



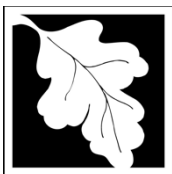
Conservation Commission AGENDA

Thursday, December 12, 2024 - 6:00 PM

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

A. Conservation Commission

- 1) REQUEST FOR DETERMINATION CONT.-409, 411 421, 427 sOUTHWICK STREET-Cascio & Metz
- 2) PUBLIC HEARING CONT.-ABBREVAITED NOTICE OF RESOURCE AREA DELINEATION-1485 Suffield Street-Atrium Property Services
- 3) PUBLIC HEARING CONT.-NOTICE OF INTENT-1014 North St Ext-VIP Homes & Associates, LLC
- 4) PUBLIC HEARING CONT.-NOTICE OF INTENT-Westfield River Interceptor Sewer Relocation Project-Agawam DPW
- 5) ENFORCEMENT ORDER UPDATES
- 6) APPROVAL OF MINUTES-November 14, 2024
- 7) Correspondence and Complaints



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

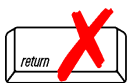
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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:

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address _____

2. Property Owner (if different from Applicant):

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address (if known) _____

3. Representative (if any)

First Name _____ Last Name _____

Company Name _____

Address _____

City/Town _____ State _____ Zip Code _____

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):

Street Address _____ City/Town _____

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) _____

Assessors' Map Number _____ Assessors' Lot/Parcel Number _____

b. Area Description (use additional paper, if necessary):

c. Plan and/or Map Reference(s): (use additional paper if necessary)

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

Municipality

B. Project Description (cont.)

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

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.)



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:

Town of Agawam

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]
Signature of Applicant

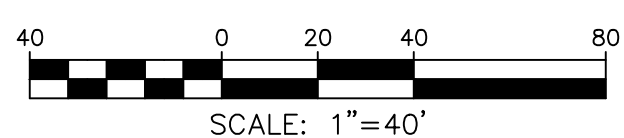
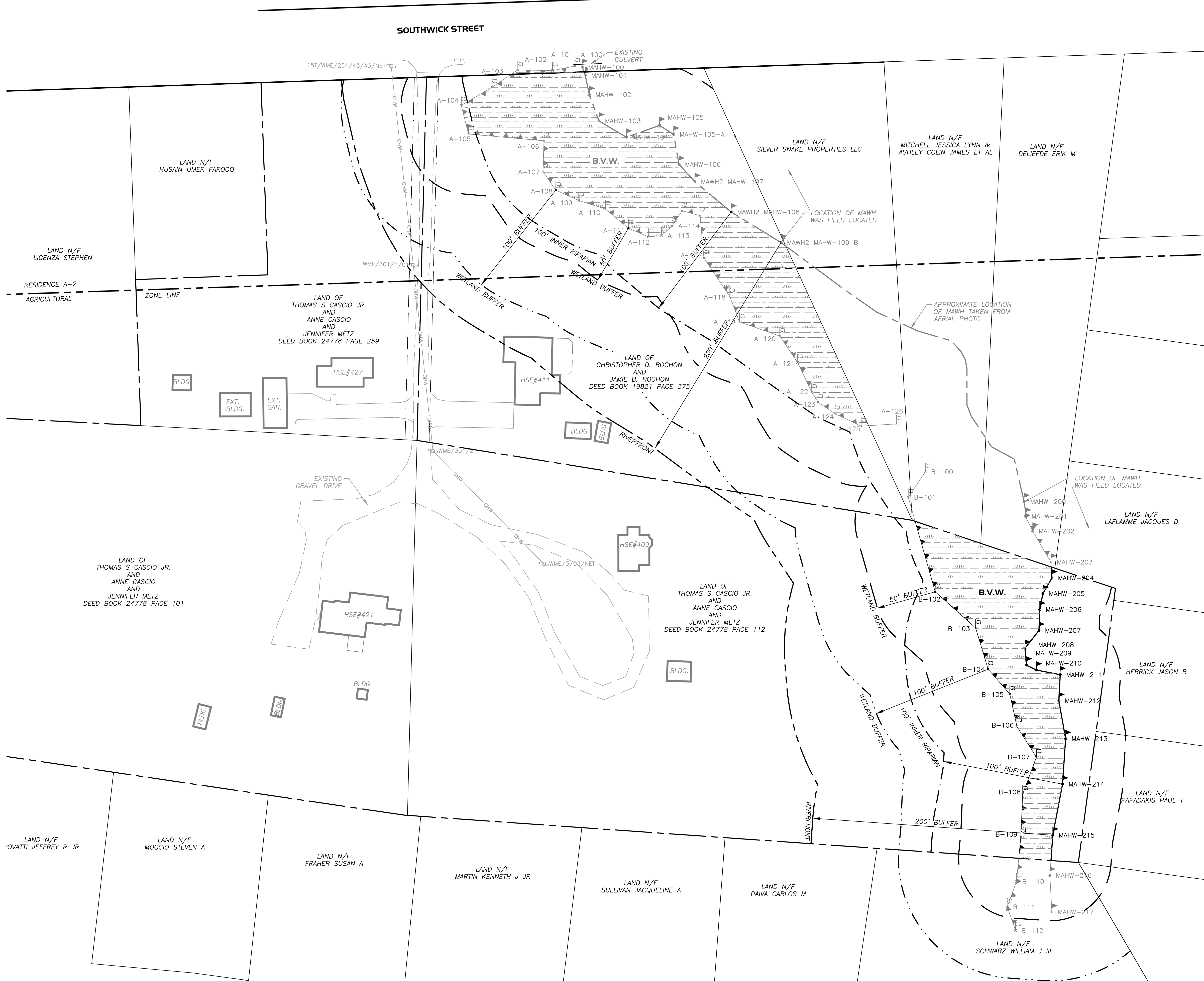
9-23-24
Date

