



Conservation Commission AGENDA

Thursday, July 10, 2025 - 6:00 PM

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

A. Conservation Commission

- 1) Request for Certificate of Compliance-151 Nicole Terrace (Lot 14)-Reed
- 2) REQUEST FOR DETERMINATION CONT.-151 Nicole Terrace-Reed
- 3) REQUEST FOR DETERMINATION CONT.-515 & 533 Mill Street-Dikan & Ashlaban
- 4) REQUEST FOR DETERMINATION CONT.-223 Garden Street-MBNZ Holding Co
- 5) PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North St Ext-VIP Homes & Associates, LLC
- 6) ENFORCEMENT ORDER UPDATES
- 7) APPROVAL OF MINUTES-June 26, 2025 & July 1, 2025
- 8) Correspondence & Complaints

Request for Partial Certificate of Compliance

Under the Wetlands Protection Act 310 CMR 10.00

DEP File #087-0655

Project Location:

151 Nicole Terrace
(Lot 14 of Subdivision Plan)
Agawam, Massachusetts 01001
(Assessor's Map C9, Parcel 5/47)

Submitted To:

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

Applicant & Property Owner:

Brendan Reed & Sarah Reed
181 Southwick Street
Agawam, Massachusetts 01001

RLA Project File No. 250417
July 7, 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



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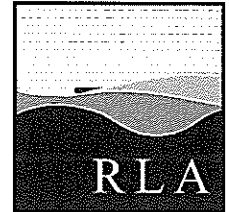
1. COVER LETTER
2. WPA FORM 8A – REQUEST FOR CERTIFICATE OF COMPLIANCE
3. RECORDED ORDER OF CONDITIONS

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



July 7, 2025

Henry Kozloski, Chair

Town of Agawam Conservation Commission

36 Main Street, Agawam, Massachusetts 01001

RE: Request for Partial Certificate of Compliance – DEP File #087-0655
151 Nicole Terrace (Lot 14 of Subdivision Plan)
(Assessor's Map C9, Parcel 5/47)
Agawam, Massachusetts 01001
RLA Project File #250417

Dear Chairman Kozloski and Commissioners:

On behalf of the applicant and property owners, Brendan and Sarah Reed, R Levesque Associates, Inc. is herein requesting a Partial Certificate of Compliance in regards to an Order of Conditions #087-0655 issued by the Town of Agawam Conservation Commission on October 08, 2020. The project consisted of the construction of a residential subdivision, which included portions of roadway construction, site grading, and utility installation within the buffer zone to wetland resource areas as well as a portion of Riverfront Area.

Order of Conditions MassDEP File #087-0655 was issued for the entire subdivision of Nicole Terrace and we are requesting that Lot 14 of the subdivision be released from the OOC so that the current owners are not subject to the previous permit, and a new site plan can be proposed, independently of the current OOC, for the proposed development of Lot 14. R Levesque Associates, Inc. has reviewed the limited work done to date on Lot 14, which is in substantial compliance with the OOC, and future activity on the lot is anticipated to be permitted under a RDA.

Attached to this letter, please find a Request for Partial Certificate of Compliance WPA Form 8A. We are requesting to be placed on the next available Conservation Commission meeting agenda. Should you have any questions or comments regarding this request, please contact our office at your earliest convenience.

Sincerely,
R LEVESQUE ASSOCIATES, INC.

Robert M. Levesque, RLA, ASLA
President

A LAND PLANNING SERVICES COMPANY

2. WPA FORM 8A – REQUEST FOR CERTIFICATE OF COMPLIANCE



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

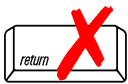
DEP File Number:

087-0655
Provided by DEP

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Brendan & Sarah Reed

Name

181 Southwick Street

Mailing Address

Agawam

City/Town

413-426-1156

Phone Number

MA

State

01001

Zip Code

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Hillside Development Corp. (c/o Ralph Depalma)

Applicant

10/08/2020

Dated

087-0655

DEP File Number

3. The project site is located at:

151 Nicole Terrace (Lot 14 of subdivision plan)

Street Address

C9

Assessors Map/Plat Number

Agawam

City/Town

5/47

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Hillside Development Corp. (c/o Ralph Depalma)

Property Owner (if different)

Hampden County

County

23510

Book

536

Page

Certificate (if registered land)

5. This request is for certification that (check one):

- ☐ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- ☒ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).
Lot 14 of subdivision seeking to be released from OOC in order to allow for the filing of a RDA for the proposed development of Lot 14.

- ☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

087-0655

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

3. RECORDED ORDER OF CONDITIONS

**Massachusetts Department of Environmental
Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:087-0655

eDEP Transaction #:1231420

City/Town:AGAWAM

A. General Information

1. Conservation Commission AGAWAM
2. Issuance a. ☒ OOC b. ☐ Amended OOC
3. Applicant Details
- a. First Name RALPH b. Last Name DEPALMA
- c. Organization HILLSIDE DEVELOPMENT CORP.
- d. Mailing Address 267 HILLSIDE ROAD
- e. City/Town SOUTHWICK f. State MA g. Zip Code 01077
4. Property Owner
- a. First Name ALFRED & MARLENE b. Last Name LONGHI
- c. Organization
- d. Mailing Address 806 TACONIC TRAIL
- e. City/Town PETERSBURGH f. State NY g. Zip Code 12138
5. Project Location
- a. Street Address 173 SOUTHWICK STREET
- b. City/Town AGAWAM c. Zip Code 01001
- d. Assessors D9 e. Parcel/Lot# 1/15
- Map/Plat#
- f. Latitude 42.06540N g. Longitude 72.68642W
6. Property recorded at the Registry of Deed for:
- | a. County | b. Certificate | c. Book | d. Page |
|-----------|----------------|---------|---------|
| HAMPDEN | | 2895 | 48 |
7. Dates
- a. Date NOI Filed : 4/13/2020 b. Date Public Hearing Closed: 10/8/2020 c. Date Of Issuance: 10/8/2020
8. Final Approved Plans and Other Documents
- a. Plan Title: b. Plan Prepared by: c. Plan Signed/Stamped by: d. Revised Final Date: e. Scale:
- DEFINITIVE
- SUBDIVISION R. LEVESQUE
- PLAN - NICOLE ASSOCIATES ROBERT M. LEVESQUE 9/29/.20
- TERRACE

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

- | | | |
|--|--|--|
| a. ☒ Public Water Supply | b. ☐ Land Containing Shellfish | c. ☒ Prevention of Pollution |
| d. ☐ Private Water Supply | e. ☐ Fisheries | f. ☐ Protection of Wildlife Habitat |
| g. ☐ Ground Water Supply | h. ☒ Storm Damage Prevention | i. ☒ Flood Control |

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2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- a. ☒ The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- b. ☐ The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. ☐ Land under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage				

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	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☒ Riverfront Area	<u>4,825</u>	<u>4,825</u>		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft				
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u>4,825</u>	<u>4,825</u>		
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☒ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☒ Land Under the Ocean	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
12. ☒ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☒ Coastal Beaches	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. ☒ Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. ☒ Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
16. ☒ Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
17. ☒ Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. ☒ Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
19. ☒ Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
20. ☒ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
21. ☒ Land Subject to Coastal Storm Flowage	<u> </u>	<u> </u>		
	a. square feet	b. square feet		

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22.

☐ Restoration/Enhancement (For Approvals Only)

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.5.c & d or B.17.c & d above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

☐ Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream
crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing

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the words,

"Massachusetts Department of Environmental Protection"
 [or 'MassDEP']
 File Number : "087-0655"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) ☒ is not (2) ☐ subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction

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- BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
 - d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
 - e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
 - f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
 - g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
 - h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
 - i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
 - j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.

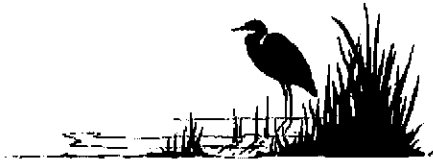
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Provided by MassDEP:
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-
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
 - l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:
SEE ATTACHED CONDITIONS.



TOWN OF AGAWAM, MASSACHUSETTS
CONSERVATION COMMISSION
ORDER OF CONDITIONS

File #87-0655 – 173 Southwick Street

1. This Order supersedes all previous Orders of Conditions issued for this work.
2. The Order of Conditions applies only to the work permitted by this Order. Any other work to be done within the area of statutory interests of Wetlands Protection shall require the filing of a new Notice of Intent or Request for Determination.
3. During the construction phase, the applicant shall be responsible for maintaining a copy of these Orders at the site. The applicant shall be responsible for compliance with the conditions of these Orders.
4. In advance of any work on this project, the applicant shall contact the Conservation Commission and arrange a conference between the Commission, contractor, designer/engineer, and applicant. The purpose of this conference is to insure that all of the Orders are understood. This conference shall take place on-site.
5. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and until the site has become stabilized with permanent vegetative cover.
6. The Commission shall be notified at least seventy-two hours prior to the start of site work (including tree cutting or clearing).
7. The Commission shall be notified when the erosion control measures are in place to enable the Commission to ensure compliance with these Orders.
8. The project engineer/designer shall be held responsible and accountable for the true and accurate implementation and construction of his/her design or plan. Should any accidental deviation from the approved plan occur, the engineer/designer shall notify the Commission immediately to determine if a new Notice of Intent is required. If any changes to the approved plan are anticipated, the engineer/designer shall likewise notify the Commission to determine if a new Notice of Intent is required. In any case the Commission may deny any deviation, accidental or intended, from the approved plan.
9. The erosion and sedimentation barrier shall serve as the alteration limit line. Said barrier shall fully protect the adjacent wetland/resource area, and no work shall be permitted beyond this limit line. No machinery shall be operated beyond this limit line.

10. There shall be no discharge or spillage of oil, fuel, any petroleum product or any other pollutant into any area of statutory interest.
11. At no time shall any construction materials, soils, fills, sediments, dredging or any other substances be stockpiled or stored in any area of statutory interest.
12. The construction site shall be left in a stable condition at the close of each day. Erosion and sedimentation controls shall be continuously monitored to ensure proper operation.
13. If any alteration of the wetland/resource area does occur, the Commission shall impose such measures as it finds necessary to protect and restore the areas of statutory interest.
14. Whether from on-site or off-site, any fill used in connection with this project shall be clean fill as described here:

The fill material shall be clean coarse washed sand or other clean granular material essentially free of clay, fines, dust, organic matter, large stones, masonry, stumps, frozen clumps of earth, wood tree branches and waste material. Before the fill is put in place, all trees, brush and stumps shall be removed from the area to be filled. Topsoil, peat and other impervious materials shall be removed from all areas to be filled prior to the placement of the fill material.

15. No liquid or solid chemical lawn fertilizers, pesticides, herbicides or chemical or petroleum dust control agents shall be applied within the area of statutory interest or anywhere that the surface drainage is discharged into an area of statutory interest.
16. Periodic maintenance/cleaning of the detention basin, drainage swale and catch basins shall be conducted by the homeowners association.
17. Lots 8 thru 14 shall carry the following restrictions, and a covenant so noted on each deed:

"This lot contains certain areas or abuts areas protected by Chapter 131, Section 40 of the General Laws of Massachusetts known as the Wetlands Protection Act and comes under the jurisdiction of the Agawam Conservation Commission. No cutting of trees, clearing of brush, digging, filling in with soil or debris, or the building of bridges is permitted within one hundred (100) feet of the designated wetland areas or within 200' of any designated river without specific approval granted by the Conservation Commission."

18. The Commission reserves the right to impose additional conditions on any or all portions of this work to minimize the impact of potential site erosion or noticeable degradation of water quality discharging from the site at any time.
19. Commencing with the issuance of these Orders and continuing through the end of the construction phase of this project, the applicant or his successors and assigns shall submit

to the Commission a written monthly progress report detailing the work that has been done of statutory interest.

20. This order shall apply to all successor or assignee in interest or control of the subject property. Any conveyance of interest or control in the subject property shall make reference to this order by stating that the conveyance is subject to the provisions of an Order of Conditions under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and by giving the book and page reference in the Hampden County Registry of Deeds where this order is recorded.
21. The petitioner shall have recorded in the Hampden County Registry of Deeds an "Order of Conditions Form" provided by this Commission. The Commission will not allow work to begin until proof of recording is provided the Conservation Commission.

Massachusetts Department of Environmental
 Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:087-0655
 eDEP Transaction #:1231420
 City/Town:AGAWAM

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No

2. The Conservation Commission hereby (check one that applies):

a. ☐ DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. ☐ APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw _____

2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

MassDEP File # _____

eDEP Transaction # _____

City/Town _____

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

10-8-20
 1. Date of Issuance

4
 2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Henry A. Kopp
Frank M. Peagher
Margie B. Berrington

Cheryl Becker

☐ by hand delivery on _____

☒ by certified mail, return receipt requested, on _____

Date _____

Date 10-16-20

F. Appeals

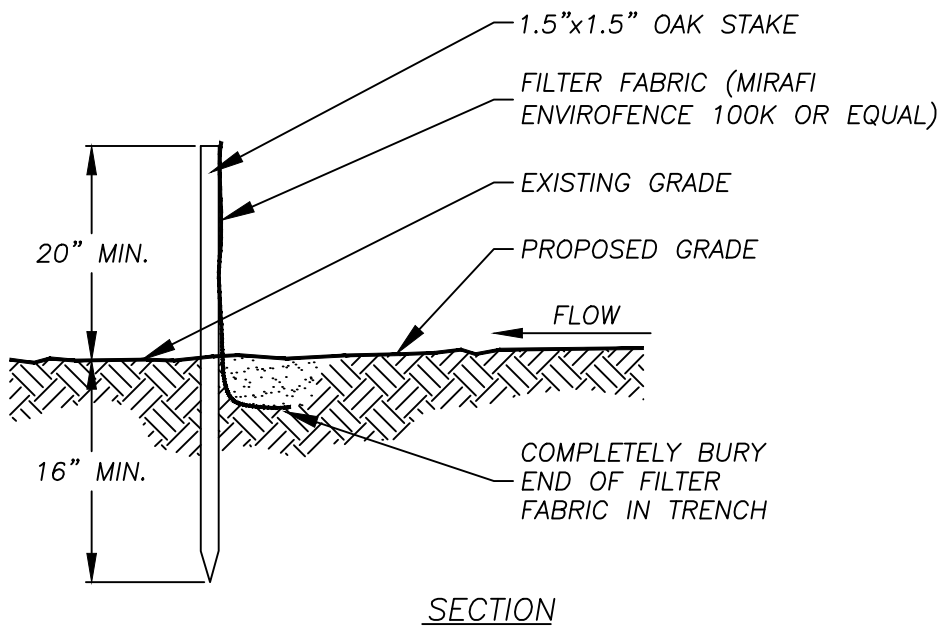
The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

BENCHMARK

HYDRANT - TOP OF SPINDLE
LOCATION - SOUTH SIDE OF
SOUTHWICK ST. AND
PROPERTY CORNER OF
POLISH AMERICAN CLUB
ELEVATION - 246.67'



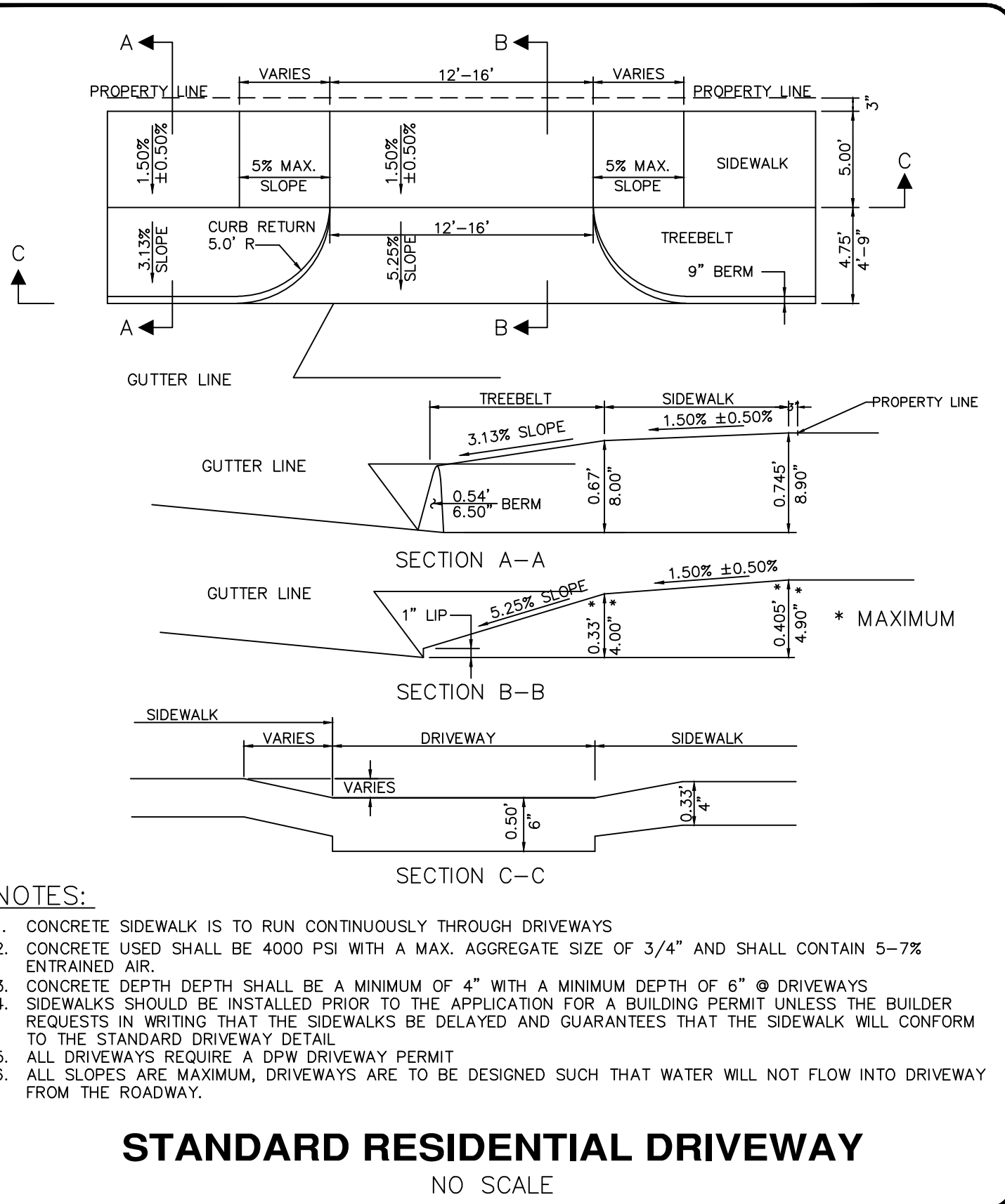
SILT FENCE DETAIL
NO SCALE

ZONING REVIEW - Agricultural (AG)

TYPE (MINIMUM)	REQUIRED	PROPOSED
AREA	20,000 FT ²	22,896± FT ²
FRONTAGE	120 FT	120.0 FT
FRONT YARD	35 FT	37.6± FT
SIDE YARD	15 FT	15.8± FT
REAR YARD	20 FT	135.7± FT
HEIGHT (MAX)	35 FT (2.5 STORIES)	<35 FT (2 STORIES)
BUILDING COVERAGE (MAX)	NONE	--

NOTES

- THE RECORD OWNERS OF THE SUBJECT PARCEL ARE BRENDAN REED AND SARAH REED. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 25882 PAGE 31.
- THE PROPERTY LINES SHOWN HEREON ARE BASED UPON A PLAN TITLED, "DEFINITIVE SUB DIVISION PLANS" PREPARED BY R LEVESQUE ASSOCIATES INC DATED 04/08/2020. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK OF PLANS 392 PAGE 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 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.
- THIS PLAN HAS BEEN PREPARED FOR SITE PLANNING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
- SUBJECT PARCEL CONTAINS 22,896± S.F.
- 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.
- WETLANDS DELINEATED BY R LEVESQUE ASSOCIATES INC IN SUMMER 2019.
- THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R LEVESQUE ASSOCIATES, INC. ON 04/24/2025.
- THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION 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.
- ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE PLAN MENTIONED ABOVE. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK OF PLANS 392 PAGE 4.
- SUBJECT PARCEL IS ZONED RA-2 & AGRICULTURAL ACCORDING TO THE AGAWAM ZONING MAP.
- A PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN FLOOD ZONE A ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 25013C0383E - EFFECTIVE DATE: 07/16/2013.
- THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.



