS INTENDED. ALL BREAKS, DETACHED FABRIC, SLUMPED FABRIC, CLOGGED FABRIC, AND UNDERMINED AREAS SHALL BE FIXED THE DAY THAT THEY ARE DISCOVERED.
11. WHEN A MAXIMUM OF SIX (6) INCHES OF SEDIMENT HAS ACCUMULATED BEHIND THE SILT FENCE THIS SEDIMENT SHALL BE REMOVED AND THE FENCE SHALL BE INSPECTED FOR TEARS, CLOGGING OF BREAKS. ALL DEFICIENCIES SHALL BE CORRECTED IMMEDIATELY EITHER BY REPAIR OF REPLACEMENT OF THE SILT FENCE BARRIER AND/OR STAKES AS NEEDED.
12. SILT FENCE BARRIERS SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN CLEANED OF SILT AND PERMANENTLY STABILIZED.



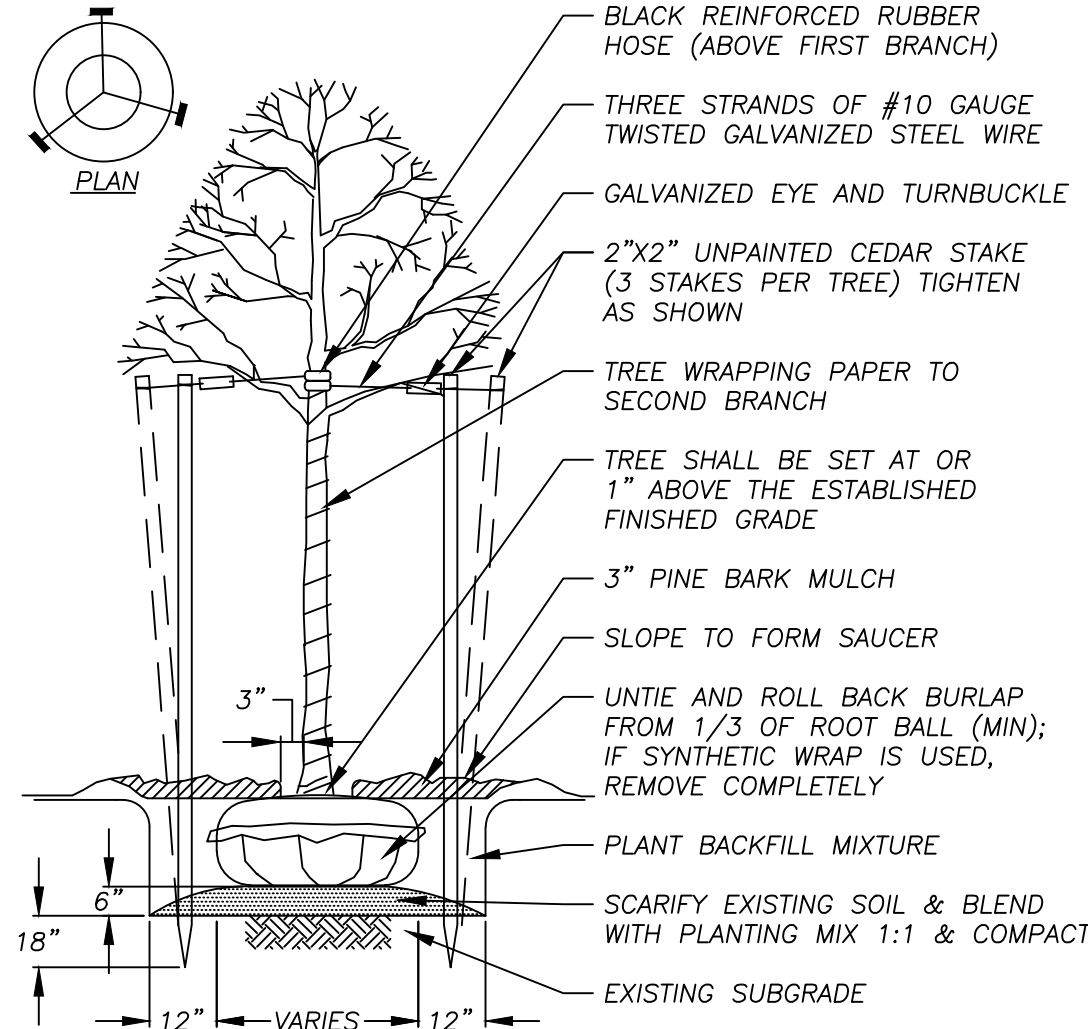
NOTES

1. EACH SITE ENTRANCE IS TO HAVE A TEMPORARY CONSTRUCTION ENTRANCE.
2. STONE IS TO BE 1-3/4" TO 3" ANGULAR CRUSHED STONE.
3. PLACE GEOTEXTILE OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
4. ANY SEDIMENT TRACKED INTO THE ROADWAY NEEDS TO BE CLEANED IMMEDIATELY.
5. ADDITIONAL STONE IS TO BE ADDED TO THE PAD AS NEEDED TO MAINTAIN THE ORIGINAL DEPTH.
6. ANY SIDEWALK DAMAGED DURING CONSTRUCTION MUST BE REPLACED AT THE CONTRACTORS/DEVELOPERS EXPENSE.
7. SIDEWALK MUST REMAIN PASSABLE. IF THE SIDEWALK BECOMES UNSAFE OR IMPASSABLE, A TEMPORARY SIDEWALK/ SIDEWALK DETOUR MUST BE PROVIDED.

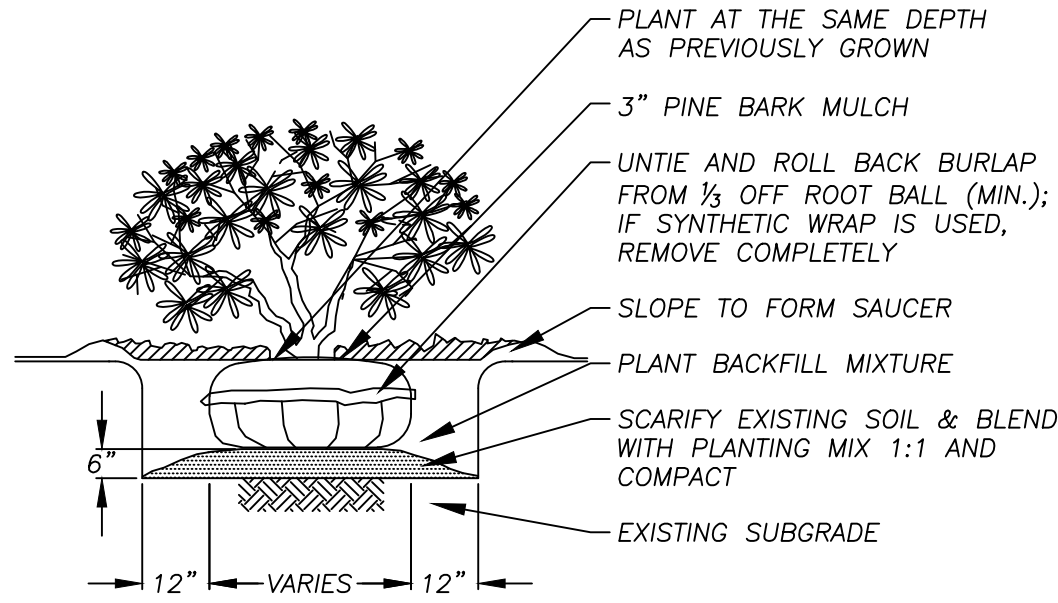
ANTI-TRACKING APRON (AS REQ'D)
NO SCALE



PRECAST CONCRETE DRYWELL DETAIL
NO SCALE



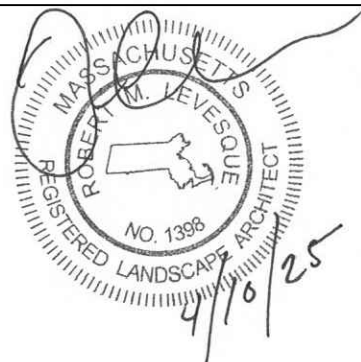
TREE PLANTING DETAIL
NO SCALE



SHRUB PLANTING DETAIL
NO SCALE

CONSERVATION FILING PLAN

248 River Road & 56 Forest Ridge Lane
Parcel ID: L6-IO-3 & L6-5-26
Agawam, MA



PREPARED FOR:

Sergey Nakhabenko
248 River Road
Agawam, MA

ISSUANCE DATE: April 10, 2025

REVISIONS:	DATE:

DRAFTED BY: J.L. & R.N.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 240505

DRAWING#	REV.
W-2	-

PERMITTING
NOT FOR CONSTRUCTION



Kevin Duquette
Inspector of Buildings
inspections@agawam.ma.us

Town of Agawam
Inspection Services Department
1000 Suffield Street, Agawam, Massachusetts 01001
Telephone - (413) 821-0632

May 1, 2025

To: Office of Planning and Community Development:

Re: Conservation Commission Meeting May 8, 2025- Meeting Comments- 248 River Road & 56 Forest Ridge Lane;

Inspection Services has no zoning issues or concerns for the proposed project for the above referenced addresses.