[Signature]
Signature of Representative (if any)

9/26/24
Date

NOTES

1. THE RECORD OWNER OF THE SUBJECT PARCELS IS THOMAS CASCIO JR ET AL. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 24778 PAGE 101, 112 AND 259.
2. THE PROPERTY LINES SHOWN HEREON ARE BASED UPON TOWN AGAWAM GIS AND ARE APPROXIMATE PROPERTY LINES
3. THIS PLAN HAS BEEN PREPARED FOR CONSERVATION PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE
4. 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.
5. WETLANDS AND M.A.H.W. BOUNDARIES DELINEATED BY R. LEVESQUE ASSOCIATES INC IN SEPTEMBER 2024. OFFSITE WETLANDS ARE NOT THE SUBJECT OF THIS FILING AND HAVE BEEN SHOWN TO DEPICT THE LIMITS OF BUFFER ZONE.
6. ADJACENT PROPERTY LINES SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM GIS MAPPING.
7. SUBJECT PARCEL IS ZONED AS SHOWN.
8. THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD ZONE AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 58013C0379E - EFFECTIVE DATE: 7-16-2013.
9. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.



S:\Projects\2024\240919 - Moore - Southwick St., Agawam\05 Civil\3D\240919 - RDA.dwg

RLA

R LEVESQUE ASSOCIATES INC

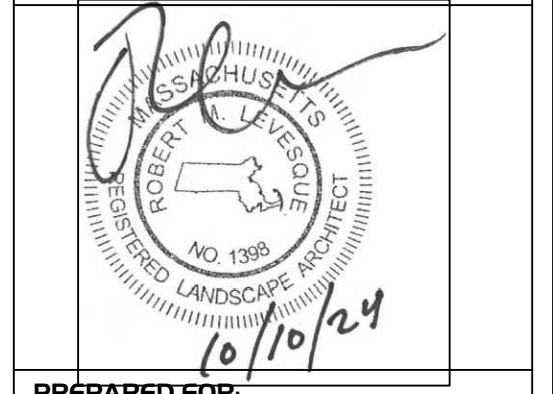
Landscape Architects
Civil Engineers - Land Surveyors
Environmental Consultants

ph: 413.568.0985 fax: 413.568.0986

40 School Street
Westfield, MA 01085
rland.com

CONSERVATION FILING PLAN

**409, 411, 421, and 427 Southwick Street
Agawam MA.**



PREPARED FOR:

Anne Cascio & Jennifer Metz
421 & 427 Southwick Street
Feeding Hills, MA.