NOTES:

- CONCRETE SIDEWALK IS TO RUN CONTINUOUSLY THROUGH DRIVEWAYS
- CONCRETE USED SHALL BE 4000 PSI WITH A MAX. AGGREGATE SIZE OF 3/4" AND SHALL CONTAIN 5-7% ENTRAINED AIR.
- CONCRETE DEPTH SHALL BE A MINIMUM OF 4" WITH A MINIMUM DEPTH OF 6" @ DRIVEWAYS
- SIDEWALKS SHOULD BE INSTALLED PRIOR TO THE APPLICATION FOR A BUILDING PERMIT UNLESS THE BUILDER REQUESTS IN WRITING THAT THE SIDEWALKS BE DELAYED AND GUARANTEES THAT THE SIDEWALK WILL CONFORM TO THE STANDARD DRIVEWAY DETAIL
- ALL DRIVEWAYS REQUIRE A DPW DRIVEWAY PERMIT
- ALL SLOPES ARE MAXIMUM, DRIVEWAYS ARE TO BE DESIGNED SUCH THAT WATER WILL NOT FLOW INTO DRIVEWAY FROM THE ROADWAY.

STANDARD RESIDENTIAL DRIVEWAY

NO SCALE

PERMITTING
NOT FOR CONSTRUCTION

GRADING PLAN LOT 14

151 NICOLE TERRACE
AGAWAM, MA
PARCEL ID: C9 5 47



PREPARED FOR:

BRENDAN REED
181 SOUTHWICK ST.
FEEDING HILLS, MA 01030

ISSUANCE DATE: June 11, 2025

REVISIONS: DATE:

DRAFTED BY: B. A.

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

SCALE: As Noted

RLA PROJ. NUMBER: 250417

DRAWING# REV.

GP-14

Request for Determination of Applicability

Under Massachusetts Wetlands Protection Act 310 CMR 10.00 & Town of Agawam Local Wetlands Protection Ordinance

Proposed Single-Family Home

Project Location:

151 Nicole Terrace (Lot 14)
Feeding Hills, Massachusetts 01030
(Assessor's Map C9, Parcel 5/47)

Submitted To:

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

Applicant/Property Owner:

Brendan Reed & Sarah Reed
181 Southwick Street
Agawam, Massachusetts 01001

RLA Project File No. 250417

June 12, 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



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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



June 12, 2025

Henry Kozloski, Chair
Town of Agawam Conservation Commission
36 Main Street
Agawam, Massachusetts 01001

RE: Request for Determination of Applicability
151 Nicole Terrace (Lot 14)
Agawam, Massachusetts 01001
(Assessor's Map C9 & Parcel: 5/47)
RLA Project File No. 250417

Dear Chairperson Kozloski and Commissioners:

On behalf of the applicant/property owner, Brendan & Sarah Reed, please find the requisite number of copies for a Request for Determination of Applicability and associated site plan. The applicant proposes to construct a single-family home, with portions of site work located within the buffer zone to a culverted intermittent stream. Wetland resource areas were previously determined through Superseding Order of Resource Area Delineation (SORAD) MassDEP File #087-0647.

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.

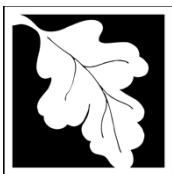
Ryan Nelson
Wetland/Soil Scientist & Project Manager

A LAND PLANNING SERVICES COMPANY

2. ADMINISTRATIVE FORMS

2.1 WPA FORM 1 – REQUEST FOR DETERMINATION OF APPLICABILITY

2.2 COPY OF CHECK



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

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:		
Brendan & Sarah	Reed	
First Name	Last Name	
181 Southwick Street		
Address		
Agawam	MA	01001
City/Town	State	Zip Code
413-426-1156	brendan.reed@outlook.com	
Phone Number	Email Address	
2. Property Owner (if different from Applicant):		
Same as applicant		
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):		
151 Nicole Terrace (Lot 14)	Agawam	
Street Address	City/Town	
42.06571	-72.68665	
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)	
C9	5/47	
Assessors' Map Number	Assessors' Lot/Parcel Number	
b. Area Description (use additional paper, if necessary):		
The subject property is located south of Southwick Street and west of Nicole Terrace. Please refer to the filing plan for detail.		
c. Plan and/or Map Reference(s): (use additional paper if necessary)		
Grading Plan Lot 14	6-11-2025	
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):

The applicant proposes to construct a single-family home, with portions of site work located within the buffer zone to a culverted intermittent stream. Wetland resource areas were previously determined through Superseding Order of Resource Area Delineation (SORAD) MassDEP File #087-0647.

- 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).

N/A

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.)

N/A



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.

Brendan Reed

Signature of Applicant

6/5/2025

Date

Michal Kats

Signature of Representative (if any)

06/05/2025

Date

SARAH J REED 01-19
BRENDAN D REED
181 SOUTHWICK ST.
FEEDING HILLS, MA 01030

10-4
220 8419

1041

DATE 6.6.25



PAY TO
THE ORDER OF

Town of Agawam

\$ 50.00

Fifty Dollars — 00/100

DOLLARS Security Features
Indicated
Only on Back

M&T Bank

MEMO

CL Filing - 151 Mide

MP

⑆022000046⑆

401244795⑈1041

SPECIALTY BRAY

3. PROJECT NARRATIVE

PROJECT NARRATIVE TO REQUEST FOR DETERMINATION OF APPLICABILITY

For

151 NICOLE TERRACE (LOT 14)
AGAWAM, MASSACHUSETTS 01001
(ASSESSOR'S MAP C9, PARCEL: 5/47)

INTRODUCTION

On behalf of the applicants and property owners, Brendan & Sarah Reed, R Levesque Associates, Inc. is providing this project narrative as a supplement to the Request for Determination of Applicability application for the above-referenced property. The applicant proposes to construct a single-family home, with portions of site work located within the buffer zone to a culverted intermittent stream. Wetland resource areas were previously determined through Superseding Order of Resource Area Delineation (SORAD) MassDEP File #087-0647.

SITE DESCRIPTION

The subject property is located west of Nicole Terrace and consists of approximately 0.52 ± acres. The property is shown on the associated site plan entitled "Grading Plan Lot 14" dated June 11, 2025, prepared by R Levesque Associates, Inc. Said property is recorded in the Hampden County Registry of Deeds in Book 25882 Page 31.

Examination of GIS information from the Massachusetts Natural Heritage Atlas revealed that the subject property is not located within Natural Heritage and Endangered Species Program (NHESP) jurisdiction. The project site is not located within the 100-year flood zone. Please see below for further information on resource areas related to this project site.

TOPOGRAPHY

The property is relatively flat with the highest elevation along the frontage of Nicole Terrace. The property generally slopes to the west towards an unnamed intermittent stream and offsite wetlands. Please refer to the USGS Topographic Map included with this application packet in Section 4, as Figure 1.

SOILS

According to the Web Soil Survey Map, the soil types mapped within the project site consist of Charlton fine sandy loam, 3 to 8 percent slopes (405B). Please refer to the attached NRCS Soil Map in Section 4, as Figure 3, of this application packet for exact locations of the below-defined soil.

The Charlton series consists of very deep, well drained soils formed in loamy melt-out till. They are nearly level to very steep soils on moraines, hills, and ridges. Slope ranges from 0 to 60 percent.

PROJECT DESCRIPTION

The project consists of the construction of a single-family home with typical site improvements such as a driveway, deck, and lawn areas. Portions of the project area is located within buffer zone to a culverted intermittent stream. Proposed construction will generally occur in the following sequence:

1. Installation of erosion/sedimentation controls along the permitted limit of work.
2. Clearing of vegetation and stripping of topsoil;;
3. Rough grading of the site;
4. Excavation for house foundation;
5. Installation of underground utility services from Nicole Terrace;
6. Construction of driveway;
7. Construction of house;
8. Final site grading, loam & seed, landscaping;
9. Maintenance of erosion controls until all disturbed soils have been stabilized and vegetated.

WETLAND RESOURCE AREAS

Wetland resource areas were delineated by R Levesque Associates, Inc. and have been previously determined by a Superseding Order of Resource Area Delineation (SORAD MassDEP File#087-0647). The performance standards for each resource area are presented below in italics; the project's conformations to the performance standards are presented in regular bold text.

Please note that any resource areas delineated off-site are shown to accurately portray buffer zone onto the subject property and are 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..."*.

Wetlands are located off-site, to the southeast of the subject property, but are not within a jurisdictional vicinity to the project site. Therefore, the proposed project will not alter BVW.

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 intermittent stream that is located to the east of the project site. The bank of said intermittent stream is comprised of an culverted stream that conveys flow from north Southwick Street, across the property, and daylight southwest of the project site, offsite. No proposed work will alter bank or the existing culvert.

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 Bank of the culverted intermittent stream and is shown on the accompanying site plan to extend 50' and 100' from the boundary of said resource area. Proposed buffer zone work consists of site grading around the proposed house and removal of a soil stockpile remnant from the subdivision construction. The house itself will not be located within the buffer zone.

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 not located on 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."

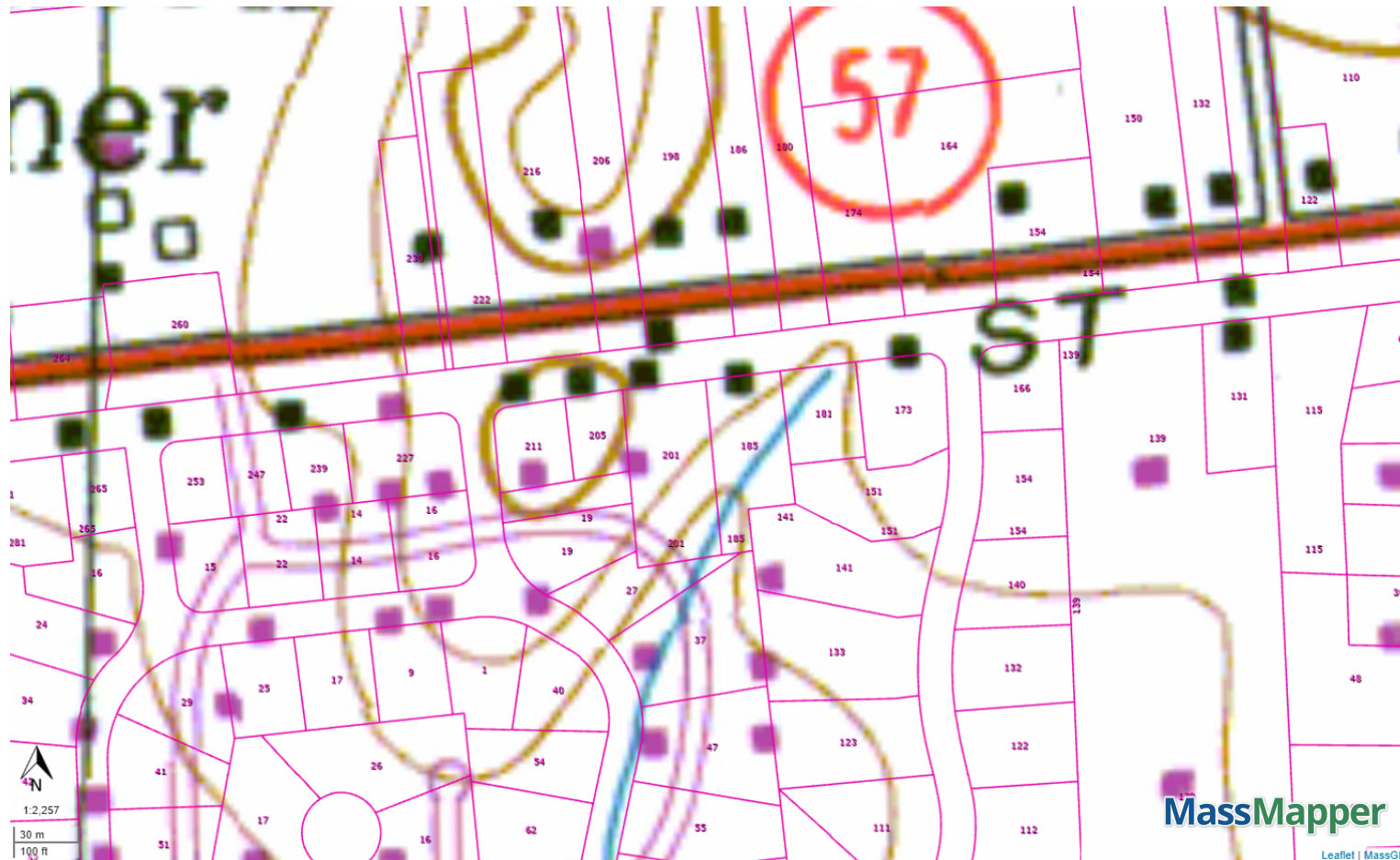
The aforementioned SORAD had determined that the 100-year flood zone (BLSF) does not exist on the subject property. The proposed project will not alter BLSF.

[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 Topo Map



NHESP Priority Habitats of Rare Species



NHESP Estimated Habitats of Rare Wildlife



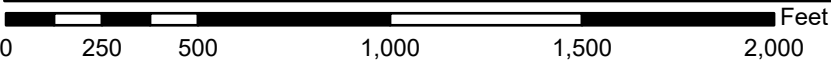
Property Tax Parcels

USGS Topographic Maps

National Flood Hazard Layer FIRMMette



72°41'30"W 42°4'10"N



1:6,000

72°40'52"W 42°3'43"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
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



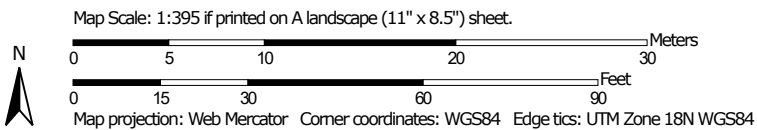
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 6/5/2025 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 (Soil Map)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

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

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: Mar 15, 2016—Oct 30, 2017

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
70A	Ridgebury fine sandy loam, 0 to 3 percent slopes	0.0	5.3%
310A	Woodbridge fine sandy loam, 0 to 3 percent slopes	0.0	4.5%
405B	Charlton fine sandy loam, 3 to 8 percent slopes	0.5	90.2%
Totals for Area of Interest		0.5	100.0%

APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "GRADING PLAN LOT 14"

PREPARED FOR BRENDAN REED

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED JUNE 11, 2025

Request for Partial Certificate of Compliance

Under the Wetlands Protection Act 310 CMR 10.00

DEP File #087-0655

Project Location:

151 Nicole Terrace
(Lot 14 of Subdivision Plan)
Agawam, Massachusetts 01001
(Assessor's Map C9, Parcel 5/47)

Submitted To:

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

Applicant & Property Owner:

Brendan Reed & Sarah Reed
181 Southwick Street
Agawam, Massachusetts 01001

RLA Project File No. 250417
July 7, 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



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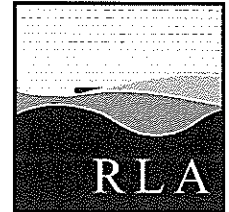
1. COVER LETTER
2. WPA FORM 8A – REQUEST FOR CERTIFICATE OF COMPLIANCE
3. RECORDED ORDER OF CONDITIONS

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



July 7, 2025

Henry Kozloski, Chair

Town of Agawam Conservation Commission

36 Main Street, Agawam, Massachusetts 01001

RE: Request for Partial Certificate of Compliance – DEP File #087-0655
151 Nicole Terrace (Lot 14 of Subdivision Plan)
(Assessor's Map C9, Parcel 5/47)
Agawam, Massachusetts 01001
RLA Project File #250417

Dear Chairman Kozloski and Commissioners:

On behalf of the applicant and property owners, Brendan and Sarah Reed, R Levesque Associates, Inc. is herein requesting a Partial Certificate of Compliance in regards to an Order of Conditions #087-0655 issued by the Town of Agawam Conservation Commission on October 08, 2020. The project consisted of the construction of a residential subdivision, which included portions of roadway construction, site grading, and utility installation within the buffer zone to wetland resource areas as well as a portion of Riverfront Area.