Inspection Services does have the following general comments to provide for the project;

- Per Chapter #180-69 (D) of the Town's zoning ordinances, the proposed building additions located at 248 River Road will require a special permit from the Zoning Board of Appeals.
- If the addition project is verified to be a "Substantial Improvement" for the property located at 248 River Road, per Mass State Building code 780 CMR Section R105.3.1.1- the newly constructed portions of the dwelling and some of the existing dwelling structure areas will need to be constructed and or raised two feet (2') above the base flood elevation. With the structure above the base flood elevation, required compensatory storage areas can be considered a non-requirement and or a waived requirement for this project.

See attached for referenced sections.

Respectfully,

Kevin Duquette

Kevin Duquette
Inspector of Buildings
Town of Agawam

§ 180-69 Permitted Uses- D. Dwellings lawfully existing prior to the adoption of these provisions; however, no building permits for substantial improvements or extensions shall be granted unless a special permit is granted by the Board of Appeals.

R105.3.1.1 Determination of Substantially Improved or Substantially Damaged Existing Buildings in Flood Hazard Areas and Coastal Dunes. For applications for reconstruction, rehabilitation, addition, alteration, repair or other improvement of existing buildings or structures located in a flood hazard area or coastal dune as established by section R322.1.1, the building official shall examine or cause to be examined the construction documents and shall make a determination with regard to the value of the proposed work.... If the building official finds that the value of proposed work equals or exceeds 50% of the market value of the building or structure.... the proposed work is a substantial improvement....and the building official shall require existing portions of the entire building or structure to meet the requirements of section R322. For the purpose of this determination, a substantial improvement shall mean any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50% of the market value of the building or structure before the improvement or repair is started.

R322.1.4 Establishing the Design Flood Elevation. The design flood elevation in Massachusetts shall be as follows: “For A Zones, the design flood elevation shall be the base flood elevation plus two feet”....

R322.1 General. The construction documents shall include documentation that is prepared and sealed by a registered design professional that the design and methods of construction to be used meet the applicable criteria of this section.



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE
436 DWIGHT STREET, SPRINGFIELD, MA 01103 413-784-1100

MAURA T. HEALEY
Governor

REBECCA L. TEPPER
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

BONNIE HEIPLE
Commissioner

DATE: May 7, 2025

Municipality AGAWAM
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant: SERGE NAKHABENKO
Address: 242 RIVER RD.
AGAWAM, MA 01001

Owner: SERGE; BRYAN NAKHABENKO; HUNT
Address: 248 RIVER RD.; 56 FOREST RIDGE LN.
AGAWAM, MA, 01001

LOCUS: 248 RIVER RD. & 56 FOREST RIDGE LN.

This project has been assigned the following file # : WE 087-0706

A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.

Although a file # is being issued, please note the following:

[1] The applicant's representative should contact NHESP to see if the removal of invasive species and debris requires a MESA filing.

[2] The commission needs to determine if by the removal of fill from 256 Forest Ridge, the flood waters will have an unrestricted hydrologic connection to the River. Timing of flood waters will certainly be different between the two sites and the commission needs to make sure that elevation 55 is found all the way from 256 Forest Ridge to the CT River, to ensure there is an unrestricted connection.

[3] Regarding the Riverfront improvement and mitigation, one should not be taking credit for trash and debris removal on a single family house lot. This is a single family house constructed around 1900, not a commercial building in the Riverfront. As for invasive species removal, no information was submitted in the NOI as to the extent and type of the invasive species. Typically this reviewer frowns upon invasive species removal as an improvement over existing conditions or as mitigation because if not monitored in perpetuity, invasive species will likely return. This is even more likely where you have a flood plain adjacent to the River where large storm events may wash out native species and create bare soil such that it becomes a prime target for invasives to return. It will likely also happen where you have an abundance of invasives upgradient of the site. Mitigation can be done offsite and this

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

 <http://www.mass.gov/dep>
Printed on Recycled Paper

SERGE NAKHABENKO
242 RIVER RD.
AGAWAM, MA 01001

reviewer recommends the commission spend some time reviewing this issue but still require an improvement over existing conditions on this parcel.

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-961-9583

Cc: Agawam Conservation Commission, TOWN HALL, 36 MAIN STREET, Agawam, MA, 01001
Natural Heritage & Endangered Species Program, Div of Fisheries & Wildlife Route 135, North Drive,
Westborough, MA, 01581

Owner: SERGE; BRYAN NAKHABENKO; HUNT, 248 RIVER RD.; 56 FOREST RIDGE LN., AGAWAM, MA,
01001

Representative: R. LEVESQUE ASSOCIATES, INC., 40 SCHOOL STREET, WESTFIELD, MA, 01085

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

 <http://www.mass.gov/dep>
Printed on Recycled Paper



Town of Agawam

Department Of Public Works

DPW
1000 Suffield Street
Agawam, MA 01001
Phone: 413-821-0600
Fax: 413-821-0631

MEMORANDUM

To: Conservation Commission
CC: File
From: Engineering Division
Date: May 8, 2025
Subject: CC 388 – NOI – #248 River Road & #56 Forest Ridge Lane

Per your request, we have reviewed the Notice of Intent for the proposed addition to the single-family house at #248 River Road and the associated compensatory flood storage to be located at #56 Forest Ridge Lane; prepared by R Levesque Associates, Inc; dated April 24, 2025. Based on our review, Engineering has the following comments:

1. Despite the project not being subject to the MassDEP Stormwater Management Standards, Engineering recommends that a stipulation be included within the Order of Conditions requiring an annual inspection of the proposed dry wells to ensure they are functioning correctly.

Engineering reserves the right to make additional comments as new information is submitted. If you have any questions, please do not hesitate to contact this division.

Sincerely,

Michelle C. Chase, P.E.
Town Engineer

Michael F. Albro, P.E.
Assistant Town Engineer

Taryn Egerton

From: Stinson, Mark (DEP) <mark.stinson@mass.gov>
Sent: Tuesday, May 20, 2025 2:09 PM
To: Taryn Egerton; RobL@rlaland.com; NinaF@rlaland.com
Subject: FW: MESA Filing ?

FYI

From: Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Sent: Tuesday, May 20, 2025 1:58 PM
To: Stinson, Mark (DEP) <mark.stinson@mass.gov>
Subject: RE: MESA Filing ?

Sorry for the delay, this fell to the bottom of my inbox and got buried. Looking at the plans it's pretty tight for them to stay out of PH with that 150sf addition on the back. I am looking at the aerial and it looks like it's in a lawn area anyway so likely MESA exempt.

However, the 'Area to be Removed of Debris and Invasive Plant Species By Hand' needs to be submitted for review. Not having photos I have no idea what that area looks like but we'd need to review this portion of the work. It may qualify as a Habitat Management Exemption project but we'd have to get the filing to take a look and see what condition it's in and what exactly they're proposing.

From: Stinson, Mark (DEP) <mark.stinson@mass.gov>
Sent: Thursday, May 8, 2025 8:20 AM
To: Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Subject: RE: MESA Filing ?

Sorry, Agawam along the CT River

From: Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Sent: Wednesday, May 7, 2025 4:13 PM
To: Stinson, Mark (DEP) <mark.stinson@mass.gov>
Subject: RE: MESA Filing ?

Nothing in our system under those street addresses. What town is this?

From: Stinson, Mark (DEP) <mark.stinson@mass.gov>
Sent: Wednesday, May 7, 2025 12:18 PM
To: Cheeseman, Melany (FWE) <Melany.Cheeseman@mass.gov>
Subject: MESA Filing ?

NOI submitted for an addition in RFA and BLSF. 248 RIVER RD. & 56 FOREST RIDGE LN.

Rare species along and up Riverbank



May 22, 2025

Via email: TEgerton@agawam.ma.us

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
36 Main Street
Agawam, MA 01001

**RE: Response to Town of Agawam Departmental Review Comments
Proposed Single-Family Addition & Compensatory Flood Storage
248 River Rd. & 56 Forest Ridge Ln.
Agawam, MA 01085
(Map: L6 Parcels: 10/3 & 5/26)**

Dear Chairman Kozloski & Commissioners:

On behalf of the applicant, Serge Nakhabenko, R Levesque Associates, Inc. is providing this response letter to department review comments issued for the above-referenced project. The review comment is presented below in italic text, followed by an RLA Response presented below in blue, boldface text. The comment number and format are consistent with the original document for ease of review.

Inspection Services – Kevin Duquette, Inspector of Buildings

Inspection Services has no zoning issues or concerns for the proposed project for the above referenced addresses.