ISSUANCE DATE: October 10, 2024	
REVISIONS:	DATE:
DRAFTED BY: t.o.	

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

SCALE: As Noted

RLA PROJ. NUMBER: 240919

DRAWING#	REV.
W-1	-

Taryn Egerton

From: emily@stockmanassociates.com
Sent: Wednesday, December 4, 2024 11:39 AM
To: Taryn Egerton
Subject: ANRAD Longbrook Condominiums 1485 Suffield Street Agawam Draft Findings
Attachments: Longbrook Condominiums ORAD Draft Findings 12-4-24.docx

Hi Taryn,

I hope you had a nice Thanksgiving.

I received the revised site plans and response to comments submitted by VBH. I have reviewed the materials. The Commission should note that the Parcel ID provided on the revised WPA Form 4A appears incorrect. The ANRAD narrative and Assessor's list the parcel as 12-39-306. I have no further comments.

I've attached draft findings for the Commission's consideration.

Unfortunately, I will not be able to attend the meeting on December 12th. (I committed to another meeting prior to the VHB request for a continuance.) I don't anticipate this being an issue as the Commission appears to be in a position to vote on issuing the ORAD. Should Henry have any questions regarding the draft findings, please feel free to call me prior to the meeting.

Best,
Emily

Emily Stockman, MS, PWS
Senior Scientist/Principal



PO Box 9
Adams, MA 01220
413.743.1372 office
413.329.7053 cell

DRAFT ORAD FINDINGS

Longbrook Condominiums
1485 Suffield Street
Agawam, MA 01001
(Parcel ID: I2-39-306)

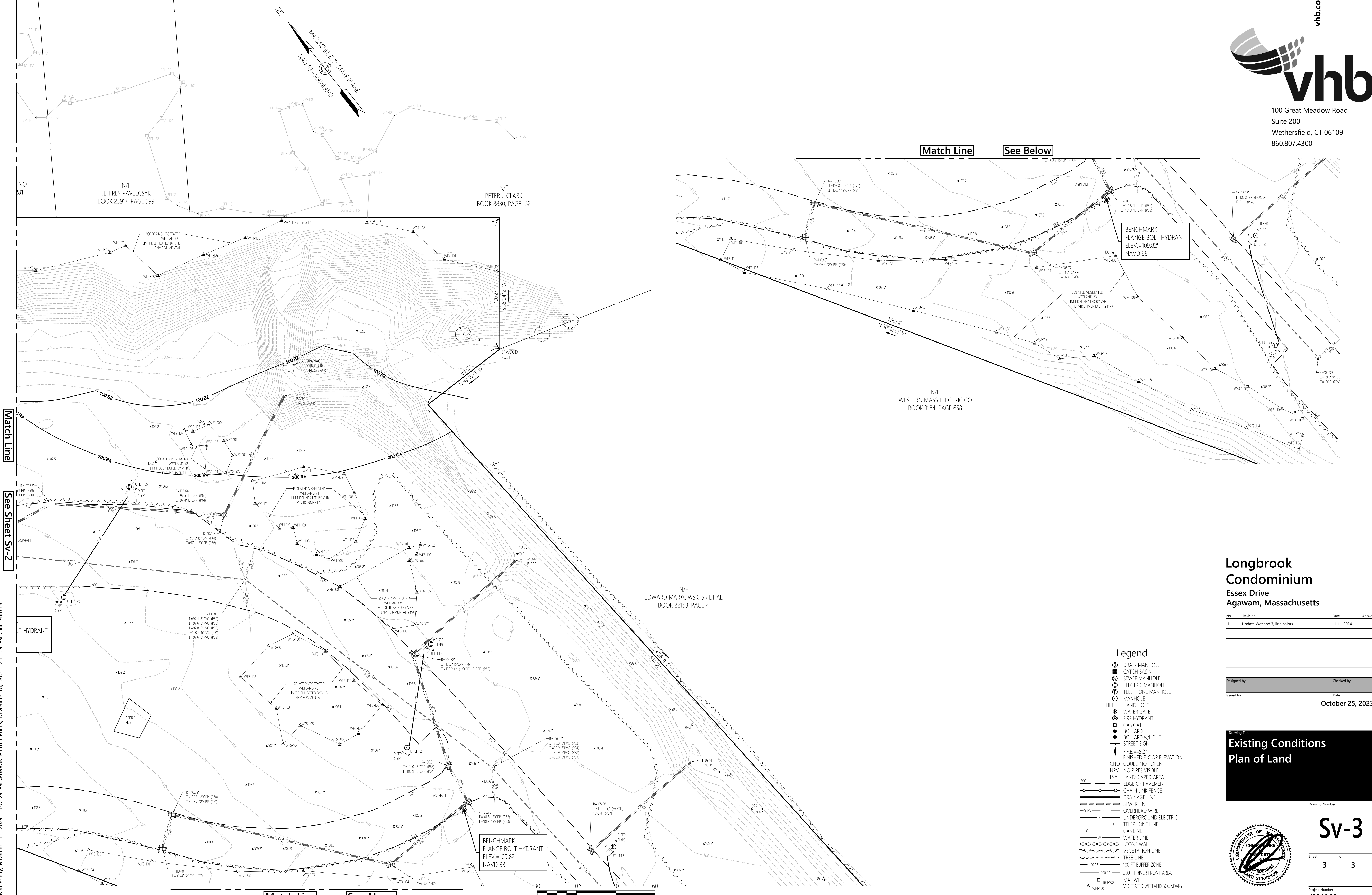
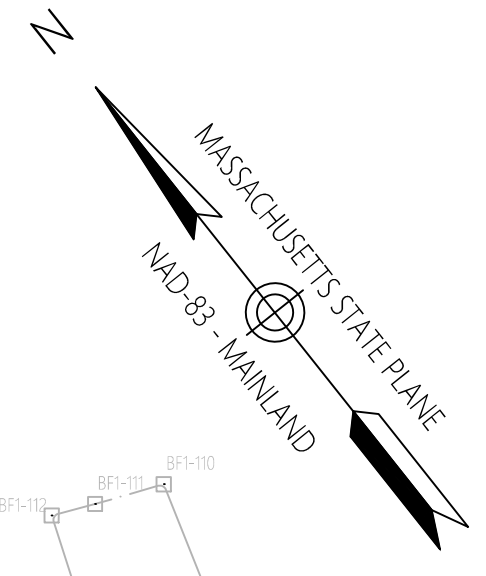
DEP File # 087-0702