Order of Conditions MassDEP File #087-0655 was issued for the entire subdivision of Nicole Terrace and we are requesting that Lot 14 of the subdivision be released from the OOC so that the current owners are not subject to the previous permit, and a new site plan can be proposed, independently of the current OOC, for the proposed development of Lot 14. R Levesque Associates, Inc. has reviewed the limited work done to date on Lot 14, which is in substantial compliance with the OOC, and future activity on the lot is anticipated to be permitted under a RDA.

Attached to this letter, please find a Request for Partial Certificate of Compliance WPA Form 8A. We are requesting to be placed on the next available Conservation Commission meeting agenda. Should you have any questions or comments regarding this request, please contact our office at your earliest convenience.

Sincerely,
R LEVESQUE ASSOCIATES, INC.

Robert M. Levesque, RLA, ASLA
President

A LAND PLANNING SERVICES COMPANY

2. WPA FORM 8A – REQUEST FOR CERTIFICATE OF COMPLIANCE



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

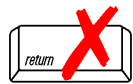
DEP File Number:

087-0655
Provided by DEP

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Brendan & Sarah Reed

Name

181 Southwick Street

Mailing Address

Agawam

City/Town

413-426-1156

Phone Number

MA

State

01001

Zip Code

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Hillside Development Corp. (c/o Ralph Depalma)

Applicant

10/08/2020

Dated

087-0655

DEP File Number

3. The project site is located at:

151 Nicole Terrace (Lot 14 of subdivision plan)

Street Address

C9

Assessors Map/Plat Number

Agawam

City/Town

5/47

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Hillside Development Corp. (c/o Ralph Depalma)

Property Owner (if different)

Hampden County

County

23510

Book

536

Page

Certificate (if registered land)

5. This request is for certification that (check one):

- ☐ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- ☒ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).
Lot 14 of subdivision seeking to be released from OOC in order to allow for the filing of a RDA for the proposed development of Lot 14.

- ☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

087-0655

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

3. RECORDED ORDER OF CONDITIONS

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:087-0655

eDEP Transaction #:1231420

City/Town:AGAWAM

A. General Information

1. Conservation Commission AGAWAM
2. Issuance a. ☒ OOC b. ☐ Amended OOC
3. Applicant Details
- a. First Name RALPH b. Last Name DEPALMA
- c. Organization HILLSIDE DEVELOPMENT CORP.
- d. Mailing Address 267 HILLSIDE ROAD
- e. City/Town SOUTHWICK f. State MA g. Zip Code 01077
4. Property Owner
- a. First Name ALFRED & MARLENE b. Last Name LONGHI
- c. Organization
- d. Mailing Address 806 TACONIC TRAIL
- e. City/Town PETERSBURGH f. State NY g. Zip Code 12138
5. Project Location
- a. Street Address 173 SOUTHWICK STREET
- b. City/Town AGAWAM c. Zip Code 01001
- d. Assessors D9 e. Parcel/Lot# 1/15
- Map/Plat#
- f. Latitude 42.06540N g. Longitude 72.68642W
6. Property recorded at the Registry of Deed for:
- | a. County | b. Certificate | c. Book | d. Page |
|-----------|----------------|---------|---------|
| HAMPDEN | | 2895 | 48 |
7. Dates
- a. Date NOI Filed : 4/13/2020 b. Date Public Hearing Closed: 10/8/2020 c. Date Of Issuance: 10/8/2020
8. Final Approved Plans and Other Documents
- a. Plan Title: DEFINITIVE SUBDIVISION PLAN - NICOLE TERRACE
- b. Plan Prepared by: R. LEVESQUE ASSOCIATES
- c. Plan Signed/Stamped by: ROBERT M. LEVESQUE
- d. Revised Final Date: 9/29/20
- e. Scale:

B. Findings**1. Findings pursuant to the Massachusetts Wetlands Protection Act**

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

- | | | |
|--|--|--|
| a. ☒ Public Water Supply | b. ☐ Land Containing Shellfish | c. ☒ Prevention of Pollution |
| d. ☐ Private Water Supply | e. ☐ Fisheries | f. ☐ Protection of Wildlife Habitat |
| g. ☐ Ground Water Supply | h. ☒ Storm Damage Prevention | i. ☒ Flood Control |

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2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- a. ☒ The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- b. ☐ The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. ☐ Land under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage				

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	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☒ Riverfront Area	<u>4,825</u>	<u>4,825</u>		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft				
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u>4,825</u>	<u>4,825</u>		
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☒ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☒ Land Under the Ocean	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
12. ☒ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☒ Coastal Beaches	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. ☒ Coastal Dunes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. ☒ Coastal Banks	<u> </u>	<u> </u>		
	a. linear feet	b. linear feet		
16. ☒ Rocky Intertidal Shores	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
17. ☒ Salt Marshes	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. ☒ Land Under Salt Ponds	<u> </u>	<u> </u>		
	a. square feet	b. square feet		
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
19. ☒ Land Containing Shellfish	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	a. square feet	b. square feet	c. square feet	d. square feet
20. ☒ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u>	<u> </u>		
	c. c/y dredged	d. c/y dredged		
21. ☒ Land Subject to Coastal Storm Flowage	<u> </u>	<u> </u>		
	a. square feet	b. square feet		

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22.

☐ Restoration/Enhancement (For Approvals Only)

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.5.c & d or B.17.c & d above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

☐ Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream
crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing

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the words,

" Massachusetts Department of Environmental Protection"
 [or 'MassDEP']
 File Number : "087-0655"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) ☒ is not (2) ☐ subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction

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- BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
 - d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
 - e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
 - f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
 - g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
 - h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
 - i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
 - j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.

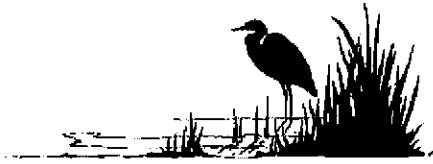
Page 6 of 11 * ELECTRONIC COPY

¹¹ **Massachusetts Department of Environmental
Protection**
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:087-0655
eDEP Transaction #:1231420
City/Town:AGAWAM

-
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
 - l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:
SEE ATTACHED CONDITIONS.



TOWN OF AGAWAM, MASSACHUSETTS
CONSERVATION COMMISSION
ORDER OF CONDITIONS

File #87-0655 – 173 Southwick Street

1. This Order supersedes all previous Orders of Conditions issued for this work.
2. The Order of Conditions applies only to the work permitted by this Order. Any other work to be done within the area of statutory interests of Wetlands Protection shall require the filing of a new Notice of Intent or Request for Determination.
3. During the construction phase, the applicant shall be responsible for maintaining a copy of these Orders at the site. The applicant shall be responsible for compliance with the conditions of these Orders.
4. In advance of any work on this project, the applicant shall contact the Conservation Commission and arrange a conference between the Commission, contractor, designer/engineer, and applicant. The purpose of this conference is to insure that all of the Orders are understood. This conference shall take place on-site.
5. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and until the site has become stabilized with permanent vegetative cover.
6. The Commission shall be notified at least seventy-two hours prior to the start of site work (including tree cutting or clearing).
7. The Commission shall be notified when the erosion control measures are in place to enable the Commission to ensure compliance with these Orders.
8. The project engineer/designer shall be held responsible and accountable for the true and accurate implementation and construction of his/her design or plan. Should any accidental deviation from the approved plan occur, the engineer/designer shall notify the Commission immediately to determine if a new Notice of Intent is required. If any changes to the approved plan are anticipated, the engineer/designer shall likewise notify the Commission to determine if a new Notice of Intent is required. In any case the Commission may deny any deviation, accidental or intended, from the approved plan.
9. The erosion and sedimentation barrier shall serve as the alteration limit line. Said barrier shall fully protect the adjacent wetland/resource area, and no work shall be permitted beyond this limit line. No machinery shall be operated beyond this limit line.

10. There shall be no discharge or spillage of oil, fuel, any petroleum product or any other pollutant into any area of statutory interest.
11. At no time shall any construction materials, soils, fills, sediments, dredging or any other substances be stockpiled or stored in any area of statutory interest.
12. The construction site shall be left in a stable condition at the close of each day. Erosion and sedimentation controls shall be continuously monitored to ensure proper operation.
13. If any alteration of the wetland/resource area does occur, the Commission shall impose such measures as it finds necessary to protect and restore the areas of statutory interest.
14. Whether from on-site or off-site, any fill used in connection with this project shall be clean fill as described here:

The fill material shall be clean coarse washed sand or other clean granular material essentially free of clay, fines, dust, organic matter, large stones, masonry, stumps, frozen clumps of earth, wood tree branches and waste material. Before the fill is put in place, all trees, brush and stumps shall be removed from the area to be filled. Topsoil, peat and other impervious materials shall be removed from all areas to be filled prior to the placement of the fill material.

15. No liquid or solid chemical lawn fertilizers, pesticides, herbicides or chemical or petroleum dust control agents shall be applied within the area of statutory interest or anywhere that the surface drainage is discharged into an area of statutory interest.
16. Periodic maintenance/cleaning of the detention basin, drainage swale and catch basins shall be conducted by the homeowners association.
17. Lots 8 thru 14 shall carry the following restrictions, and a covenant so noted on each deed:

"This lot contains certain areas or abuts areas protected by Chapter 131, Section 40 of the General Laws of Massachusetts known as the Wetlands Protection Act and comes under the jurisdiction of the Agawam Conservation Commission. No cutting of trees, clearing of brush, digging, filling in with soil or debris, or the building of bridges is permitted within one hundred (100) feet of the designated wetland areas or within 200' of any designated river without specific approval granted by the Conservation Commission."

18. The Commission reserves the right to impose additional conditions on any or all portions of this work to minimize the impact of potential site erosion or noticeable degradation of water quality discharging from the site at any time.
19. Commencing with the issuance of these Orders and continuing through the end of the construction phase of this project, the applicant or his successors and assigns shall submit

to the Commission a written monthly progress report detailing the work that has been done of statutory interest.

20. This order shall apply to all successor or assignee in interest or control of the subject property. Any conveyance of interest or control in the subject property shall make reference to this order by stating that the conveyance is subject to the provisions of an Order of Conditions under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and by giving the book and page reference in the Hampden County Registry of Deeds where this order is recorded.
21. The petitioner shall have recorded in the Hampden County Registry of Deeds an "Order of Conditions Form" provided by this Commission. The Commission will not allow work to begin until proof of recording is provided the Conservation Commission.

Massachusetts Department of Environmental
 Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:087-0655
 eDEP Transaction #:1231420
 City/Town:AGAWAM

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No

2. The Conservation Commission hereby (check one that applies):

a. ☐ DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. ☐ APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw _____

2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

MassDEP File #

eDEP Transaction #

City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

10-8-20
1. Date of Issuance

4
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Henry A. Kopp
Frank M. Peagher
Margie B. Berrington

Cheryl Becker

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

10-16-20

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

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



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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.

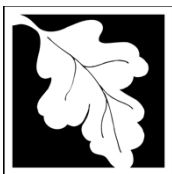
Sincerely,
R LEVESQUE ASSOCIATES, INC.

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

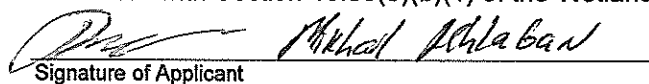
I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

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.

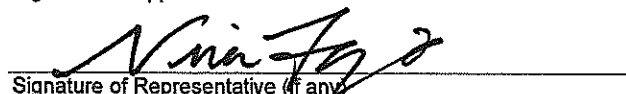
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

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

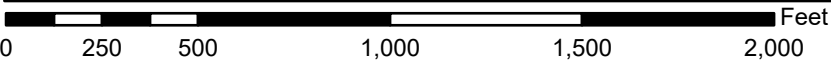


Property Tax Parcels
USGS Topographic Maps

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
		Profile 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



APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "CONSERVATION FILING PLAN"

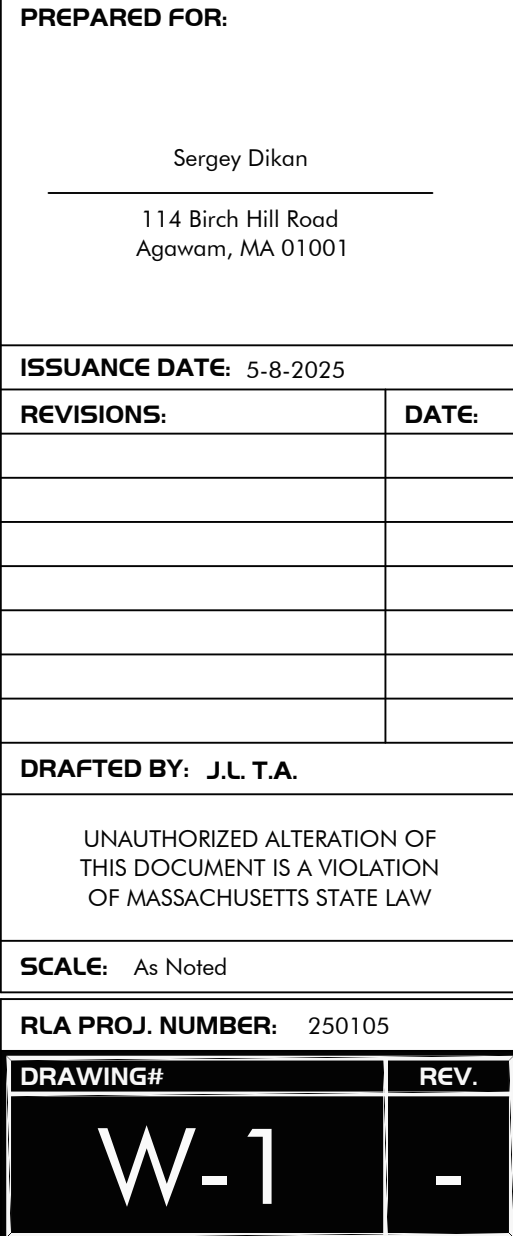
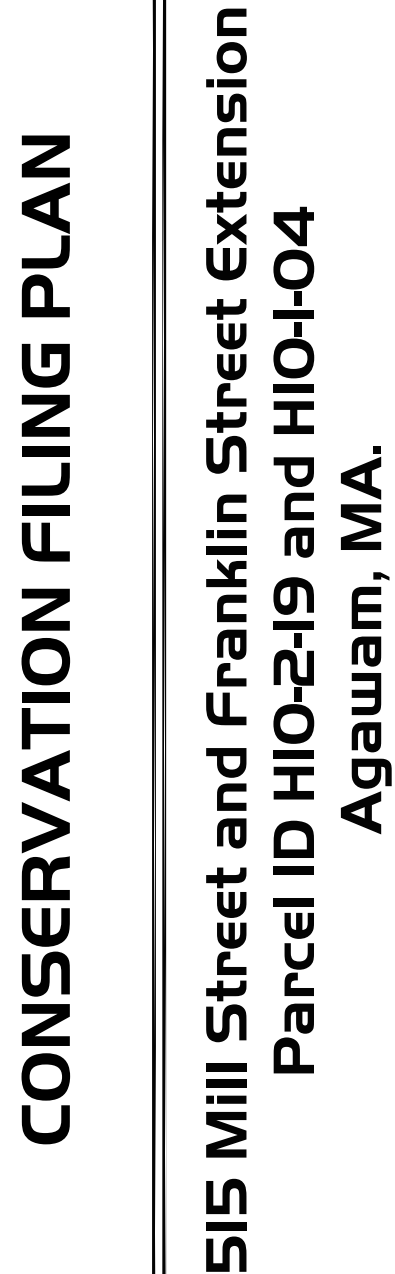
PREPARED FOR SERGEY DIKAN

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED MAY 8, 2025



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.



June 23, 2025

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

Re: Request for Determination of Applicability (RDA)
515 & 533 Mill Street
Agawam, MA 01001
Assessor's Parcel IDs: H10-2-19 & H10-1-4
Wetland Consultant Peer Review Proposal

Dear Mr. Kozloski:

Foremost, thank you for considering Stockman Associates LLC. It is our understanding that the Agawam Conservation Commission is seeking an estimate for a wetland consultant peer review of a Request for Determination of Applicability (RDA) submitted by R Levesque Associates, Inc. (RLA) on behalf of their clients, Sergey Dikan and Mikhail & Tamara Ashlaban, for the properties located at 515 & 533 Mill Street (Assessor's Parcel IDs: H10-2-19 & H10-1-4) in Agawam, MA. Based on the RDA narrative prepared by RLA dated May 8, 2025, the boundary of Bordering Vegetated Wetland (wetland "A") will be reviewed. It is our understanding that the scope will also include a review of the entire subject parcels to confirm that there are no additional unmapped, protected wetland resource areas.

Scope of Work

Field Work

Site Visit: to review and confirm field work performed by RLA and depicted on the RDA site plan dated May 8, 2025, including the review of the Bordering Vegetated Wetland boundary described above. It is anticipated that boundary delineation flagging will be clearly visible and labeled in the field. Any observation plots utilized by RLA to evaluate soils, vegetation, and hydrology should also be clearly marked on a site plan and in the field for review.

Furthermore, it is anticipated that a representative from RLA as well as members of the Agawam Conservation Commission may be present during the site visits.

Estimated ½ Field Day

Materials Review

Request for Determination of Applicability (RDA) Review: including the review of the RDA WPA Form 1, and other supporting documents submitted with the May 8, 2025 RDA prepared by RLA.