RLA Response: Understood.

Inspection Services does have the following general comments to provide for the project;

- Per Chapter #180-69 (D) of the Town's zoning ordinances, the proposed building additions located at 248 River Road will require a special permit from the Zoning Board of Appeals.

RLA Response: A Special Permit application will be filed with the Zoning Board of Appeals.

- If the addition project is verified to be a "Substantial Improvement" for the property located at 248 River Road, per Mass State Building code 780 CMR Section R105.3.1.1- the newly constructed portions of the dwelling and some of the existing dwelling structure areas will need to be constructed and or raised two feet (2') above the base flood elevation. With the structure above the base flood elevation, required

A LAND PLANNING SERVICES COMPANY

R LEVESQUE ASSOCIATES, INC.

40 School Street, Westfield, MA 01085 p

413.568.0985 · f 413.568.0986 · www.rlaland.com



compensatory storage areas can be considered a non-requirement and or a waived requirement for this project.

RLA Response: The proponent will plan to raise the existing house and additions as required. Compensatory storage will still be required for the proposed project based on the displacement of Bordering Land Subject to Flooding (BLSF).

Engineering Division – Michelle C. Chase, P.E, Town Engineer & Michael F. Albro, P.E., Assistant Town Engineer

- 1. Despite the project not being subject to the MassDEP Stormwater Management Standards, Engineering recommends that a stipulation be included within the Order of Conditions requiring an annual inspection of the proposed dry wells to ensure they are functioning correctly.*

RLA Response: Understood.

Should you have any questions or comments regarding the information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,

R LEVESQUE ASSOCIATES, INC

Robert M. Levesque, RLA, ASLA
President

A LAND PLANNING SERVICES COMPANY



May 22, 2025

Via email: TEgerton@agawam.ma.us

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
36 Main Street
Agawam, MA 01001

**RE: Response to DEP Comments (DEP File #087-0706)
Proposed Single-Family Addition & Compensatory Flood Storage
248 River Rd. & 56 Forest Ridge Ln.
Agawam, MA 01085
(Map: L6 Parcels: 10/3 & 5/26)**

Dear Chairman Kozloski & Commissioners:

On behalf of the applicant, Serge Nakhabenko, R Levesque Associates, Inc. is providing this response letter to MassDEP review comments issued for the above-referenced project. The review comment is presented below in italic text, followed by an RLA Response presented below in blue, boldface text. The comment number and format are consistent with the original document for ease of review.

[1] The applicant's representative should contact NHESP to see if the removal of invasive species and debris requires a MESA filing.

RLA Response: A MESA Project Review will be submitted with the revised site plan and proof of submission will be supplied.

[2] The commission needs to determine if by the removal of fill from 256 Forest Ridge, the flood waters will have an unrestricted hydrologic connection to the River. Timing of flood waters will certainly be different between the two sites and the commission needs to make sure that elevation 55 is found all the way from 256 Forest Ridge to the CT River, to ensure there is an unrestricted connection.

RLA Response: The proposed compensatory storage at 256 Forest Ridge is located immediately adjacent to the flood zone and a hydrologic connection exists along a stream and topographic low point between Florida Drive and Redwood Drive which drains directly to the CT River. There is a culvert beneath River Road that provides a connection for this stream corridor in which flood waters can migrate.

[3] Regarding the Riverfront improvement and mitigation, one should not be taking credit for trash and

A LAND PLANNING SERVICES COMPANY

R LEVESQUE ASSOCIATES, INC.

40 School Street, Westfield, MA 01085 p

413.568.0985 · f 413.568.0986 · www.rlaland.com



debris removal on a single family house lot. This is a single family house constructed around 1900, not a commercial building in the Riverfront. As for invasive species removal, no information was submitted in the NOI as to the extent and type of the invasive species. Typically this reviewer frowns upon invasive species removal as an improvement over existing conditions or as mitigation because if not monitored in perpetuity, invasive species will likely return. This is even more likely where you have a flood plain adjacent to the River where large storm events may wash out native species and create bare soil such that it becomes a prime target for invasives to return. It will likely also happen where you have an abundance of invasives upgradient of the site. Mitigation can be done offsite and this reviewer recommends the commission spend some time reviewing this issue but still require an improvement over existing conditions on this parcel.

RLA Response: The applicant is proposing to remove invasive plant species, which will be cut by hand and removed offsite, as one of the improvements over existing conditions. In order to alleviate the reviewer's concerns, we suggest the commission condition a period of time in which invasive plant species should be kept under control. Additionally, the proposed project includes the installation of subsurface drywells to capture and infiltrate stormwater runoff from the structure. Mass DEP Stormwater management standards do not apply to single-family home projects and therefore this stormwater control exceeds what is required by the regulations and thus should be considered an improvement over existing conditions.

Should you have any questions or comments regarding the information, please contact our office at RyanN@rlaland.com

Sincerely,

R LEVESQUE ASSOCIATES, INC

Robert M. Levesque, RLA, ASLA
President

cc: MassDEP WERO

A LAND PLANNING SERVICES COMPANY

NOTES

1. THE RECORD OWNER OF 248 RIVER ROAD IS SERGE NAKHABENKO. SEE HAMPDEN COUNTY REGISTRY OF DEEDS LAND COURT CERTIFICATE #40775. THE RECORD OWNER OF 56 FOREST RIDGE LANE IS BRYAN A HUNT. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 10888 PAGE 523.
2. THE PROPERTY LINES FOR 248 RIVER ROAD SHOWN HEREON ARE BASED UPON A PLAN TITLED, "SUBDIVISION OF LOT B2 SHOWN ON PLAN 11096-B FILED WITH CERT. OF TITLE NO. 1776 REGISTRY DISTRICT OF HAMPDEN COUNTY LAND IN AGAWAM" PREPARED BY COBB, BEESLEY, & MILES, ENG'RS., DATED AUG. 1942. SEE HAMPDEN COUNTY REGISTRY OF DEEDS LAND COURT PLAN 11096-C. AND AN R LEVESQUE ASSOCIATES SURVEY CONDUCTED ON 02-11-2025. THE PROPERTY LINES FOR 56 FOREST RIDGE LANE SHOWN HEREON ARE BASED UPON A PLAN TITLED, "DEFINITIVE SUBDIVISION PLANS FOREST RIDGE ESTATES AGAWAM, MASS.," PREPARED BY PHARMER ENGINEERING CORPORATION, DATED APR. 21, 1988. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK OF PLANS 261 PAGES 117-129.
3. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
4. THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PERMITTING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
5. 248 RIVER ROAD CONTAINS 12,196± S.F. 56 FOREST RIDGE LANE CONTAINS 127,170 S.F.
6. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
7. WETLAND RESOURCE AREAS DELINEATED BY R LEVESQUE ASSOCIATES ON 02-11-2025 AND 03-03-2025.
8. THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R LEVESQUE ASSOCIATES, INC. ON 02-11-2025.
9. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AVAILABLE RECORD DATA, AGAWAM MA WEB GIS AND, R LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
10. ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM WEB GIS.
11. 248 RIVER ROAD IS ZONED RESIDENCE A-2 AND 56 FOREST RIDGE LANE IS ZONED AGRICULTURAL ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
12. THE SUBJECT PARCELS ARE LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25030411E - EFFECTIVE DATE: 07-16-2013, IN ZONE AE WITH A BASE FLOOD ELEVATION OF 57.9'.
13. A PORTION OF 248 RIVER ROAD IS LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

ZONING REVIEW - 248 River Road - Residence A-2 (RA2)

TYPE (MINIMUM)	REQUIRED	EXISTING	PROPOSED
AREA	15,000 FT²	12,196± FT²	12,196± FT²
FRONTAGE	110 FT	78.08 FT	78.08 FT
FRONT YARD	30 FT	60± FT	36± FT
SIDE YARD	15 FT	15± FT	15± FT
REAR YARD	20 FT	58± FT	53± FT
HEIGHT (MAX)	35 FT (2.5 STORIES)	(1.5 STORIES)	(1.5 STORIES)
BUILDING COVERAGE (MAX)	40%	±10%	±20%

BLSF IMPACTS

ELEVATION (FT)	PROPOSED BLSF DISPLACEMENT AT 248 RIVER RD (C.Y.)	PROPOSED BLSF COMPENSATORY STORAGE AT 56 FOREST RIDGE LN (C.Y.)	NET SURPLUS OF COMPENSATORY FLOOD STORAGE (C.Y.)
55-56	9±	12±	3±
56-57	69±	69±	0±
57-57.9	53±	105±	52±
TOTAL	131±	186±	55±

RIVERFRONT AREA

RIVERFRONT AREA ON PROPERTY	12,196± S.F.
EXISTING DEGRADED RIVERFRONT AREA ON PROPERTY	3,303± S.F.
DEGRADED RIVERFRONT AREA UNDER PROPOSED CONDITIONS	4,007± S.F.
NEW ALTERATION WITHIN RIVERFRONT AREA	704± S.F.
RIVERFRONT AREA MITIGATION REQUIRED AT 2:1 RATE	1,408± S.F.
PROPOSED RIVERFRONT AREA MITIGATION	1,545± S.F.

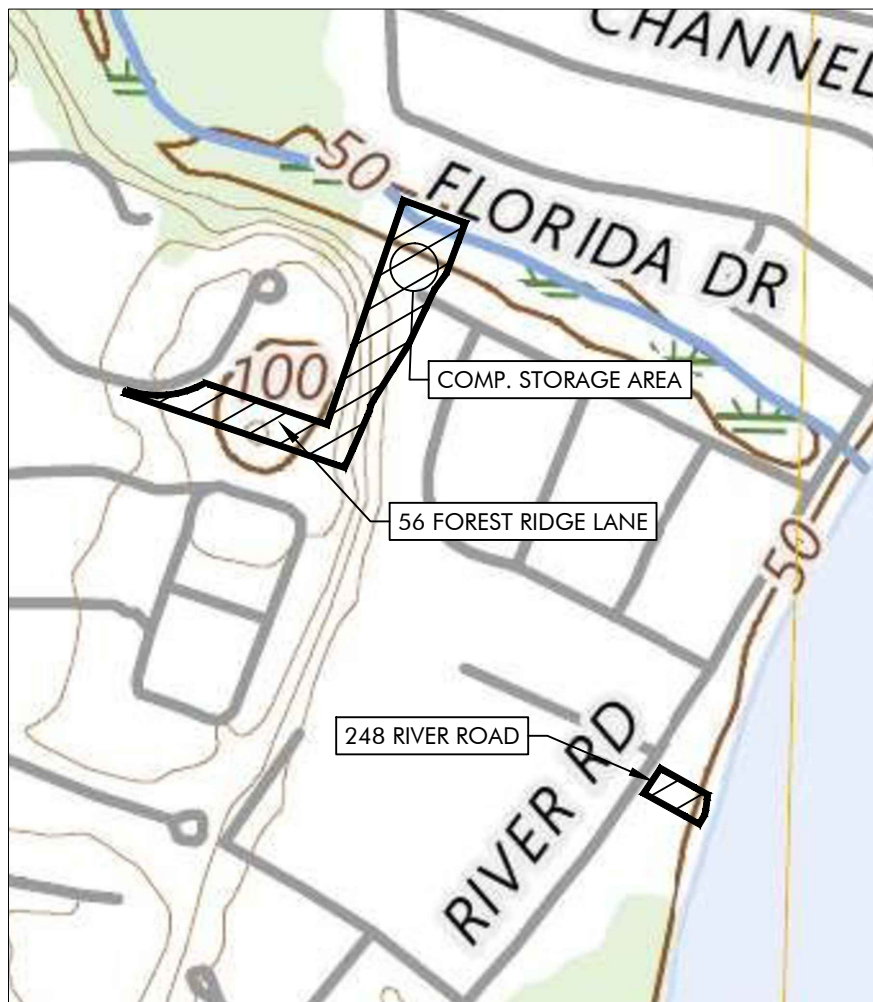
* Per 310 CMR 10.58(4)(d)(1)(a) Compensatory storage does not count towards riverfront area alteration

NOTE:

Per riverfront area performance standards, the improvement over existing conditions shall be met through excess mitigation provided, and implementation of voluntary stormwater management features.

PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
QR	6	QUERCUS RUBRA	RED OAK	2-2.5" CAL.
TC	6	TSUGA CANADENSIS	HEMLOCK	2-2.5" CAL.
HV	7	HAMAMELIS VIRGINIANA	WITCH HAZEL	2-2.5" CAL.



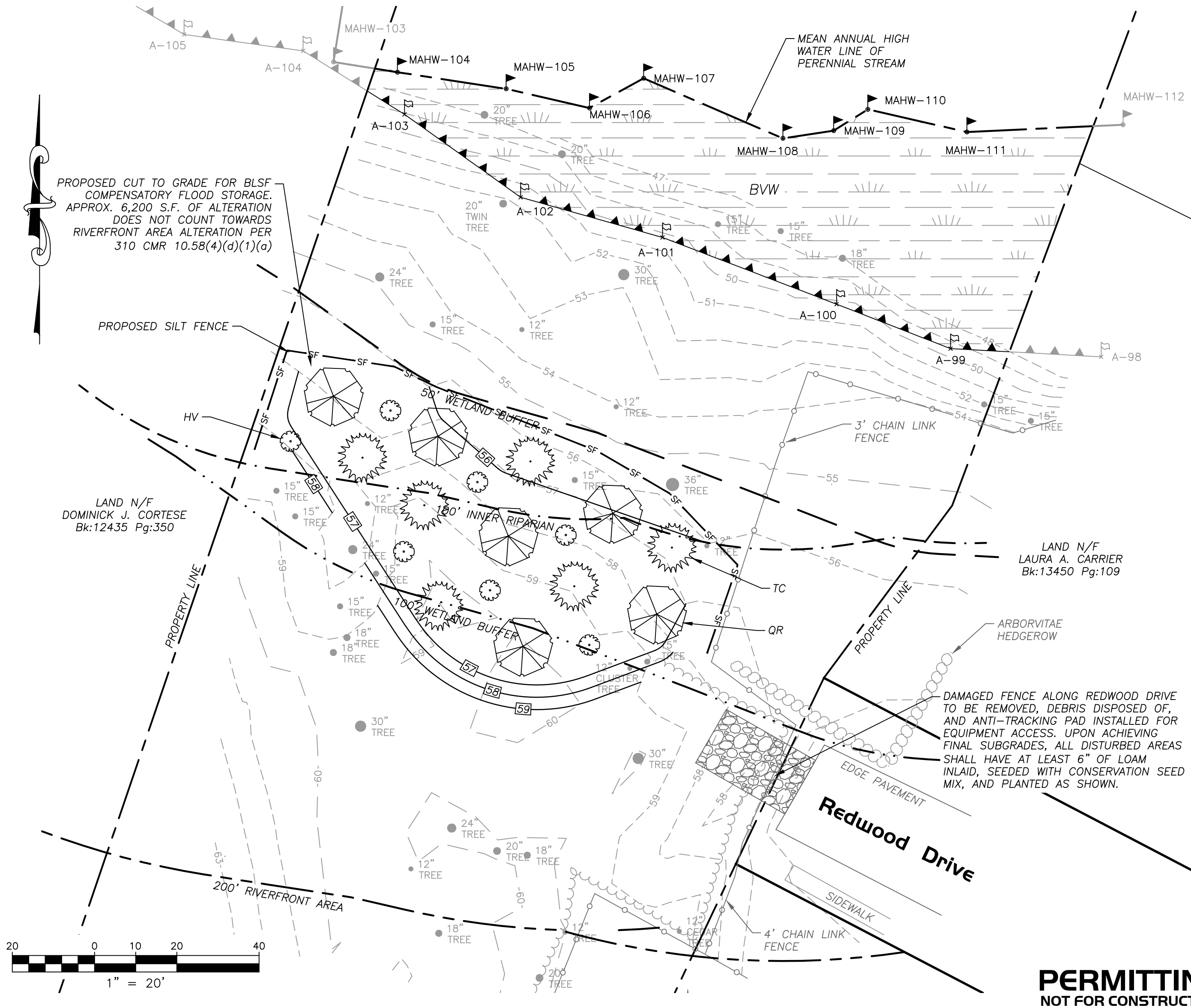
LOCUS

SCALE: 1"=500'