The review will be performed under the Massachusetts Wetlands Protect Act (MA WPA) regulations (310 CMR 10.00). It is our understanding that the Town of Agawam does not have a local wetland protection bylaw.

Follow-up Review: including the review of RLA responses to our initial findings report, revisions to the plans and other submitted documents.

Reporting

Review Findings: including a findings report and recommendations based on the materials review and the site visit. The report will specifically address concurrence and non-concurrence with the Bordering Vegetated Wetland boundary as presented in the RDA prepared by RLA.

Follow-up Review Findings: including a follow-up findings report identifying any outstanding comments not addressed by RLA.

Meetings

Attendance: This proposal includes attendance at one (1) in person Agawam Conservation Commission meeting.

Total Cost Estimate

26 hours
\$2,860

Please note that the above cost estimate has been provided based on the May 8, 2025 RDA submittal prepared by RLA and includes one review of revised materials. Any additional submittals, additional site visits, and/or public hearings would be considered extra work beyond the proposed scope. If additional review is requested during the process, Stockman Associates LLC will bill for those services at the rates provided below.

Hourly Rates (including travel):

Wetland Scientist \$110/hour
Field Technician \$65/hour

This proposal is valid for 30 days. Our receipt of a signed copy of this proposal and confirmation of funding will serve to authorize Stockman Associates LLC to proceed with the work outlined above in our Scope of Services and in the attached General Contract Conditions.

It is anticipated that work will commence within two weeks of authorization. Please note that aspects of the proposed timeline are subject to the scheduling and availability of others as well as site conditions and, therefore, may be subject to change. Based on our current workload we have limited availability during July 2025. Please note that the office will be closed from August 18, 2025 through August 29, 2025.

I look forward to working with you on this project. Thank you for considering Stockman Associates LLC.



If you have any questions regarding the above estimate, please do not hesitate to contact me at emily@stockmanassociates.com or at 413-743-1372.

Sincerely,

A handwritten signature in cursive script that reads "Emily Stockman".

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

AUTHORIZATION TO PROCEED

Agawam Conservation Commission

Request for Determination of Applicability (RDA)

515 & 533 Mill Street

Agawam, MA 01001

Assessor's Parcel IDs: H10-2-19 & H10-1-4

Wetland Consultant Peer Review Proposal

I hereby authorize Stockman Associates LLC to proceed with the above-referenced project in accordance with the Scope of Services described herein.

Agawam Conservation Commission

Printed Name

Date

Signature

Title

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



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

LIST OF APPENDICES

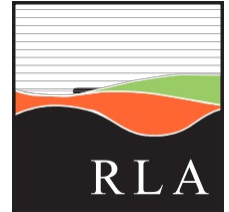
APPENDIX A: SITE PLAN

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.

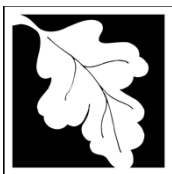
Sincerely,
R LEVESQUE ASSOCIATES, INC.

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 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
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)
08-2	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):

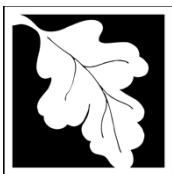
The applicant proposes a building addition adjacent to the existing garage.

- 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."

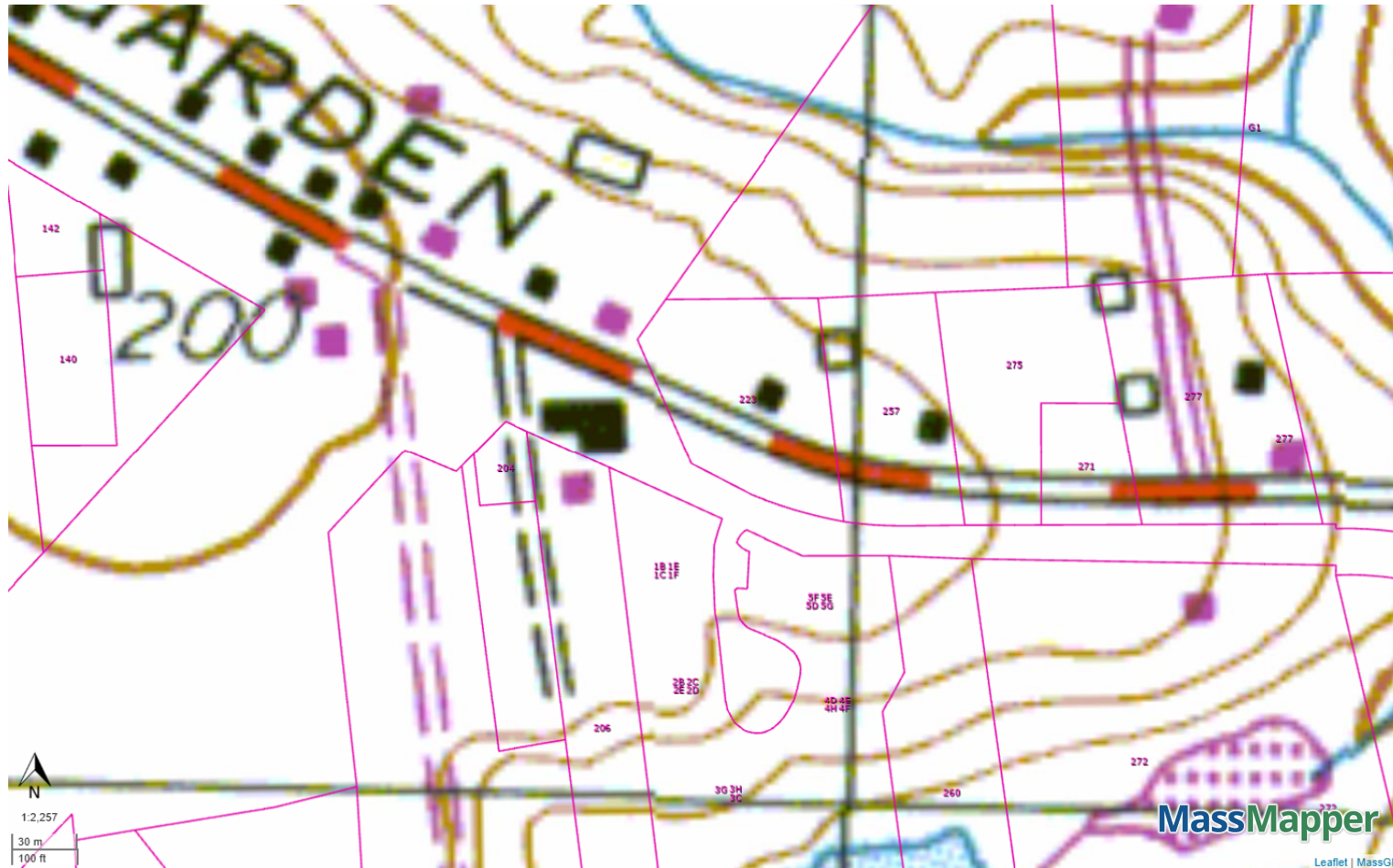
Riverfront Area is associated with off-site perennial stream and has been shown 200' from the delineated mean annual high-water line. The proposed activities do not disturb the Riverfront Area.

[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

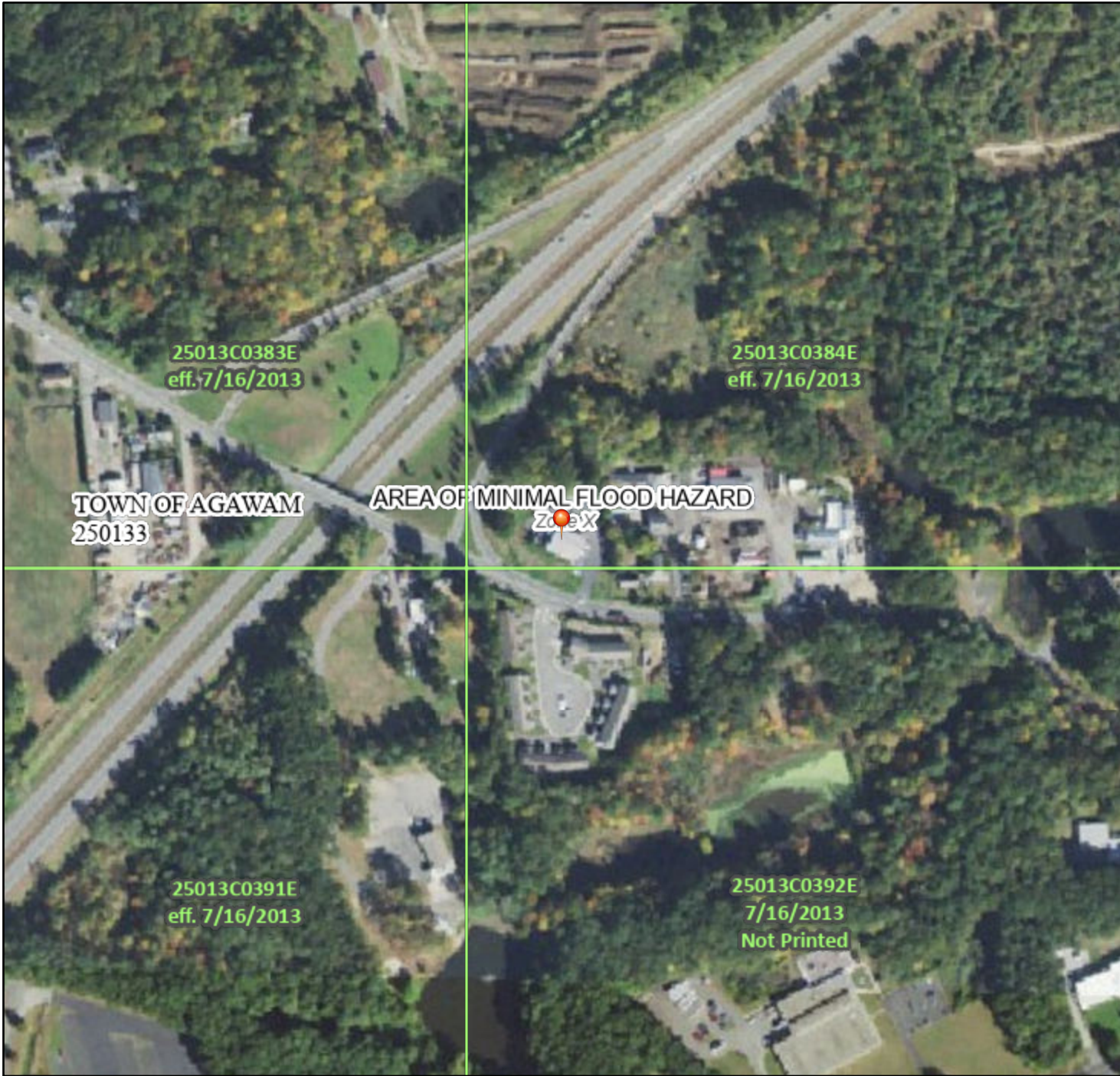


Property Tax Parcels
USGS Topographic Maps

National Flood Hazard Layer FIRMMette



72°39'38"W 42°3'59"N



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

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)



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	1.7	100.0%
Totals for Area of Interest		1.7	100.0%

APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "PROPOSED SITE IMPROVEMENTS"

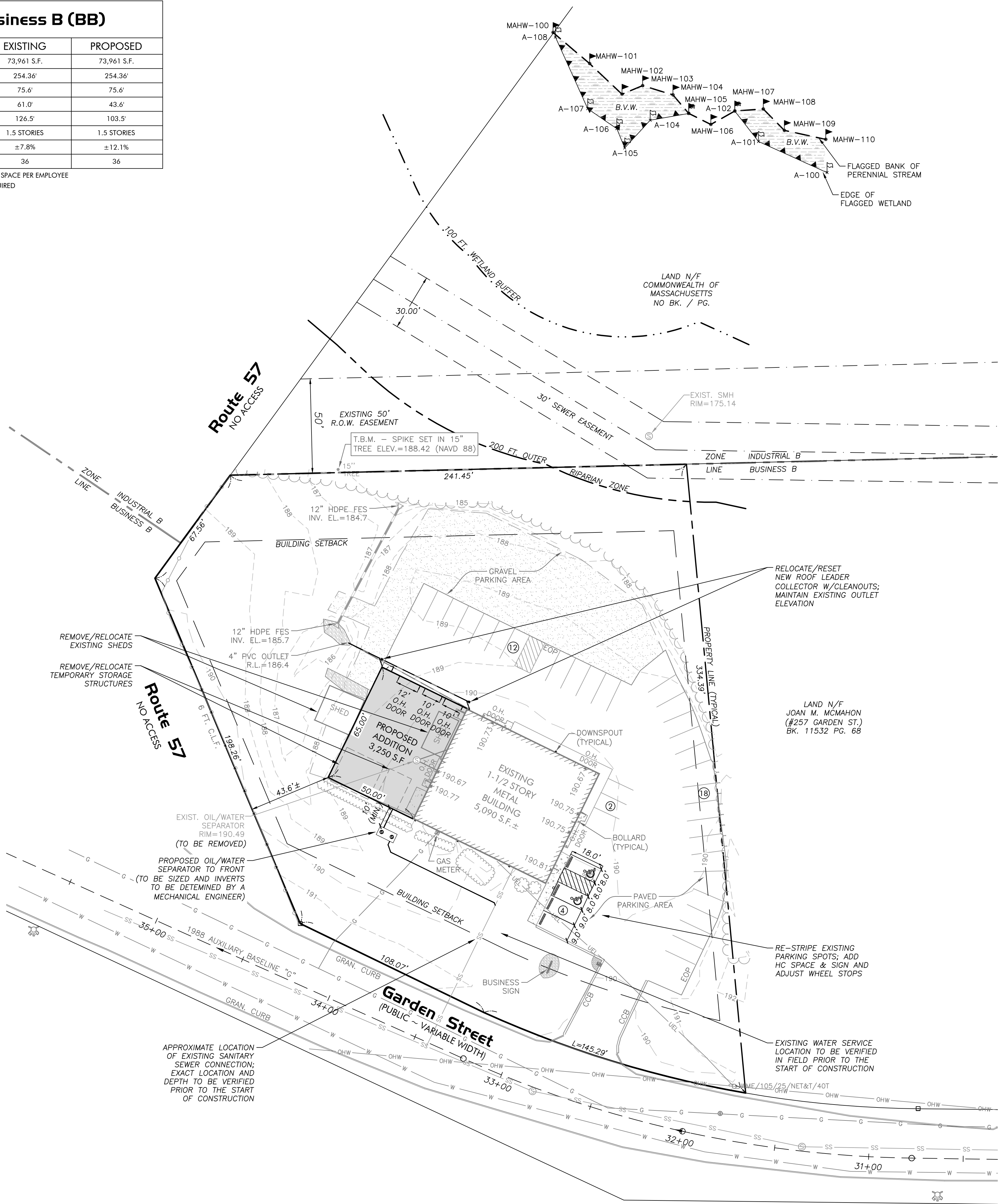
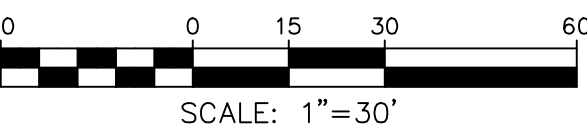
PREPARED FOR VERMETTE AUTO BODY

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED APRIL 16, 2025

S:\Projects\2025\250214 - Zebian - 223 Garden St., Vermette Auto Body, Feeding Hills\05 Civil\3D\250214 - EXIST.dwg

ZONING REVIEW - Business B (BB)			
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
* ONE (1) SPACE PER 300 S.F. OF GROSS FLOOR AREA PLUS ONE (1) SPACE PER EMPLOYEE 8,300 S.F. / 300 = 27.8 (OR 28) + 8 (EMPLOYEE SPACES) = 36 REQUIRED			

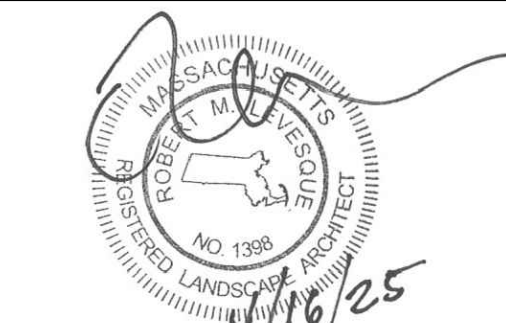


NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCEL IS MBNZ HOLDING CO. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 24996 PAGE 11.
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.