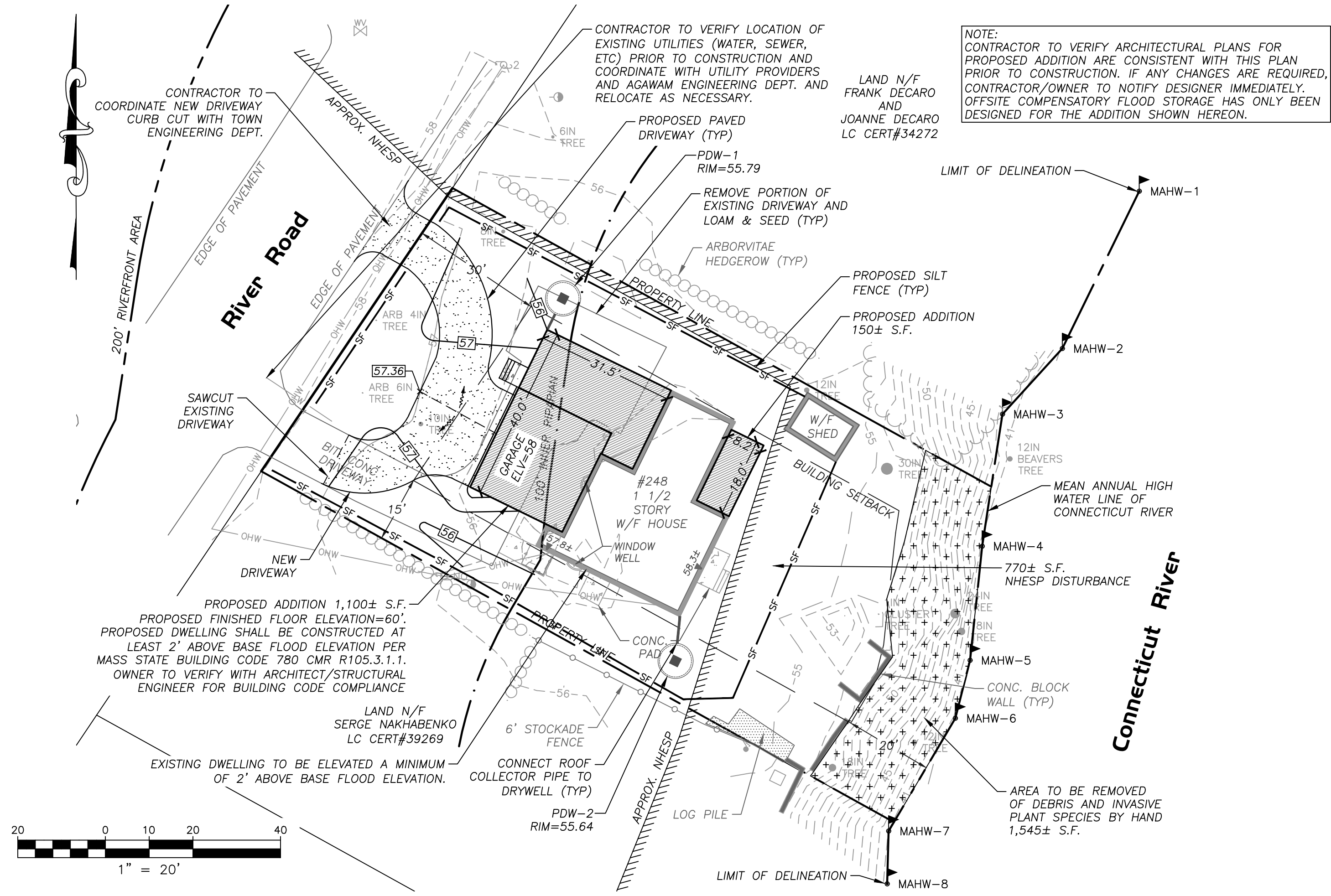
NOTE:

PROPOSED DWELLING SHALL BE CONSTRUCTED AT LEAST 2' ABOVE BASE FLOOD ELEVATION PER MASS STATE BUILDING CODE 780 CMR R105.3.1.1. OWNER TO VERIFY WITH ARCHITECT/STRUCTURAL ENGINEER FOR BUILDING CODE COMPLIANCE. EXISTING DWELLING TO BE ELEVATED A MINIMUM OF 2' ABOVE BASE FLOOD ELEVATION.

56 FOREST RIDGE LANE - PROPOSED COMPENSATORY FLOOD STORAGE

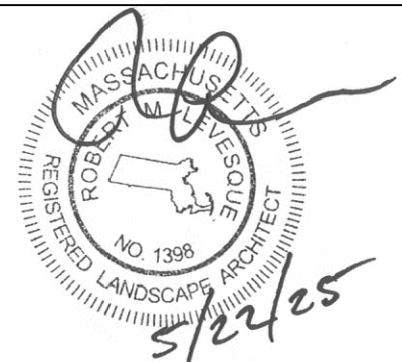


248 RIVER ROAD - PROPOSED ADDITION



CONSERVATION FILING PLAN

248 River Road & 56 Forest Ridge Lane
Parcel ID: L6-IO-3 & L6-5-26
Agawam, MA



PREPARED FOR:

Sergey Nakhabenko
248 River Road
Agawam, MA

ISSUANCE DATE: April 10, 2025

REVISIONS: DATE:
A. House elevation 5/22/25

DRAFTED BY: J.L. & R.N.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 240505

DRAWING# REV.

W-1

A

PERMITTING
NOT FOR CONSTRUCTION

May 27, 2025

Mr. Henry Kozloski, Chair
Town of Agawam Conservation Commission
750 Cooper Street
Agawam, MA 01001

Re: Notice of Intent – Single Family Home
1014 North Street Extension
Feeding Hills, Massachusetts 01030
(Map D13, Block 2, Parcel 10)
DEP File # 087-0684
Third Party Review-Supplemental Review 3

Dear Mr. Kozloski and Commissioners:

Per your request, Stockman Associates LLC performed a wetland consultant peer review of the Notice of Intent (NOI) submitted by Michael Mocko Environmental Consultant on behalf of their client, VIP Homes & Associates LLC, for the proposed construction of a single-family home. The proposed project impacts protected Bordering Vegetated Wetland.

Materials Reviewed

- Revised May 8, 2025 site plan entitled "*Conservation Filing Plan 1014 North Street Extension Parcel ID# D13 2 10 Feeding Hills, MA*" prepared by R Levesque Associates Inc.
- BVW Delineation Forms prepared by Michael Mocko Environmental dated April 27, 2025.

Site Visit

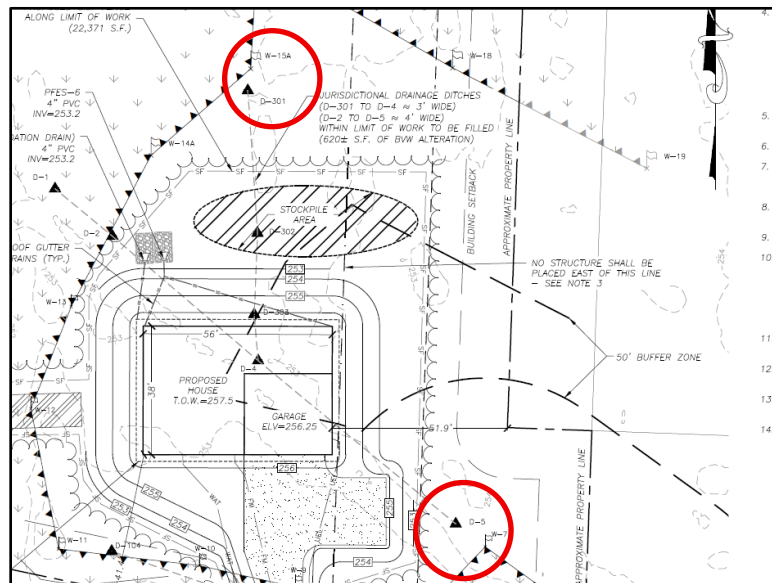
- Stockman Associates LLC performed a site visit on May 20, 2025. Also present were Mike Mocko (Mocko Environmental), Robin Mocko (Mocko Environmental), Henry Kozloski (ACC), Frank Meagher (ACC), and Page Fallon (ACC). Magda Galiatsos (ACC) was also present for a portion of the site visit.

Review Findings

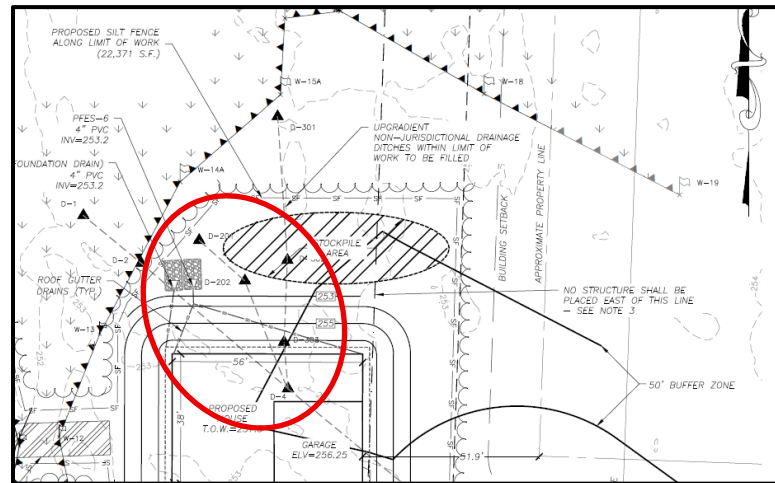
Resource Area Boundaries

- 1) Stockman Associates concurs with the delineation of the BVW boundaries depicted on the revised May 8, 2025 site plan entitled "*Conservation Filing Plan 1014 North Street Extension Parcel ID# D13 2 10 Feeding Hills, MA*" prepared by R Levesque Associates Inc. as described below:
 - a. Stockman Associates concurs with the BVW boundaries demarcated by flags W1-3, W1-2, W1-1, W-1, W-2, W-3, W-5, W-7 through and including W-13, W-14A, W-15A, W-16A, W-17A, W-18, W101B, W102B, W102, W103B, W104B, W-105, W-106, W-107, W-301, W-302, W-303, and W-304.