PROPOSED SITE IMPROVEMENTS

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



PREPARED FOR:

Vermette Auto Body
c/o Mr. Nasser Zebian
223 Garden Street
Agawam, MA 01030

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

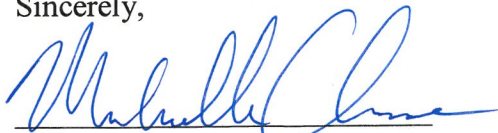
To: Planning Department
CC: File
From: Engineering Division
Date: May 1, 2025
Subject: SP 353 – #223 Garden Street – Building Addition

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:

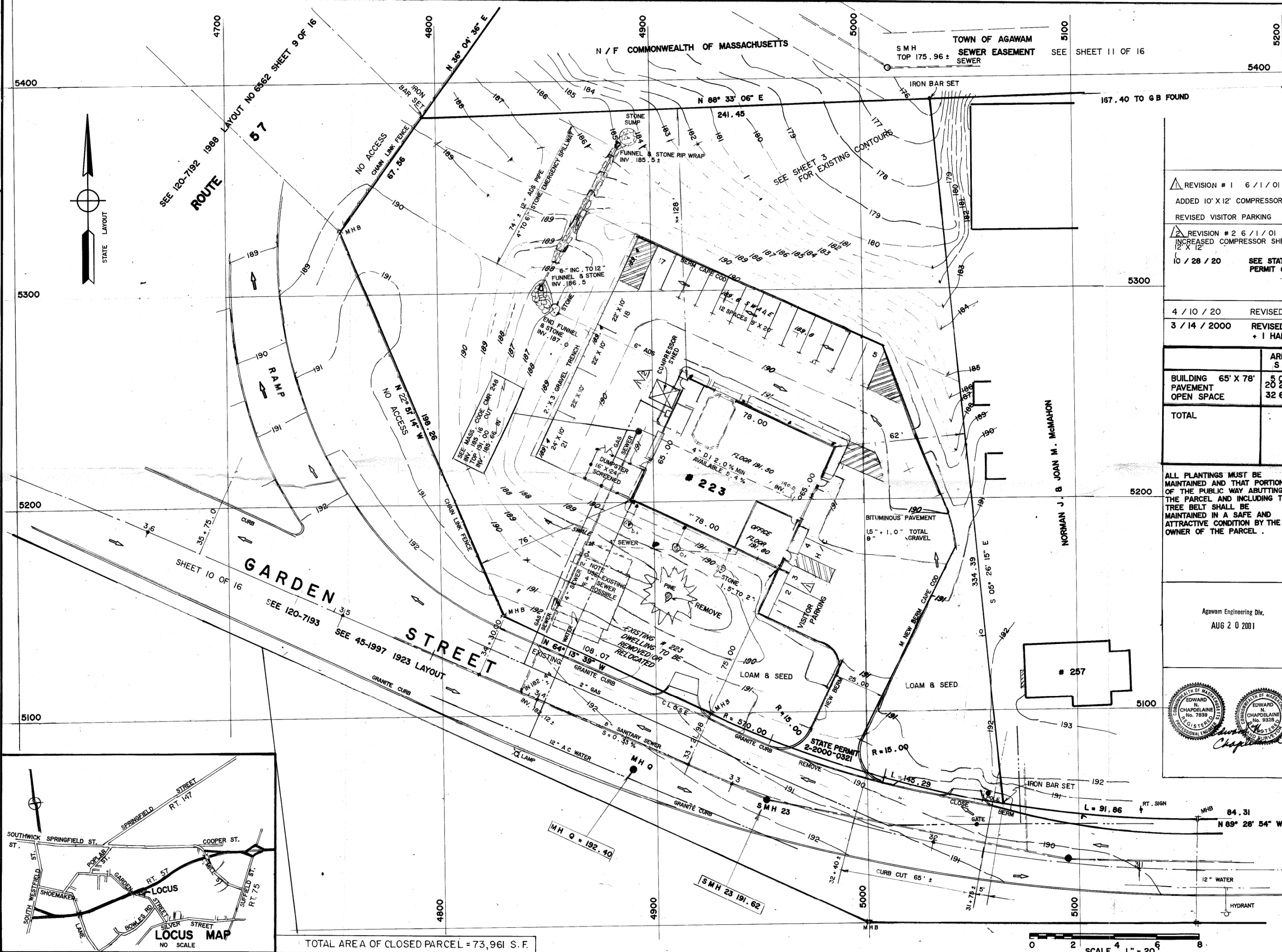
1. A review of the original site plans for the property – dated June 1, 2001 – indicate that the impervious area onsite has expanded outside of the limits approved by the Agawam Planning Board (see attached plan). The existing conditions shown on the submitted site plans show the parking lot area has 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

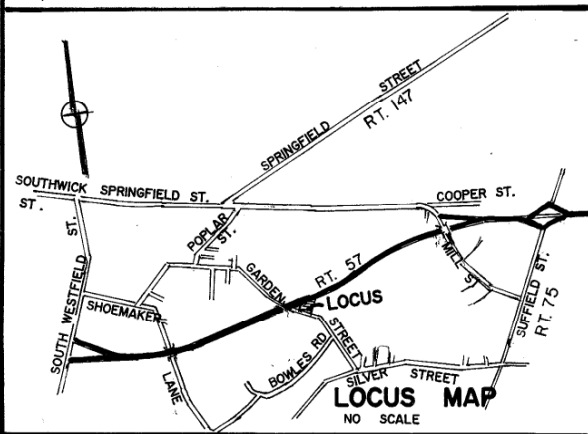
DESIGN - BUILDER
FORISH CONSTRUCTION CO. INC.
LEONARD T. FORISH
PRESIDENT
MAINLINE INDUSTRIAL PARK
WESTFIELD, MASSACHUSETTS
TEL. 413-568-8824

RECORD OWNER
JERRY L. ZERRA & ROSE Z. DYKE
HAMPDEN 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.
HAMPDEN 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 110 of 133



TOTAL AREA OF CLOSED PARCEL = 73,961 S.F.

SCALE 1" = 20'

MICHAEL MOCKO ENVIRONMENTAL CONSULTANT

mockoenvironmental@cox.net

**36 HAMPDEN ROAD
STAFFORD SPRINGS, CT 06076
TEL. 860-684-7205
CELL 860-933-0997**

ADDENDUM TO NARRATIVE

JUNE 20, 2025

**1014 North Street Ext.
Feeding Hills, MA
MA DEP File # WE 087-0684**

The following is a response to the comments made by Stockman Associates review of May 27, 2025.

1. BVW flagging has been reviewed in the field by Stockman Associates and field walked with the Agawam Conservation Commission on May 20, 2025. Agreement on the flagged and surveyed boundary was reached and shown on the revised plan. Revision Date: June 20, 2025

Historic drainage ditches were determined to be jurisdictional BVW with the widths measured in the field and the revised plan depicts all the ditches, including the 201 series. Calculated loss of jurisdictional wetland includes all ditches with the agreed widths.

iii. D-2 through D-5 has been recalculated at a 5-ft. width.

D-301 series has been recalculated at a 4-ft. width.

iv. Extensions of the “ditches”, as noted, at D-301 and D-5 are on the plan.

Historic “drainage ditch” D-201 series is now on the plan (June 20, 2025) and calculated as jurisdictional with an average width of 5.6-ft.

2. These BVW impacts have been reviewed and calculated by the surveyor to provide an updated BVW loss.
3. Temporary logging mats will be elevated on log runners to minimize BVW impact. Temporary impact is shown on the plan and replication will be in the same place. Mats and runners will be removed, ground surface smoothed, and disturbed soil will be straw mulched.

4. Culvert armament has been minimized on the plan and the area calculated as impacted BVW.
5. Deed restriction existing on Alexander Ave. which once was a “paper street” prohibits further development, construction, or access. This permanently eliminates further development that would result in greater BVW loss in excess of 5,000 sq. ft.
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 5,000 sq. ft. of BVW when said area is replaced”. This project results in 4,776 sq. ft. of BVW loss which is less than 5,000 sq. ft.

7. a. Analysis of 10.55 (4)

1. Based on recalculation of the BVW lost including driveway, pipe and riprap, and BVW – historical ditches the total sq. ft. is 4,776. The surface area of the BVW replication area has been reduced to 5,179 sq. ft. to minimize the buffer zone impact.
2. Conditions in the BVW lost to the driveway construction is typically flat topography with hydric soil conditions – typical 0 – 12” 10YR3/2 FSL, 12”-14” 2.5 Y 3/3 FSL, 14” – 24” 2.5Y 4/2 Silty fine – med sand with redox features @ 12-24”. Estimated water table is 0 – 12” and ponding of water has been observed during extended wet periods. Ponding of surface water does drain off slowly to the southwest and the lower part of the landscape. The gradient of the surface of the BVW is only 0.5 – 1.0% making the sight slow to drain during wet periods.

The existing conditions of the replication area (not BVW) is nearly flat topography and elevated 1.0 – 2.0- ft. above the adjacent BVW. Soils are typically 0-6” 10YR 3/2 FSL 6”-14” 2.5Y 4/3 FSL, 14”-24” 2.5Y 4/3 fine-med silty sand, redox features @ 20”, estimated water table at 20”, and observed water @ 18” during wet periods.

8. Culverts are proposed to provide and maintain existing drainage patterns. There is minimal contributing drainage area and culverts are oversized just for ease of maintenance. The occasional removal of leaves and fallen branches will benefit the pipe function.
9. Siting of the primary 12” culvert is now shown in the “historic ditch”, as this is the low point. The second 6” culvert is in a secondary low and is for redundancy. These will ensure that existing drainage patterns are maintained.
10. Existing drainage patterns will be maintained by driveway culverts. Preservation of the existing drainage patterns will remain the same through the undisturbed BVW. Surface drainage by the proposed grading will maintain the drainage currently following the “historic ditches” that will be filled.

The replication BVW will add stormwater detention that is lost to the proposed driveway fill and “historic drainage ditch” fill.

11. Once logging mats are removed, the soil disturbance will be smoothed with an excavator bucket, restoring the original grade, and mulched with straw. The remaining root stock and

seed stock will adequately revegetate the minimal disturbance. The one year and two year inspection will observe conditions and supplemental seeding with the appropriate wet mix can be provided, if necessary.

12. Plant list is revised on the plan. (June 20,2025)

13. A revised plan will be submitted to the Engineering Department and a site walk will be scheduled.

14. Engineering may want additional test pits for foundation suitability, as the home location has been revised.

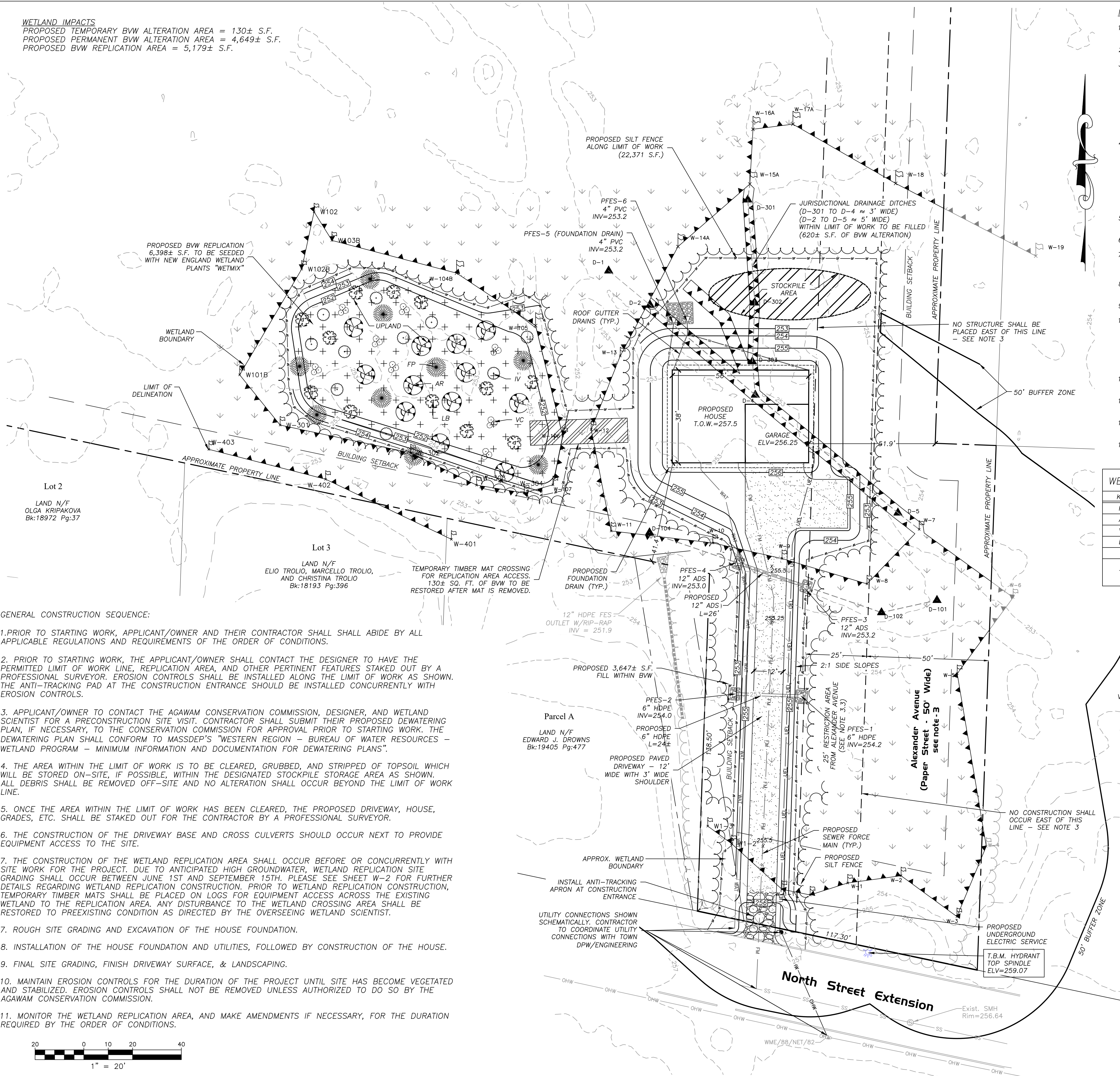
15. Buffer zone review by the Agawam Conservation Commission was discussed on the May 20, 2025 site walk. The limit of clearing was staked for review, as was the silt fence location. Erosion controls are detailed on page 2 of the plan. During tree clearing, any dangerous or unhealthy trees beyond clearing limits should be marked and permission for removal should be obtained by the Agawam Conservation Commission.

16. The current revised plan dated June 20, 2025 and narrative addendum dated June 20, 2025 are enclosed.

17. The impervious area is in very small proportion to the large extent of the wetland left undisturbed. No measurable impact is expected in the BVW.

18. The size of the wetland replication area has been revised to reflect a 1:1 ratio, in order to minimize the disturbance of the buffer zone.

Points 19 through 26 addressing the site plan have been added to the revised plan dated June 20, 2025.



1. THE RECORD OWNER OF THE SUBJECT PARCEL IS VIP HOMES & ASSOCIATES, LLC. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 16005 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 WALLS IN 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.
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 LEVESQUE 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 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. NOT ALL UTILITIES HAVE BEEN SHOWN.
11. ADJACENT PROPERTY LINES AND ABUTTERS 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 25013C03B3E -- EFFECTIVE DATE: 7-16-2013.
14. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

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.

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%

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%

NOTE: R LEVEQUE ASSOCIATES HAS NOT CONDUCTED SOIL EVALUATIONS OR GROUNDWATER ELEVATION OBSERVATIONS FOR THIS PROPERTY. TO ENSURE PROPER DRAINAGE, IT IS ADVISED THAT THE PROPOSED HOUSE NOT HAVE A FLOOR ELEVATION LOWER THAN THE TOP OF WALL (TOW) SHOWN ON THE PLAN. PRIOR TO CONSTRUCTION, DEVELOPER/CONTRACTOR SHALL VERIFY ARCHITECTURAL PLANS WITH THIS SITE PLAN. IF ANY ADJUSTMENTS ARE REQUIRED, PLEASE NOTIFY R LEVEQUE ASSOCIATES AND THE AGAWAM CONSERVATION COMMISSION PRIOR TO COMMENCING WORK.

PERMITTING

S:\Projects\2024\240713 - Ruha - 1014 North Street Ext., Agawam\05 Civil\3D\240713 - SITE - REV.dwg

WETLAND REPLICATION NOTES:
SCHEDULE:

- WETLAND REPLICATION WORK SHALL TAKE PLACE DURING THE GROWING SEASON, IDEALLY BETWEEN JUNE AND SEPTEMBER 15TH FOR SITE GRADING DUE TO ANTICIPATED HIGH GROUNDWATER. WETLAND REPLICATION WORK SHALL BE DONE CONCURRENT WITH SITE WORK.
- THE AGAWAM CONSERVATION COMMISSION (ACC) SHALL BE CONTACTED 48 HOURS IN ADVANCE OF THE START OF WORK AND A PRECONSTRUCTION SITE MEETING SHALL BE HELD WITH THE ACC, THE REGISTERED LANDSCAPE ARCHITECT (RLA) OR WETLAND SCIENTIST, AND THE APPLICANT.
- THE WETLAND SCIENTIST, OR HIS REPRESENTATIVE, SHALL BE ON SITE AT THE START OF WORK AND CHECK ON THE PROGRESS OF THE PROJECT REGULARLY DURING WORK IN WETLANDS AND AT OTHER CRITICAL POINTS DURING CONSTRUCTION. AT A MINIMUM, THE WETLAND SCIENTIST SHALL BE PRESENT AT THE START OF WORK TO VERIFY SUBGRADES; AT THE BEGINNING OF PLANTING; AND TO VERIFY THAT WORK IS COMPLETE.
- AN INSPECTION REPORT SHALL BE SUBMITTED TO THE WCC BY THE WETLAND SCIENTIST DURING THE WETLAND CONSTRUCTION PERIOD.
- WETLAND PLANT SEED MIX, AS SPECIFIED ON THE PLANS, SHALL BE OBTAINED FROM A NURSERY IN THE NEW ENGLAND STATES. SEE NOTICE OF INTENT FILING FOR PLANTING REPLICATION AREA PLANTING SCHEDULE.
- ALL EXPOSED SOIL WITHIN THE RESOURCE AREA(S) SHALL BE SEEDED WITH A WETLAND MIXTURE (SEE SPECIFICATION) AND MULCHED WITH WET MEADOW HAY, SALT HAY OR STRAW TO PREVENT EROSION UNTIL VEGETATION IS ESTABLISHED AND A CERTIFICATE OF COMPLIANCE IS RECEIVED FROM THE LOCAL CONSERVATION COMMISSION.
- FINAL WETLAND REPLICATION AREA ELEVATIONS SHALL BE CERTIFIED BY THE DESIGNER & WETLAND SCIENTIST.
- IMPACT TO ADJACENT WETLAND AREAS SHALL BE AT A MINIMUM. STORAGE OF ANY CONSTRUCTION MATERIALS OR MACHINERY IN ADJACENT WETLAND AREAS IS PROHIBITED. USE OF HEAVY MACHINERY IN ADJACENT WETLAND AREAS IS PERMITTED FOR CONSTRUCTION OF THE REPLICATION AREA ONLY WITHIN THE LIMITS OF THE EROSION CONTROL BARRIERS. ANY ADJACENT WETLAND DISTURBED DURING CONSTRUCTION WILL BE REESTABLISHED TO ITS PRE-CONSTRUCTION CONDITION AT THE CONTRACTOR'S EXPENSE.
- ALL SLOPES AND FILL AREAS IN BUFFER ZONE SHALL BE SEEDED AND MULCHED UPON COMPLETION OF CONSTRUCTION TO PREVENT ANY POSSIBLE IMPACT TO ADJACENT WETLAND.
- UPON COMPLETION OF THE CONSTRUCTION PHASE OF THE WETLAND REPLICATION, THE CONTRACTOR SHALL CONTACT THE DESIGNER AND WETLAND SCIENTIST FOR AN INSPECTION. THE WETLAND SCIENTIST SHALL NOTIFY THE LOCAL CONSERVATION COMMISSION AS TO THE COMPLETION DATE.