- b. Stockman Associates concurs that the historic “drainage ditches” meet the criteria for protected BVW.
- i. The BVW boundaries associated with the historic “drainage ditches “ have not been delineated. Rather, the centerline of the “drainage ditches” were flagged and are depicted on the revised plan with a stated estimated width.
 - ii. The Conservation Commission has the authority to require a BVW boundary delineation.
 - iii. During the site visit, field measurements were taken with all parties present to assess the widths of the historic “drainage ditches.” An average width of 5-FT was determined for the D-2 through D-5 “drainage ditch” BVW. An average width of 4-FT was determined for the D-301 through D-4 “drainage ditch” BVW.
 - iv. Based on observations made in the field, the historic “drainage ditches” extend further than depicted on the May 8, 2025 site plan. Flag D-301 should be extended northerly to connect with BVW flag W-15A. Flag D-5 should be extended southeasterly to connect with BVW flag W-7.



- ii. During the site visit, field measurements were taken with all parties present to assess the width. An average width of 5.6-FT was determined for the D-204 to D-4 historic "drainage ditch" BVW.



Performance Standards & Regulations

Bordering Vegetated Wetland

- 2) Based on the details provided above and discussed with Mocko Environmental during the site visit, impacts to BVW should be recalculated and provided on a revised site plan and updated MA WPA Form 3.
- 3) Proposed access to the BVW replication area is via a temporary timber mat crossing. The applicant should confirm that temporary impacts to BVW have been included in the total proposed impacts to BVW.
- 4) The applicant should confirm that BVW fill associated with proposed culvert armament is included within the BVW impact calculations.
- 5) The original NOI site plan excluded the deed restrictions provided with the updated May 8, 2025 site plan. The application would benefit from a discussion regarding the restrictions associated with Alexander Avenue. For example, the applicant should discuss potential future development of Alexander Avenue. Development of the paper road would result in additional loss of BVW, in excess of 5,000-SF.
- 6) Per 310 CMR 10.55(4)(b), "...the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5000 square feet of Bordering Vegetated Wetland when said area is replaced..." The project has not been proposed as a limited project under 310 CMR 10.53. The applicant must confirm that impacts to BVW do not exceed 5,000-SF.
- 7) Per 310 CMR 10.55(4)(7) (**emphasis added**), "...In the exercise of this discretion, the issuing authority shall consider the magnitude of the alteration and the significance of the project site to the interests identified in M.G.L. c. 131, § 40, the extent to which adverse impacts can be **avoided**, the extent to which adverse impacts are **minimized**, and the extent to which mitigation measures, including replication or restoration, are provided to contribute to the protection of the interests identified in M.G.L. c. 131, § 40."

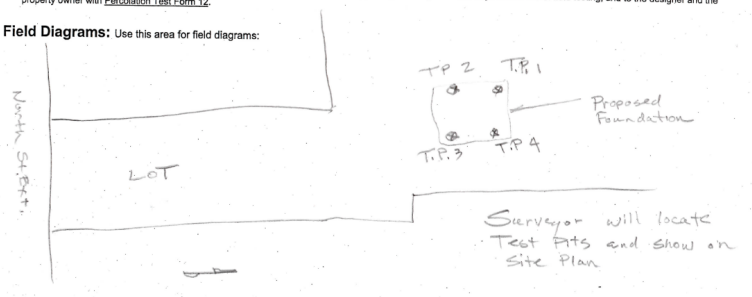
- a. The ADDENDUM TO NARRATIVE dated October 26, 2022 and submitted in response to the October 12, 2022 MA DEP comment letter does not address the supporting documented in the Massachusetts Inland Wetland Replacement Guideline Second Edition, September 2022. Furthermore, the ADDENDUM does not provide an analysis of 310 CMR 10.55(4). Rather, the ADDENDUM asserts conclusions under sections 310 CMR 10.55(4)(a) and (b). Please see peer review comment #6 from the April 20, 2023 letter prepared by Stockman Associates LLC. An updated narrative has not been provided with the current site plan.
- b. At this time, the NOI application lacks an assessment of the proposed impacts to BVW demonstrating that adverse impacts have been avoided and minimized.
 - i. The proposed paved driveway is described as 12-FT width with 3-FT shoulders (18-FT width). Grading associated with the driveway results in further fill within BVW (upwards of approximately 25-FT total width).
 1. The applicant should assess whether the driveway width can be reduced to a minimum legal and practical width acceptable to the planning board.
 2. To reduce impacts to BVW associated with grading the applicant should assess the feasibility of installing retaining walls.
 - ii. The proposed construction includes a 38 x 56-FT single-family house with garage. The application lacks an assessment of minimizing impacts to BVW by reducing the house size, removing the garage, shifting the location, and reducing grading (e.g., installation of retaining walls, etc.)
- 8) Two culverts are proposed where the driveway crosses the BVW, presumably to provide a hydrologic connection between the western and eastern portions of the BVW. The applicant should address the functionality of the culverts (particularly the smaller, 6-IN culvert). A discussion on culvert sizing has not been provided. The original NOI site plan indicated two 12-IN culverts. The smaller, 6-IN culvert will be more susceptible to clogging. Maintenance requirements for the culverts have not been provided.
- 9) A portion of the BVW to be impacted by the driveway contains a historic "*drainage ditch*" (Flags D-101 to D-104). The original NOI site plan indicated a 12-IN culvert at the historic "*drainage ditch*." The current site plan does not depict a culvert within this area. The application would benefit from a discussion regarding the siting of culverts and the extent to which the filling of the historic "*drainage ditch*" BVW adversely minimized flood control and storm damage prevention.
- 10) Per the Massachusetts Inland Wetland Replacement Guideline Second Edition, September 2022, an evaluation of existing BVW conditions and functions should be provided, including but not limited to, the BVW's function in flood control and storm damage prevention. The extent to which the filling of four (4) historic "*drainage ditch*" BVWs adversely minimized flood control and storm damage prevention and how these interests are mitigated/served by the replication area has not been provided.
- 11) Proposed access to the BVW replication area is via a temporary mat. The May site plan states that the BVW is to be restored after the mat is removed. A detailed restoration plan has not been provided.

- 12) Stockman Associates recommends that planting list for the BVW replication area be expanded to address the need for potential substitute species, if needed, due to nursery availability.
- 13) Stockman Associates concurs with the concerns raised in the February 11, 2025 Engineering Review memorandum. The February 13, 2025 response letter from Mocko indicates further review and a site walk. An updated response has not been provided at this time.
- 14) Soil tests performed to assess foundation stability were emailed by Mocko Environmental on September 30, 2023 indicating that the test pit locations would be located by survey. The May 8, 2025 site plan does not depict the location of the soil pits. Based on observations made during the site visit, including the staked corners of the proposed house, soils were not assessed at the current proposed house location but further to the northwest. The proposed house site (foundation) is partially located within three historic "drainage ditch" portions of the BVW. The Commission is encouraged to await review by the Engineering Department prior to closing the hearing. In their February 11, 2025 memorandum the Engineering Department stated concerns that the wetland soils onsite are not structurally sufficient to support the proposed structure.

15.107. *Michael Mocko*
Signature of Soil Evaluator Date 9-14-23
SE 1154
Typed or Printed Name of Soil Evaluator / License # Expiration Date of License 6-30-2025
Michael Aldro Engineering Dept.
Name of Approving Authority Witness Approving Authority

Note: In accordance with 310 CMR 15.018(2) this form must be submitted to the approving authority within 60 days of the date of field testing, and to the designer and the property owner with Percolation Test Form 12.

Field Diagrams: Use this area for field diagrams:



18form11.doc - rev. 3/15/18 Form 11 - Soil Suitability Assessment for On-Site Construction

Buffer Zone

- 15) As stated in 310 CMR 10.53(1), "...For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. The potential for adverse impacts to Resource Areas from work in the Buffer Zone may increase with the extent of the work and the proximity to the Resource Area. The Issuing Authority may consider the characteristics of the Buffer Zone, such as the presence of steep slopes, that may increase the potential for adverse impacts on Resource Areas. Conditions may include limitations on the scope and location of work in the Buffer Zone as necessary to avoid alteration of Resource Areas. The Issuing Authority may require erosion and sedimentation controls during construction, a clear limit of work, and the preservation of natural vegetation adjacent to the Resource Area and/or other measures commensurate with the scope and location of the work within the Buffer Zone to protect the interests of M.G.L. c. 131, § 40..."
- 16) Subsequent to the original NOI submitted in 2022, the identification of protected BVW and the proposed project design have both changed. The most recent submittal to the

Conservation Commission lacked an updated narrative describing the current proposed project and an evaluation of under 310 CMR 10.53(1) as well as 10.55(4).