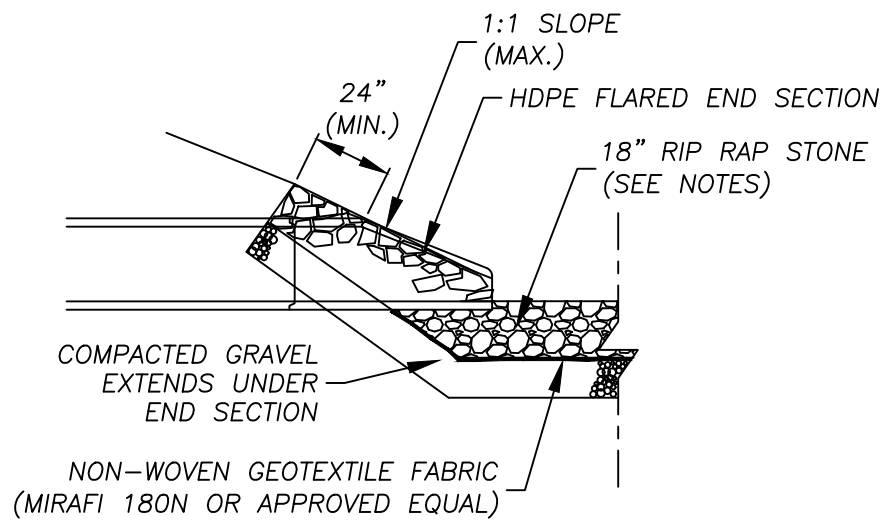
CONSTRUCTION SEQUENCE:

- THE LIMITS OF THE WETLAND REPLICATION AREA SHALL BE STAKED OUT BY MEANS OR SURVEY BEFORE CONSTRUCTION COMMENCES AND PROPOSED GRADE STAKES SHALL BE MARKED FOR CUT TO PROPER DEPTH BELOW PROPOSED FINISH GRADE FOR REPLICATION AREA.
- INSTALL EROSION CONTROL AND SILTATION BARRIERS AT LOCATIONS SHOWN ON PLAN, PRIOR TO CONSTRUCTION. NO EQUIPMENT TRAFFIC OR OTHER ALTERATION IS PERMITTED BEYOND SEDIMENT BARRIERS OR IN WETLAND AREAS, EXCEPT FOR GRADING AS SHOWN ON THE PLAN. BARRIERS WITHIN THE WETLAND SHALL BE INSTALLED SO AS TO MINIMIZE DISTURBANCE OF THE WETLAND. SILT FENCING SHALL BE TRENCHED IN BY HAND IN WETLAND AREAS. STRAW BALES MAY BE SET DIRECTLY ON THE WETLAND SURFACE WITHOUT TRENCHING, BUT MUST BE WELL STAKED, TIGHTLY BUTTED, AND JOINTS CHINKED WITH LOOSE HAY.
- CLEAR AND GRUB THE REPLICATION AREA AND REMOVE TOPSOIL FOR STOCKPILING ON ADJACENT LAND AS PER THESE PLANS. EXCAVATE SUBSOIL TO THE DEPTH BELOW THE FINAL GRADE SHOWN ON PLANS TO ALLOW FOR INLAY OF ORGANIC SOIL. DO NOT STOCKPILE TOPSOIL, SUBSOIL, STUMPS OR DEBRIS WITHIN RESOURCE AREAS.
- EXCAVATION WORK SHALL BE DONE FROM OUTSIDE THE EXISTING WETLAND AND SHALL PROGRESS FROM THE WETLAND EDGE INTO THE UPLAND.
- THE GROUNDWATER ELEVATION SHALL BE VERIFIED IN THE WETLAND REPLICATION AREA BY THE WETLAND SCIENTIST ONCE THE REPLICATION AREA HAS BEEN EXCAVATED TO SUB-GRADE. IF SEASONAL HIGH GROUNDWATER IS NOT PRESENT AT OR WITHIN SUFFICIENT DEPTH TO SUPPORT WETLAND VEGETATION, MODIFICATIONS TO THE PROPOSED REPLICATION AREA TOPOGRAPHY SHALL BE MADE IN THE FIELD UNDER THE SUPERVISION OF THE WETLAND SCIENTIST.
- REPLACE 12 INCHES OF ORGANIC SOIL INLAY TO THE REPLICATION AREA TO ACHIEVE FINAL GRADE. ORGANIC SOIL SHALL BE AN ORGANIC FINE SANDY LOAM APPROVED BY THE WETLAND SCIENTIST. IT IS ANTICIPATED THAT THE TOPSOIL EXCAVATED FROM THE REPLICATION SITE WILL BE AMENDED FOR THE WETLAND SOIL INLAY.
- AVOID COMPACTION OF SUBSOILS AND PLACED WETLAND SOILS. EQUIPMENT TRAFFIC IN THE REPLICATION AREA IS TO BE MINIMIZED BY USING TRACK INSTEAD OF WHEEL MACHINES. THERE SHALL BE NO TRAFFIC ON WETLAND SOILS ALREADY PLACED.
- INSTALL WETLAND PLANTINGS AS SHOWN, WHICH MAY BE AMENDED BY THE OVERSEEING WETLAND SCIENTIST BASED ON FIELD CONDITIONS AND PLANT AVAILABILITY. PLANTINGS SHALL BE INSTALLED DURING THE GROWING SEASON, IDEALLY IN SPRING OR FALL.

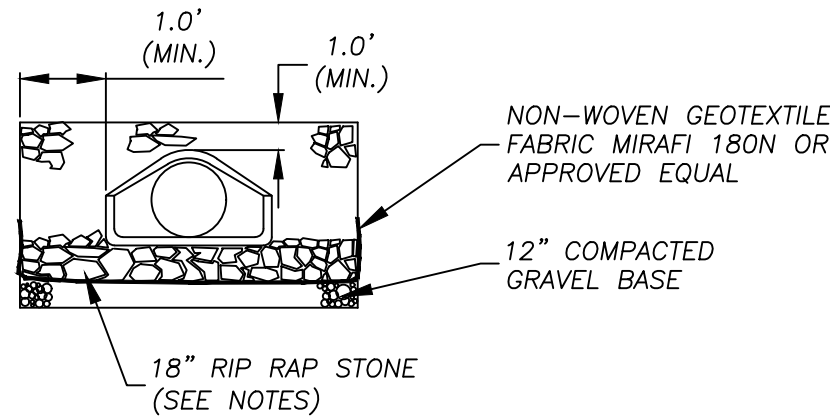
SILT FENCE INSTALLATION NOTES

- THIS SEDIMENT BARRIER UTILIZES MIRAFI ENVIROFENCE (100X) OR EQUAL. IT IS DESIGNED FOR SITUATIONS IN WHICH ONLY SHEET OR OVERLAND FLOWS ARE EXPECTED.
- 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.
- WHEN JOINTS ARE NECESSARY, FILTER FABRICS SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT STAKES WITH A MINIMUM 6-INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATION.
- 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.
- 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.
- 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.
- THE BOTTOM SIX (6) INCHES OF THE FABRIC SHALL BE LAID INTO THE TRENCH TO PREVENT UNDERMINING BY STORM WATER RUNOFF.
- BACKFILL THE TRENCH OVER THE FILTER FABRIC AND COMPACT SUFFICIENTLY TO PREVENT THE RUNOFF FROM ERODING THE BACKFILL.
- 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.
- 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.
- 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 OR REPLACEMENT OF THE SILT FENCE BARRIER AND/OR STAKES AS NEEDED.
- 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.

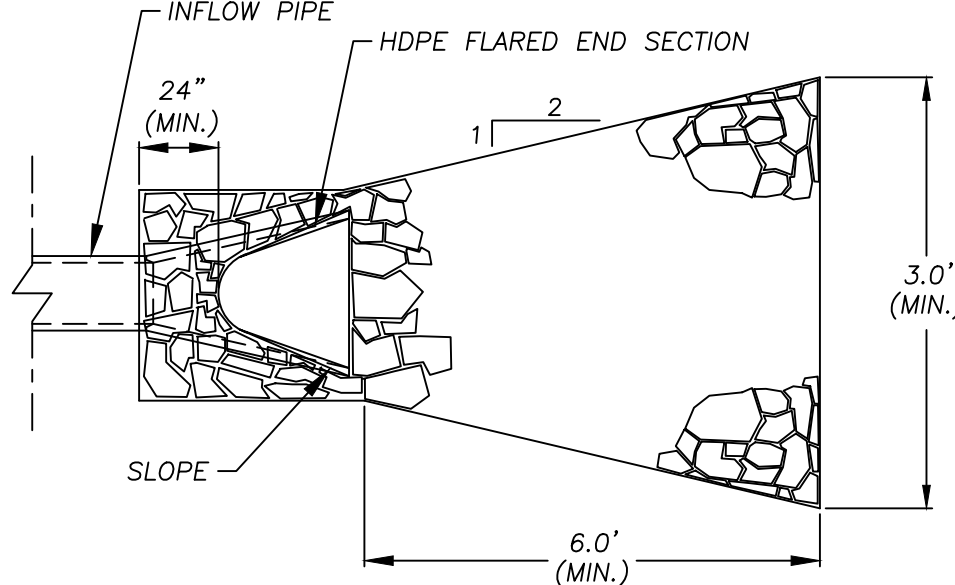
PERMITTING



SIDE SECTION



FRONT SECTION



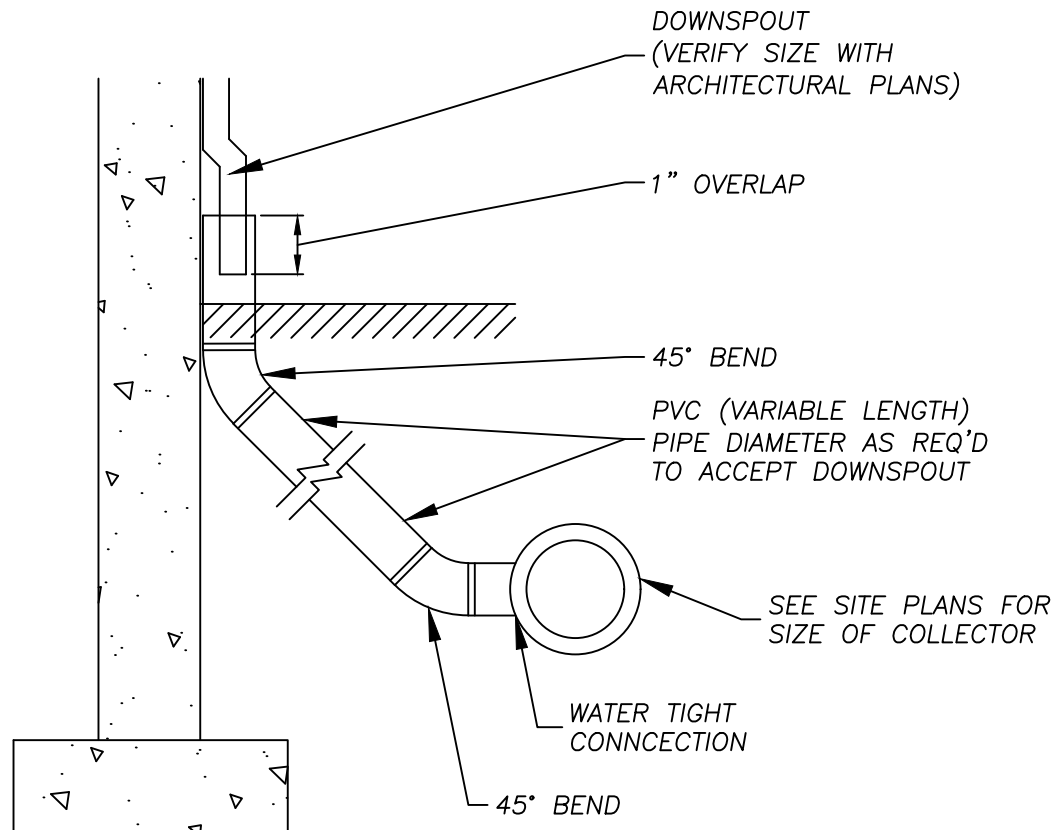
PLAN VIEW

STANDARD RIP RAP PIPE OUTLET

NO SCALE

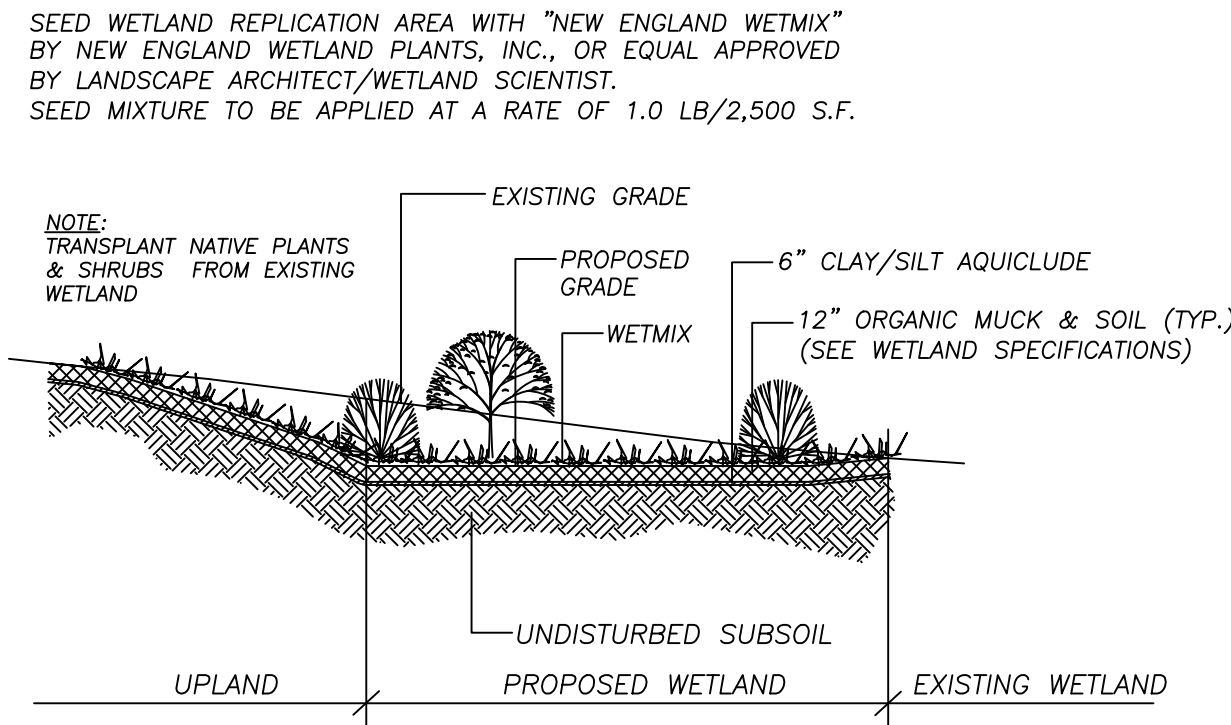
NOTES

- FLARED END SECTION PIPE JOINT SHALL BE SIMILAR TO THE MAIN RUN OF PIPE JOINTS
- STONE RIPRAP SHALL NOT BE LESS THAN 50 POUNDS NOR MORE THAN 125 POUNDS AND AT LEAST 75% OF THE VOLUME SHALL BE AT LEAST 75 POUNDS



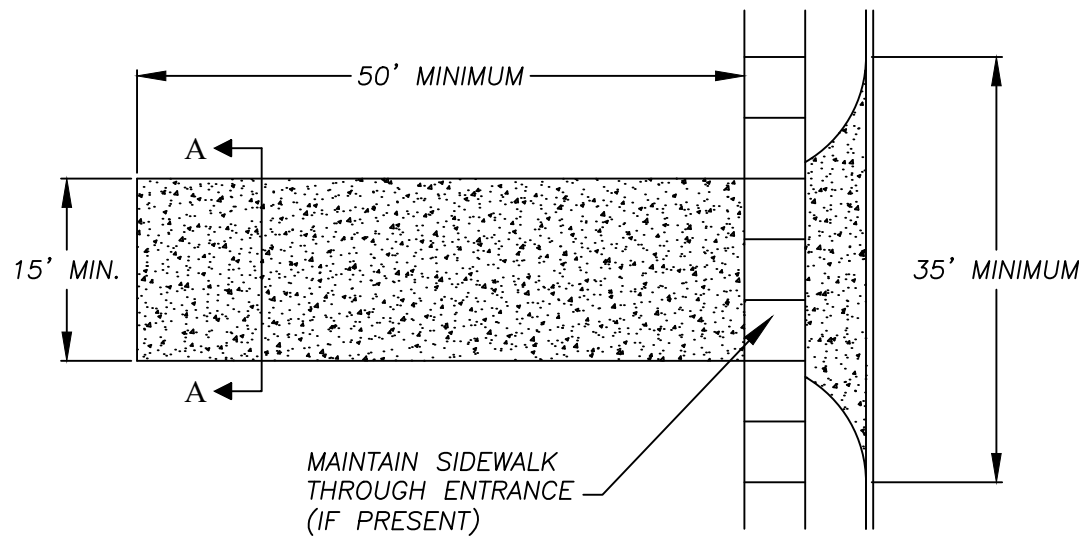
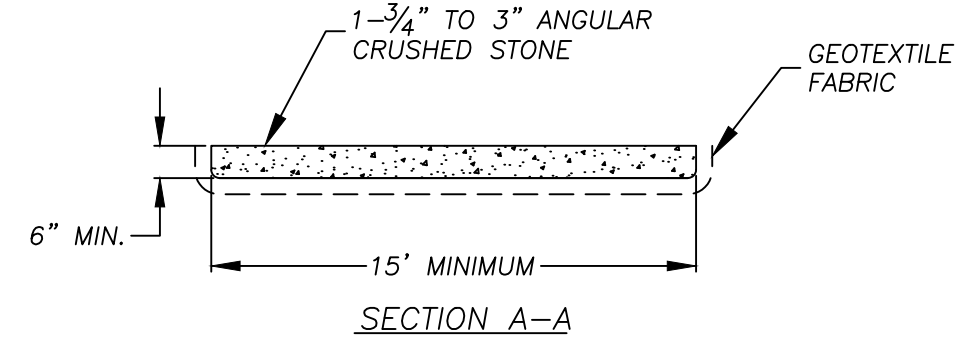
DOWNSPOUT COLLECTOR DETAIL

NO SCALE



TYPICAL WETLAND REPLICATION AREA - CROSS SECTION

NO SCALE

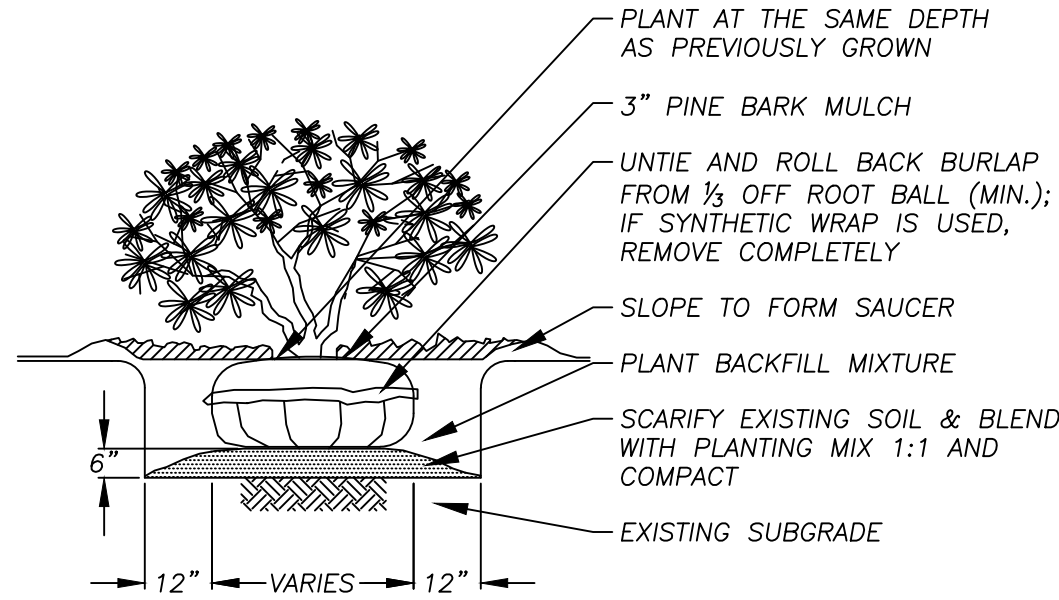


NOTES

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

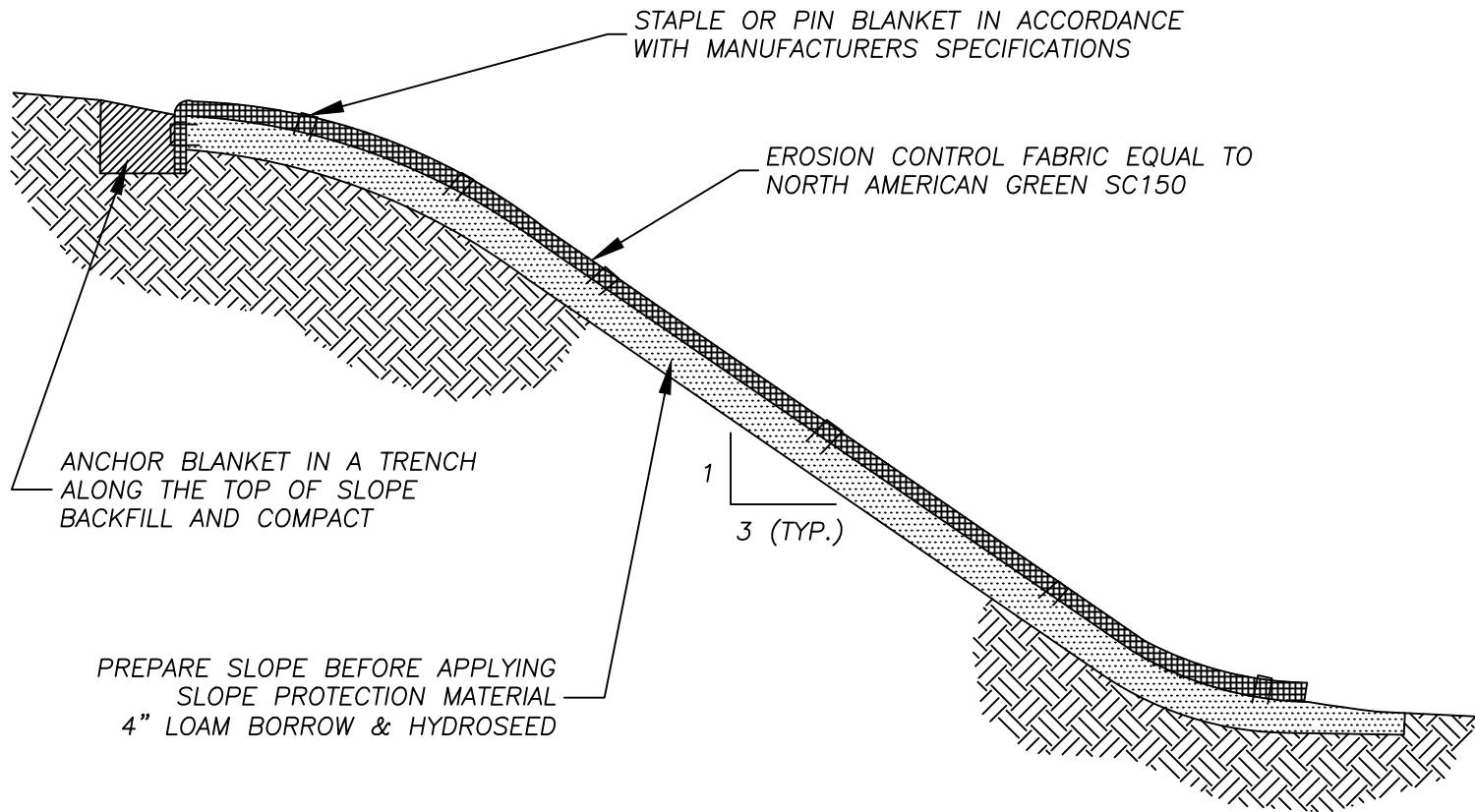
ANTI-TRACKING APRON (AS REQ'D)

NO SCALE



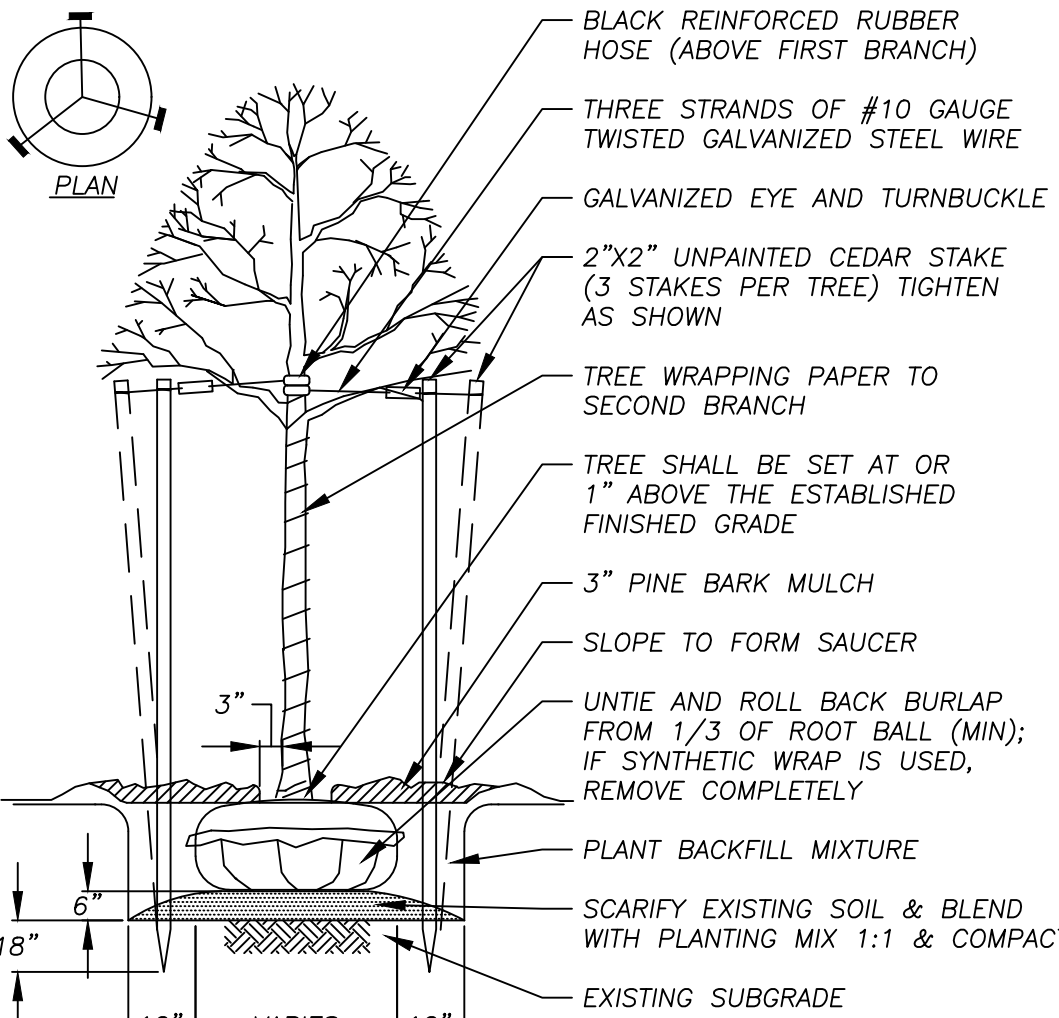
SHRUB PLANTING DETAIL

NO SCALE



SLOPE PROTECTION MATERIAL INSTALLATION (AS REQ'D)

NO SCALE



TREE PLANTING DETAIL

NO SCALE

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

DETAILS
1014 North Street Extension
Parcel I.D. #D13 210
Feeding Hills, Mass.

MASSACHUSETTS
REGISTERED LANDSCAPE ARCHITECT
6/20/25
PREPARED FOR:
VIP Homes & Associates, LLC
c/o Mr. Vladimir Ruha
29 Avalon Place
Feeding Hills, MA 01030
ISSUANCE DATE: June 24, 2025
REVISIONS:
A. Notes added 6/20/25
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# W-2 REV. A

MICHAEL MOCKO ENVIRONMENTAL CONSULTANT

**36 Hampden Road
Stafford Springs, CT 06076
Telephone- 860-684-7205
Cell - 860-933-0997**

June 11, 2025

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

Attention: Taryn Egerton

Re: 1014 North Street Ext.
Agawam, MA
DEP File #: WE 087-0684

Dear Commissioners:

On behalf of my client, VIP Homes and Associates, LLC, I would like to request a continuance of the public hearing of the Agawam Conservation Commission to the next scheduled meeting.

Sincerely,

A handwritten signature in black ink that reads "Michael Mocko". The signature is written in a cursive, flowing style.

Michael Mocko

Cc: Emily Stockman, MS, PWS - Stockman Associates
VIP Homes and Associates, LLC, Applicant/Owner
Rob Levesque, Levesque Associates

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

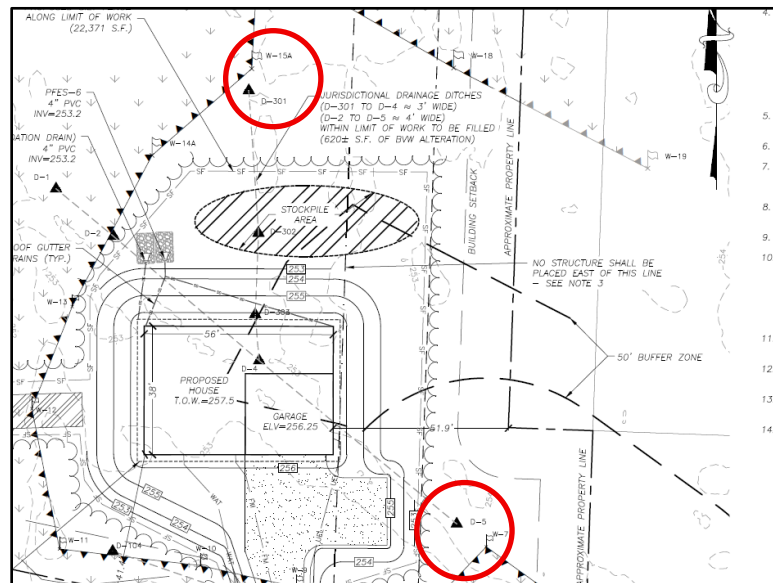
- Stockman Associates LLC performed a site visit on May 20, 2025. Also present were Mike Mocko (Mocko Environmental), Robin Mocko (Mocko Environmental), Henry Kozloski (ACC), Frank Meagher (ACC), and Page Fallon (ACC). Magda Galiatsos (ACC) was also present for a portion of the site visit.

Review Findings

Resource Area Boundaries

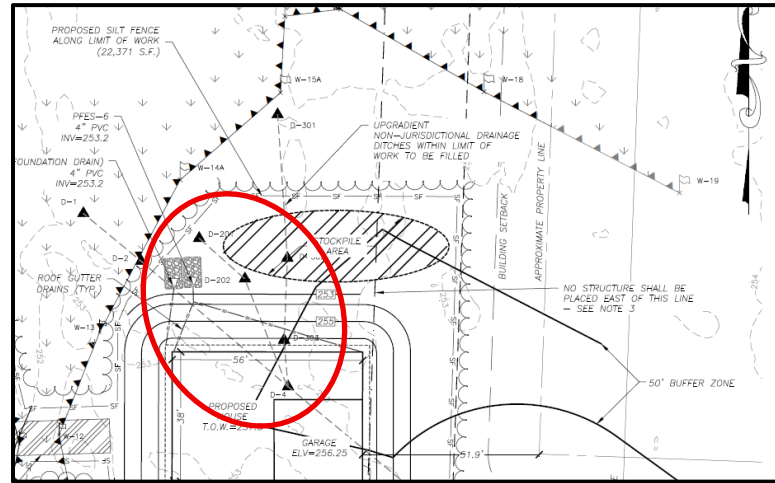
- 1) Stockman Associates concurs with the delineation of the BVW boundaries depicted on the revised May 8, 2025 site plan entitled "*Conservation Filing Plan 1014 North Street Extension Parcel ID# D13 2 10 Feeding Hills, MA*" prepared by R Levesque Associates Inc. as described below:
 - a. Stockman Associates 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.



- c. A third historic “drainage ditch” is not depicted on the current plan revision, but was previously shown on the January 8, 2025 site plan. The previous site plan depicted the centerline of the “drainage ditch” (flags D-204 to D-4).
- i. Based on indicators of hydrology (sparsely vegetated concave surface, water table present within 12-inches, water-stained leaves (below fallen Oak leaves) and wetland indicator plant species (Royal Fern, Highbush Blueberry, Glossy Buckthorne, Spicebush, and Red Maple), the third historic “drainage ditch” also meets the criteria for protected BVW. This BVW should be depicted on a revised site plan.

- 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."

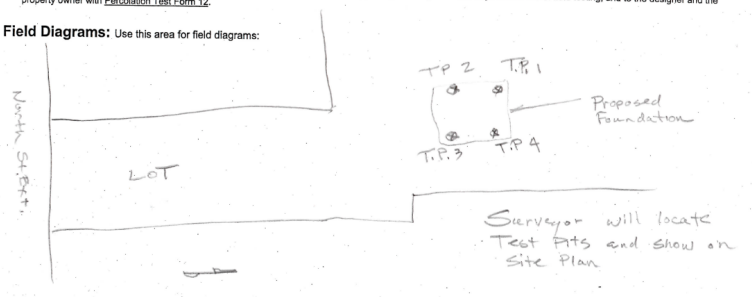
- a. The ADDENDUM TO NARRATIVE dated October 26, 2022 and submitted in response to the October 12, 2022 MA DEP comment letter does not address the supporting documented in the Massachusetts Inland Wetland Replacement Guideline Second Edition, September 2022. Furthermore, the ADDENDUM does not provide 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:



15form11.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.