- 17) The Commission should consider how the removal of mature trees and increase in impervious surface within Buffer Zone will impact the hydrology of the adjacent BVW.
- 18) The Commission should consider the loss of native vegetation associated with the construction of the proposed BVW replication area. The proposed replication area exceeds the size requirement under 310 CMR 10.55(4)(1) and could be reduced to preserve forested Buffer Zone.

Site Plan

- 19) Buffer Zone boundaries should be updated to reflect the revised BVW boundaries. The depicted 50' Buffer Zone shown within the northerly portion of the property does not reflect the historic "drainage ditch" BVWs.
- 20) For clarity, the term "jurisdictional BVW" should be added to the callout for the historic "drainage ditches".
- 21) The original NOI site plan provided a detail on the driveway construction. The revised site plan does not include any details or cross sections. Updated details and cross-sections should be provided on a revised site plan.
- 22) A legend should be added to the site plan.
- 23) Note 3.3 lacks a unit after 25. The note is taken directly from the recorded property deed which also lacks a unit. From the site plan, it is assumed that the distance is 25-FT.
- 24) A construction sequence of work should be provided.
- 25) A dewatering plan should be provided.
- 26) The site plan would benefit from a detail regarding side slope stabilization and culvert installation.

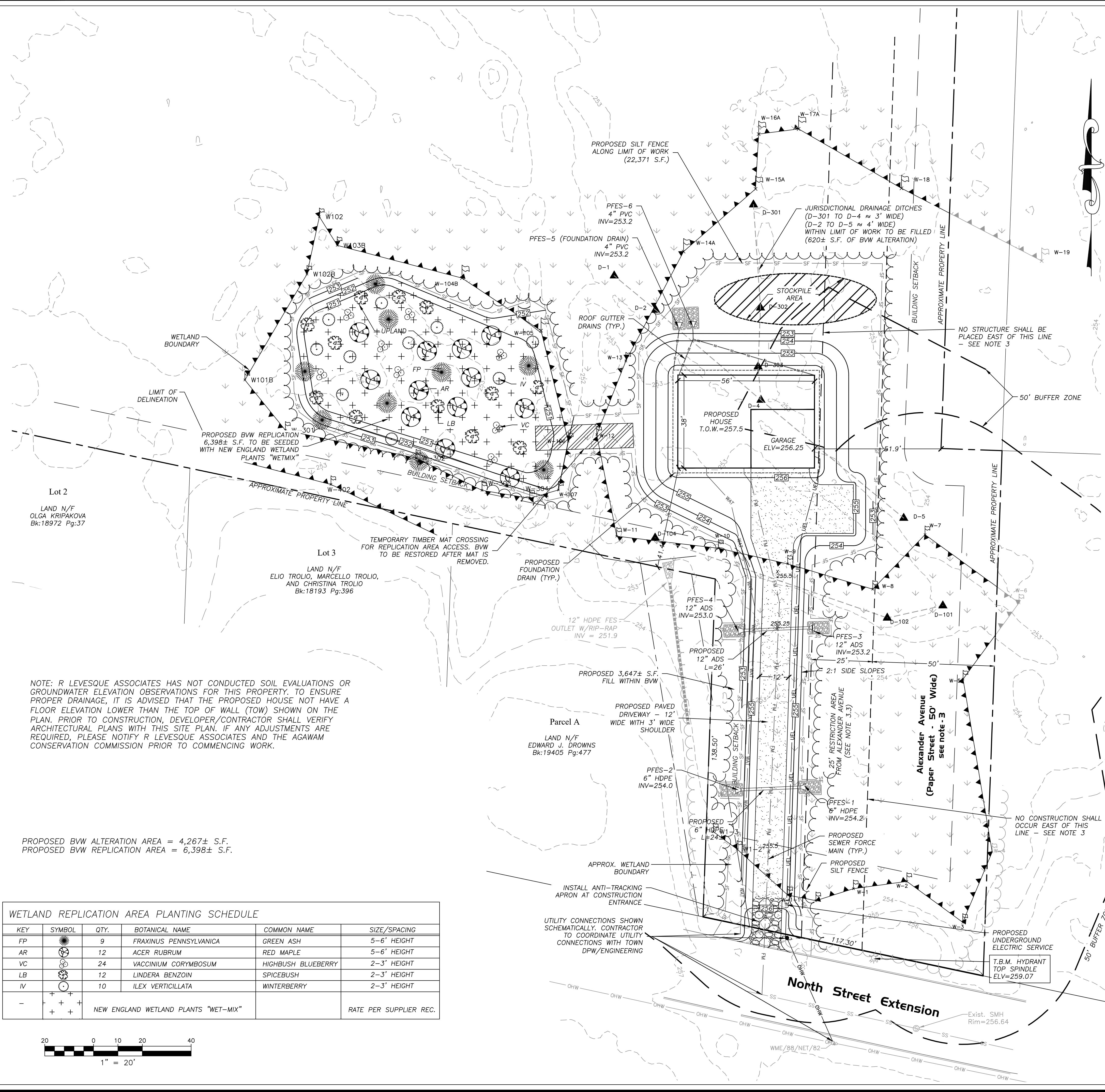
I trust that the above comments will assist the Commission in their review of the previously referenced NOI submittal. Please do not hesitate to contact me with any questions.

Sincerely,



Emily Stockman, M.S., P.W.S.
Senior Scientist/Principal
Stockman Associates LLC





NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCEL IS VIP HOMES & ASSOCIATES, LLC. SEE HAMPSHIRE COUNTY PROPERTY DEEDS BOOK 16050 PAGE 452 & BOOK 20074 PAGE 89.
2. THE PROPERTY LINES SHOWN ARE BASED ON THE ABOVE DEED REFERENCES AND ARE APPROXIMATE.
3. PROPERTY IS SUBJECT TO DEED RESTRICTIONS IN DEED BOOK 20074 PAGE 89 WHICH STATE:
 - 3.1. "ANY ACCESS TO THE PROPOSED HOME BY V.I.P. HOMES & ASSOCIATES, LLC OR ANY ENTITY FOR A DRIVEWAY WILL NOT BE ON ANY PART OF ALEXANDER AVENUE, FEEDING HILLS, MASSACHUSETTS 01030."
 - 3.2. "THERE WILL BE NO CONSTRUCTION OF ANY KIND ON ANY PART OF ALEXANDER AVENUE, FEEDING HILLS, MASSACHUSETTS 01030."
 - 3.3. "ANY CONSTRUCTION OF A HOME BY V.I.P. HOMES & ASSOCIATES, LLC, OR ANY ENTITY WILL BE AT LEAST 25 WEST OF THE WESTERN BOUNDARY OF ALEXANDER AVENUE, FEEDING HILLS, MASSACHUSETTS 01030."
4. THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING OR BUILDINGS CAN ONLY BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVEQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVEQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
5. THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PERMITTING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
6. SUBJECT PARCEL CONTAINS APPROXIMATELY 2.25 ACRES.
7. THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
8. WETLAND RESOURCE AREAS WERE DELINEATED BY MIKE MOCKO ENVIRONMENTAL. R LEVEQUE ASSOCIATES MAKES NO ASSERTION AS TO ACCURACY OF WETLAND DELINEATION.
9. THE TOPOGRAPHIC INFORMATION SHOWN IS BASED ON NOAA LIDAR DATA.
10. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AND AVAILABLE RECORD DATA. R LEVEQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R LEVEQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. NOT ALL UTILITIES HAVE BEEN SHOWN.
11. ADJACENT PROPERTY LINES AND BUTTERS SHOWN HEREON ARE REFERENCED FROM AGAWAM GIS AND ARE APPROXIMATE.
12. SUBJECT PARCEL IS SPLIT ZONED RESIDENCE A2 AND AGRICULTURAL ACCORDING TO THE AGAWAM ZONING MAP.
13. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C00383E -- EFFECTIVE DATE: 7-16-2013.
14. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

ZONING REVIEW - Agricultural

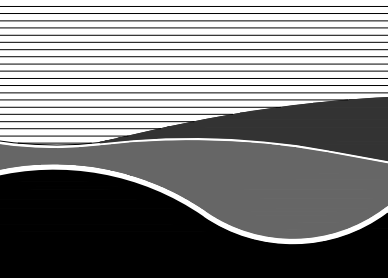
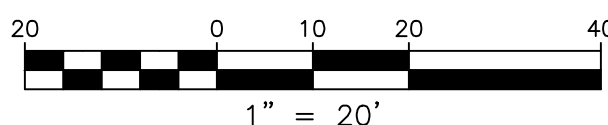
TYPE (MINIMUM)	REQUIRED	PROPOSED
AREA	20,000 FT ²	2.25± ACRES
FRONTAGE	120 FT	177± FT
FRONT YARD	35 FT	180+ FT
SIDE YARD	15 FT	41.4± FT
REAR YARD	20 FT	150+ FT
HEIGHT (MAX)	35 FT	35 FT
BUILDING COVERAGE (MAX)	NONE	1.8%

ZONING REVIEW - Residence A2

TYPE (MINIMUM)	REQUIRED	PROPOSED
AREA	15,000 FT ²	2.25 ACRES
FRONTAGE	110 FT	177 ± FT
FRONT YARD	30 FT	180+ FT
SIDE YARD	15 FT	41.4± ± FT
REAR YARD	20 FT	150+ FT
HEIGHT (MAX)	35 FT	35 FT
BUILDING COVERAGE (MAX)	40%	1.8%

WETLAND REPLICATION AREA PLANTING SCHEDULE

KEY	SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
FP		9	FRAXINUS PENNSYLVANICA	GREEN ASH	5-6' HEIGHT
AR		12	ACER RUBRUM	RED MAPLE	5-6' HEIGHT
VC		24	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY	2-3' HEIGHT
LB		12	LINDERA BENZOIN	SPICEBUSH	2-3' HEIGHT
IV		10	ILEX VERTICILLATA	WINTERBERRY	2-3' HEIGHT
-		NEW ENGLAND WETLAND PLANTS "WET-MIX"			RATE PER SUPPLIER REC.



RLA

**R LEVESQUE
ASSOCIATES INC.**

Landscape Architects
Civil Engineers · Land Surveyors
Environmental Consultants

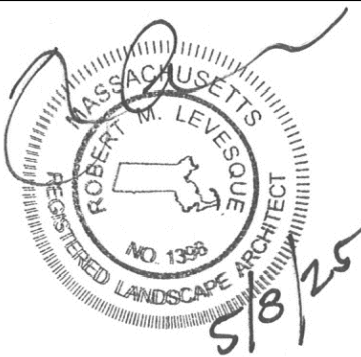
ph: 413.568.0985 fax: 413.568.0986

40 School Street
Westfield, MA 01085

rlaland.com

CONSERVATION FILING PLAN

**1014 North Street Extension
Parcel I.D. #D13 2 10
Feeding Hills, Mass.**



PREPARED FOR:

VIP Homes & Associates, LLC
c/o Mr. Vladimir Ruha
29 Avalon Place
Feeding Hills, MA 01030

ISSUANCE DATE: January 8, 2025	
REVISIONS:	DATE:
A. Revised wetland delineation	5/8/25

DRAFTED BY: J.L. & R.N.

UNAUTHORIZED ALTERATION OF
THIS DOCUMENT IS A VIOLATION
OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 240713

DRAWING#	REV.
W-1	A

PERMITTING

AGAWAM CONSERVATION COMMISSION
May 22, 2025

MEMBERS PRESENT:

Henry Kozloski, Chair
Keven Brown
Sheryl Becker
Frank Meagher
Magda Galiatsos
Jill Ward

MEMBERS ABSENT:

S Page Fallon

ALSO PRESENT:

Taryn Egerton

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

1. 6:00PM REQUEST FOR DETERMINATION – 515 & 533 Mill Street – Dikan & Ashlaban

Filipe Cravo with R. Levesque Associates was present on behalf of the applicants. He stated that these two parcels extend to Route 57 and are adjacent to a paper street known as Franklin Street Extension aka Perkins Ave. He explained that there is a bordering vegetated wetland off the property but the 100 foot buffer zone extends into the rear of 515 Mill Street and no resource areas were found on 533 Mill Street. Mr. Cravo stated that there is no proposed work at this time and they are requesting the jurisdictional areas be confirmed as accurate. He noted that confirmation of jurisdictional areas was a prerequisite to filing a preliminary subdivision plan. Mr. Brown asked about the topography. Mr. Cravo stated that Mill Street is the high point, then grades down and is relatively flat. He stated closer to Route 57 it slopes down. Mr. Cravo asked for a continuance to the next meeting to schedule a site visit with the Commission.

Motion was made by Mr. Brown and seconded by Ms. Ward to continue the Request for Determination for 515 & 533 Mill Street – Dikan & Ashlaban to the June 12, 2025 meeting as requested.

VOTE 6 – 0

2. REQUEST FOR DETERMINATION CONT. – 223 Garden Street – MBNZ Holding Co.

The Conservation Commission received a request to continue this item to the next available meeting, which is June 12, 2025.

Motion was made by Ms. Ward and seconded by Mr. Brown to continue the Request for Determination for 223 Garden Street – MBNZ Holding Co to the June 12, 2025 meeting, as requested.

VOTE 6 – 0

3. PUBLIC HEARING CONT. – NOTICE OF INTENT – 242 River Rd & 56 Forest Ridge Ln – Nakhabenko

The Commission received a request to continue this item to the next available meeting, which is June 12, 2025.

Motion was made by Ms. Ward and seconded by Ms. Becker to continue the Public Hearing for 242 River Road & 56 Forest Ridge Ln – Nakhabenko to the June 12, 2025 meeting as requested.

VOTE 6 – 0

4. PUBLIC HEARING CONT. – NOTICE OF INTENT – 1014 North St Ext – VIP Homes & Associates, LLC.

Michael Mocko with Mocko Environmental, LLC was present on behalf of the applicant. He stated that a site walk was completed with the Commission and their peer reviewer. The crossing, house envelope, wetland replication area, and wetland boundaries were all viewed at the site visit. Mr. Kozloski asked if the wetland replication area connected to the wetlands on site and Mr. Mocko confirmed. Mr. Mocko stated that he will be making revisions to the plan based on the site walk. He does not think that the ditches are considered jurisdictional resource areas, but will still calculate them into the wetland replication area. Mr. Meager stated there was at least 6” of water where the proposed driveway will be located. He questioned how construction vehicles would get in and out of the site. Mr. Mocko suggested requiring a sequencing and scheduling plan as part of the Order of Conditions. He suggested a sequencing of: land clearing and placing of timber mats, driveway prep with wetland soils exhumed and stockpiled for later use; and then installation of the driveway. He stated that work would be completed in the dry season and that there will be better access into the site once the driveway is installed. Mr. Mocko talked about a blockage in the culvert on Roosevelt Ave that may be impacting the site and Mr. Kozloski stated an email was sent to the DPW with pictures. The Commission requested they be notified when work on Roosevelt Avenue is completed.

Mr. Kozloski opened the meeting up to the public and there were no comments.

Mr. Mocko requested a continuance to the next meeting.

Motion was made by Ms. Ward and seconded by Mr. Galiatsos to continue the Public Hearing for the Notice of Intent on 1014 North Street Extension – VIP Homes & Associates, LLC to the June 12, 2025 meeting.

VOTE 6 – 0

5. Order of Conditions Review – Ace Precision Way

Sadiq Elias was present to discuss the Order of Conditions on Ace Precision Way. The Commission went on site with the contractor this week. An area that was required to be loamed and seeded has not been maintained and it was decided that the area would be mowed. Eight blueberry bushes were planted, as required in the Order of Conditions. Mr. Kozloski explained that there is a marked tree that is leaning toward the area of the proposed building. The Commission will leave it up to the property owner as to whether he wants to take it down, but the stump must remain if the tree is removed. Mr. Kozloski stated that the DEP Number sign must be put up. Mr. Elias stated that the markers as required in the Order have been ordered and will be installed next week and that the detention basin has been mowed. Mr. Kozloski stated that the erosion controls are up. Ms. Ward suggested notifying the Commission once the DEP sign and markers are up.

6. ENFORCEMENT ORDER UPDATES

131 North West Street – The Commission received notification that the required work in the Enforcement Order has been completed.

Motion was made by Ms. Ward and seconded by Mr. Meagher to lift the Enforcement Order for 131 North West Street dated April 10, 2025.

VOTE 6 – 0

739 South West Street – The Commission will send a letter to the property owner to disregard the Enforcement Order and that a notification was sent to the Town DPW to clean up the area where they removed a tree.

7. APPROVAL OF MINUTES – May 8, 2025

Motion was made by Ms. Ward and seconded by Mr. Brown to approve the May 8, 2025 minutes as written.

VOTE 4 – 0 – 2 (Becker & Galiatsos)

8. Correspondence & Complaints

115 Silver Lake Drive – The Commission received an email and pictures from the property owner stating that the tree had fallen over and were not cut down. A letter will be sent stating any

additional work within 100 feet of Silver Lake requires notifying the Commission to determine if a filing is necessary.

The Commission received a complaint of tree cutting and building in the buffer zone at 68 Hemlock Ridge. A letter will be sent to the property owner requesting a site visit, as the work cannot be seen from the road.

The Commission went onsite at the May Hollow culvert replacement location and some of the erosion controls have been placed. The Contractor sent an updated water control plan showing an additional 350 sq ft of additional temporary impacts due to rip rap and an impermeable barrier to force water into the bypass pipe.

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

VOTE 6 – 0

Meeting adjourned at 6:45pm.