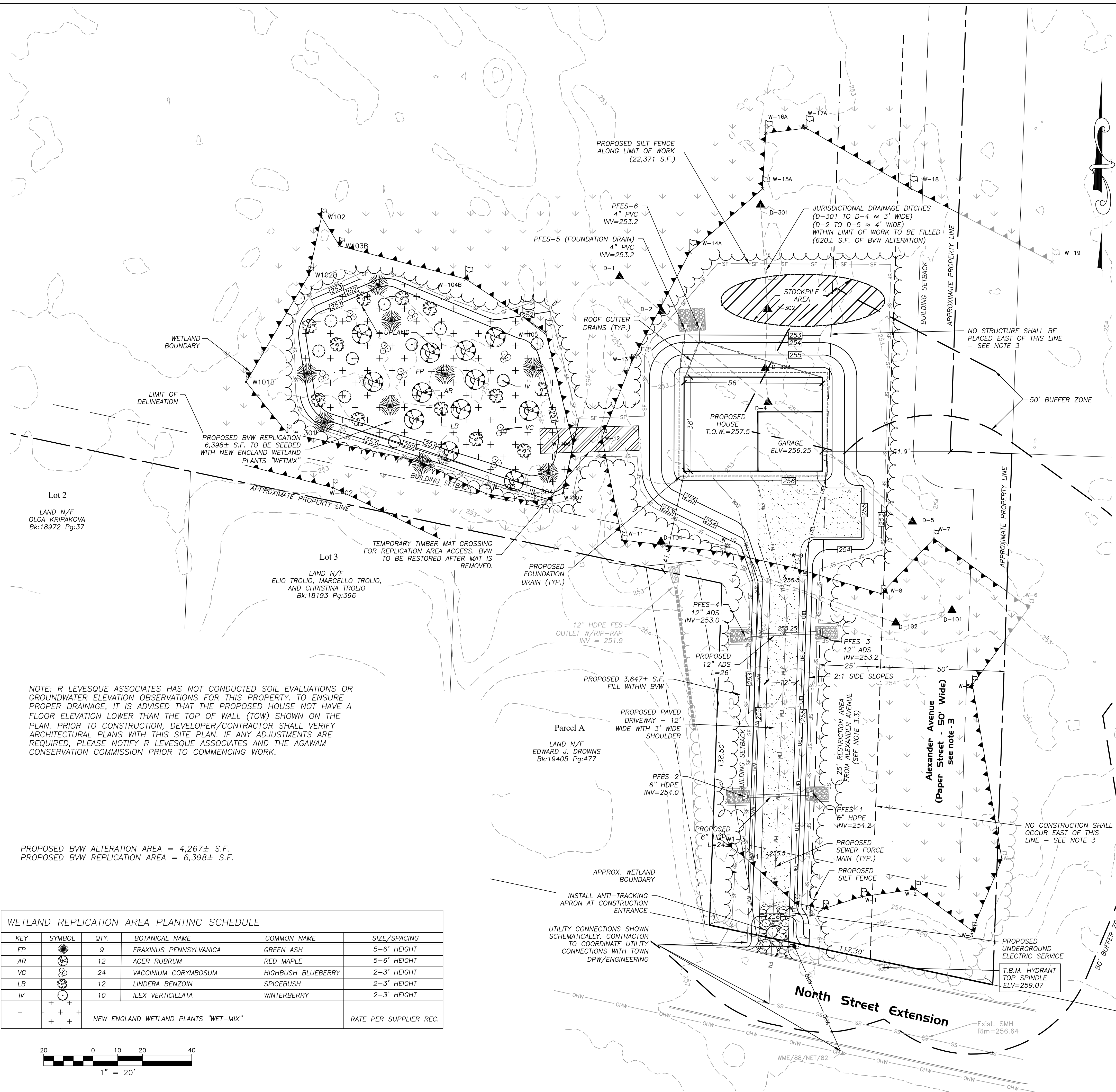
I trust that the above comments will assist the Commission in their review of the previously referenced NOI submittal. Please do not hesitate to contact me with any questions.

Sincerely,



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





NOTES

- THE RECORD OWNER OF THE SUBJECT PARCEL IS VIP HOMES & ASSOCIATES, LLC. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 16050 PAGE 452 & BOOK 20074 PAGE 89.
- THE PROPERTY LINES SHOWN ARE BASED ON THE ABOVE DEED REFERENCES AND ARE APPROXIMATE.
- PROPERTY IS SUBJECT TO DEED RESTRICTIONS IN DEED BOOK 20074 PAGE 89 WHICH STATE:
 - "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."
 - "THERE WILL BE NO CONSTRUCTION OF ANY KIND ON ANY PART OF ALEXANDER AVENUE, FEEDING HILLS, MASSACHUSETTS 01030."
 - "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."
- 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 ADJUT 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.
- THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PERMITTING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
- SUBJECT PARCEL CONTAINS APPROXIMATELY 2.25 ACRES.
- 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.
- WETLAND RESOURCE AREAS WERE DELINEATED BY MIKE MOCKO ENVIRONMENTAL. R LEVESQUE ASSOCIATES MAKES NO ASSERTION AS TO ACCURACY OF WETLAND DELINEATION.
- THE TOPOGRAPHIC INFORMATION SHOWN IS BASED ON NOAA LIDAR DATA.
- THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, 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. NOT ALL UTILITIES HAVE BEEN SHOWN.
- ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM AGAWAM GIS AND ARE APPROXIMATE.
- SUBJECT PARCEL IS SPLIT ZONED RESIDENCE A2 AND AGRICULTURAL ACCORDING TO THE AGAWAM ZONING MAP.
- THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 2501300383E - EFFECTIVE DATE: 7-16-2013.
- THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

ZONING REVIEW - Agricultural

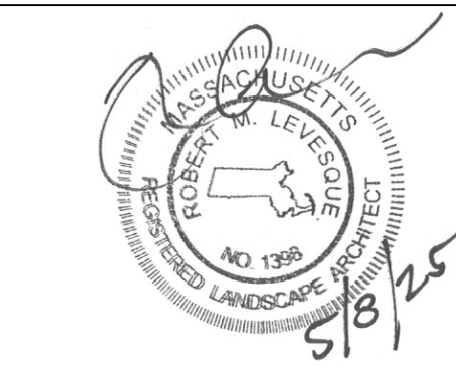
TYPE (MINIMUM)	REQUIRED	PROPOSED
AREA	20,000 FT ²	2.25± ACRES
FRONTAGE	120 FT	177± FT
FRONT YARD	35 FT	180± FT
SIDE YARD	15 FT	41.4± FT
REAR YARD	20 FT	150+ FT
HEIGHT (MAX)	35 FT	35 FT
BUILDING COVERAGE (MAX)	NONE	1.8%

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%

CONSERVATION FILING PLAN

1014 North Street Extension
Parcel I.D. #D13 2 IO
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

February 24, 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 Proposal-Additional Services

Dear Mr. Kozloski and Commissioners:

It is our understanding that the Agawam Conservation Commission is seeking an estimate for a wetland consultant peer review of the revised Notice of Intent (NOI) materials submitted by Michael Mocko Environmental Consultant and R Levesque Associates, Inc on behalf of their client, VIP Homes & Associates LLC, for the proposed construction of a single-family home with a Bordering Vegetated Wetland driveway crossing.

Scope of Work

Field Work

Site Visit: to review and confirm field work performed by Michael Mocko Environmental Consultant and the proposed work area depicted on the revised NOI site plan “*Conservation Filing Plan 1014 North Street Extension Parcel ID# D13 2 10 Feeding Hills, MA*” prepared by R Levesque Associates Inc. dated January 8, 2025. It is anticipated that boundary delineation flagging will be clearly visible and labeled in the field. Observation plots utilized by Michael Mocko Environmental Consultant to evaluate soils, vegetation, and hydrology should also be clearly marked on a site plan and in the field for review. The site visit will also include a review of the proposed project area to inspect for the presence of any additional resource areas not identified on the submitted site plans.

Furthermore, it is anticipated that a representative from Michael Mocko Environmental Consultant as well as members of the Agawam Conservation Commission may be present during the site visits.

Please note that we are currently outside of the growing season. Field review is dependent on weather and site conditions. Based on the request by R Levesque Associates Inc., the site visit will be scheduled in April 2024 based on the weather.

Estimated ½ Field Day

Materials Review

Notice of Intent (NOI) Additional Materials Review: including the review of the revised NOI site plan "Conservation Filing Plan 1014 North Street Extension Parcel ID# D13 2 10 Feeding Hills, MA" prepared by R Levesque Associates Inc. dated January 8, 2025, the response to Agawam Engineering Department Comments submitted by Michael Mocko Environmental Consultant dated February 13, 2025, and a single, anticipated, forthcoming submittal from the applicant/representatives.

The review will be performed under the Massachusetts Wetlands Protect Act (MA WPA) regulations (310 CMR 10.00). It is our understanding that the Town of Agawam does not have a local wetland protection bylaw.

Reporting

Review Findings: including a findings report and recommendations based on the materials review and the site visit. The report will specifically address concurrence and non-concurrence with resource area boundaries as presented in the revised NOI site plan. The report will also address compliance with applicable resource area performance standards.

Meetings

Attendance: This proposal includes attendance at the April 24, 2025 Agawam Conservation Commission meeting.

Total Cost Estimate

Estimated Hours (including travel) 25 hours
\$2,750

Please note that the above cost estimate has been provided based on the cited revised NOI materials and excludes any follow-up review. Any additional submittals, additional site visits, and/or public hearings would be considered extra work beyond the proposed scope. If additional review is requested during the process, Stockman Associates LLC will provide a scope of work cost estimate for these services.

Hourly Rates (including travel):

Wetland Scientist \$110/hour
Field Technician \$65/hour

Our receipt of a signed copy of this proposal is required to authorize Stockman Associates LLC to proceed with the work outlined above in our Scope of Services and on the attached General Contract Conditions.

As discussed, work will commence after receipt of a signed authorization to proceed and confirmation of funding. Based on the request by R Levesque Associates Inc., the site visit will be scheduled in April 2024 based on the weather.

I look forward to working with you on this project. Thank you for considering Stockman Associates LLC.

If you have any questions regarding the above estimate, please do not hesitate to contact me at emily@stockmanassociates.com or at 413-743-1372.

Sincerely,



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

AUTHORIZATION TO PROCEED

Agawam Conservation Commission

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- Additional Services Proposal

I hereby authorize Stockman Associates LLC to proceed with the above-referenced project in accordance with the Scope of Services described herein.

Agawam Conservation Commission

Printed Name

Date

Signature

Title

AGAWAM CONSERVATION COMMISSION
June 26, 2025

MEMBERS PRESENT:

Henry Kozloski, Chair
Magda Galiatsos
Sheryl Becker
Frank Meagher
Jill Ward (6:03pm)
S Page Fallon (6:03pm)

MEMBERS ABSENT:

Keven Brown

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker

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

1. 6:00PM REQUEST FOR DETERMINATION-151 Nicole Terrace-Reed

Ryan Nelson, R. Levesque Associates was present for this agenda item. He stated this RDA is for lot 14 of the original Subdivision. He stated the original Order of Conditions did not clarify the limit of work for this lot. There will be site grading in the buffer zone. He stated no clearing is to occur and they do not foresee any adverse effects.

Mr. Kozloski stated Mr. Nelson would need to file for a partial Certificate of Compliance. Mr. Kozloski stated the Commission will also perform an onsite.

Mr. Nelson stated they can submit this request and he requested a continuance to the July 10, 2025 meeting.

Motion was made by Ms. Becker and seconded by Ms. Galiatsos to continue the REQUEST FOR DETERMINATION-151 Nicole Terrace-Reed to the July 10, 2025 meeting as requested.

VOTE 6-0-0

2. 6:05PM PUBLIC HEARING-Goals and Objectives for a revised Action Plan within the Open Space and Recreation Plan

Ms. Egerton stated the State has updated the Open Space and Recreation workbook to a 10 year action plan, instead of a 7 year action plan. The Town is given the opportunity to update our action plan to gain 3 more years of eligibility. Ms. Egerton suggested adding the certification of vernal pools and getting wetlands on the GIS layer more frequently.

Ms. Ward stated it is very involved process to certify vernal pools. She suggested hiring a consultant.

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

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to close the PUBLIC HEARING-Goals and Objectives for a revised Action Plan within the Open Space and Recreation Plan.

VOTE 6-0-0

3. PUBLIC HEARING CONT.-NOTICE OF INTENT-South West Street Right-of-Way adjacent to 841 South West Street-Town of Agawam.

The Commission received a request to withdraw this application.

Motion was made by Ms. Ward and seconded by Mr. Meagher to accept the request to withdraw the NOTICE OF INTENT-South West Street Right-of-Way adjacent to 841 South West Street-Town of Agawam as requested.

VOTE 6-0-0

4. 2025 Pavement Management Plan-Agawam DPW

Mike Albro, Assistant Town Engineer was present for this agenda item. He stated there have been a few changes to the previous plan due to the construction at May Hollow, North St. Ext to North Westfield Street will not be completed. Instead of doing Suffield Street they are now focusing on repairing South Street.

Mr. Kozloski asked if there would be any changes to the drainage. Mr. Albro stated they are looking to install a drywell near the intersection of Samuel Street at Valentine. He stated this will help with the pre-existing flooding in this area.

Mr. Kozloski asked how close to a wetland the dry well will be. Mr. Albro stated he doesn't believe it is in jurisdictional area. Mr. Kozloski asked if it would be paving or liquid. Mr. Albro stated some will have mill and overlay, some streets will have resurfacing work, and some of the streets will be completely reconstructed. There will also be crack and fog sealing. He stated they will also be using delta mist, which is a clear paint-based liquid and is environmentally friendly. Ms. Galiatsos asked when the project would start. Mr. Albro said some will start as early as July through September, but the bulk of the streets will be worked on during the summer time.

Mr. Kozloski asked if the information was posted on the Town website. Mr. Albro stated yes.

Motion was made by Ms. Ward and seconded by Mr. Fallon that no filing was necessary for the changes to the 2025 Pavement Management Plan-Agawam DPW.

VOTE 6-0-0

5. REQUEST FOR DETERMINATION-515 &533 Mill Street-Dikan & Ashlaban

Mr. Kozloski stated the Commission had received a peer review proposal from Stockman Associates in the amount of \$2,860.

Motion was made by Ms. Ward and seconded by Ms. Becker to accept the peer review proposal by Stockman Associates in the amount of \$2,860, for the Request for Determination for 515 & 533 Mill Street-Dikan & Ashlaban.

VOTE 6-0-0

Mr. Nelson requested to continue this agenda item to the July 10, 2025 meeting.

Motion was made by Mr. Ward and seconded by Ms. Becker to continue the REQUEST FOR DETERMINATION-515 &533 Mill Street-Dikan & Ashlaban to the July 10, 2025 meeting, as requested.

VOTE 6-0-0

6. REQUEST FOR DETERMINATION-223 Garden Street-MBNZ Holding Co

This agenda item was previously continued to July 10, 2025.

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

Ryan Nelson, R. Levesque Associates was present for this agenda item. He stated at the last meeting mitigation was the outstanding comment. He stated they are required to mitigate riverfront with a 2 to 1 ratio. He stated there is roughly 700 sq. ft. alteration from the proposed addition. He stated the previous plan proposed the removal of invasive species, but now they are placing planting in the existing lawn and on the slope of the bank, as well as plantings in the front. He stated the total of these three areas exceeds the 2 to 1 ratio.

Mr. Kozloski stated DEP said this area cannot be used for mitigation. Mr. Nelson stated this is for invasive plants, and they are not removing invasive species, but they are going to put in new plants in an area devoid of woody trees.

Ms. Becker asked if the plants would hold.

Mr. Kozloski asked what Natural Heritage requested. Mr. Ryan stated the one condition that all work was to be done by hand without machinery. If machines were used a detailed plan would have to be submitted to NHESP.

Mr. Fallon asked if a plan could be put in place to monitor the plantings.

Ms. Egerton asked if NHESP needed to approve the plantings. Mr. Nelson stated they have submitted the plan, and are awaiting feedback or approval.

Motion was made by Ms. Ward and seconded by Mr. Fallon to close the PUBLIC HEARING CONT.-NOTICE OF INTENT-242 River Rd & 56 Forest Ridge Ln-Nakhabenko.

VOTE 6-0-0

The Commission will write the Order of Conditions on July 1 at a special meeting at 11:00am.

8. PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North Street Ext-VIP
Homes & Associates, LLC

The Commission received a request to continue this agenda item to the July 10, 2025 meeting.

Motion was made by Ms. Becker and seconded by Ms. Ward to continue the PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North Street Ext-VIP Homes & Associates, LLC to the July 10, 2025 meeting as requested.

VOTE 6-0-0

9. ENFORCEMENT ORDER UPDATES

67- Hemlock Ridge-the homeowner submitted a receipt of the plants purchase for mitigation.

Motion was made by Ms. Ward and seconded by Mr. Meagher to lift the Enforcement Order-68 Hemlock Ridge.

VOTE 6-0-0

351 Main Street-The Commission received a letter that the applicant is meeting with the Army Corps of Engineers on July 2.

10. APPROVAL OF MINUTES-June 12, 2025

Motion was made by Ms. Ward and seconded by Mr. Fallon to approve the June 12, 2025 minutes as written.

VOTE 5-0-1(Galiatsos)

11. Correspondence and Complaints

147 M Street-The Commission previously issued a Negative Determination for closing the cell in the landfill. Erosion controls are up. The Commission will perform an onsite.

Barry Street-owner is cleaning an irrigation pond and wanted to notify the Commission in case of complaints.

Agawam Conservation Commission
June 26, 2025

Motion was made by Ms. Becker and seconded by Mr. Meagher to adjourn the meeting.
VOTE 6-0-0

Meeting adjourned at 7:50pm.

AGAWAM CONSERVATION COMMISSION
July 1, 2025

MEMBERS PRESENT:

Henry Kozloski, Chair
Frank Meagher
Jill Ward
S Page Fallon (participating remotely)

MEMBERS ABSENT:

Keven Brown
Magda Galiatsos
Sheryl Becker

ALSO PRESENT:

Taryn Egerton

Mr. Kozloski called the meeting to order at 11:00am and explained that Mr. Fallon was participating remotely.

1. Write Order of Conditions – 242 River Rd & 56 Forest Ridge Ln – Nakhabenko

The Commission wrote and reviewed the Order.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue the Order of Conditions for 242 River Rd & 56 Forest Ridge Lane – Nakhabenko as written.

ROLL CALL VOTE 4 – 0

A copy of the approved Order of Conditions can be obtained from the Town Clerk or the Conservation Commission office.

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

ROLL CALL VOTE 4 – 0

Meeting adjourned at 11:10am.