The following findings are based on the

- Final stamped plan set " *Long Brook Condominium Essex Drive Agawam, Massachusetts Existing Conditions Plan of Land*" (Sheets Sv-1, Sv-2, Sv-3)," prepared by VHB and stamped by Christopher C. Danforth, PLS, final issued date October 25, 2024.
- The boundaries of the 11.75069-acre Site subject to the ORAD defined on Sheet Sv-1.

Findings

- 1) The Agawam Conservation Commission finds that wetland systems 1, 2, 3, 5, 6, and 7 do not meet the criteria for Bordering Vegetated Wetlands under 310 CMR 10.55(2).
- 2) The Agawam Conservation Commission finds that wetland systems 1, 2, 3, 5, 6, and 7 do not meet the criteria for Isolated Land Subject to Flooding under 310 CMR 10.57(2)(b).
- 3) The Agawam Conservation Commission finds that wetland systems 1, 2, 3, 5, 6, and 7 are not subject to protection under the Massachusetts Wetlands Protection Act (MA WPA) and its regulations (310 CMR 10.00).
- 4) The Agawam Conservation Commission approves the boundary of Bordering Vegetated Wetland 4 demarcated by flags WF4-100 through and including WF4-103; WF4-107 through and including WF4-126; and WF4-131 through and including WF4-137.
- 5) The Agawam Conservation Commission approves the Mean Annual High Water Line of Worthington Brook demarcated by flags BF1-160 through and including BF1-166.
- 6) The Agawam Conservation Commission approves the 200-FT Riverfront Area boundary depicted within the Site.
- 7) The Agawam Conservation Commission approves the boundary of the 100-FT Buffer Zone associated with Bordering Vegetated Wetland 4 depicted within the Site.
- 8) The Agawam Conservation Commission finds that additional 100-FT Buffer Zone associated with off property resource areas may exist within the Site, the boundaries of which have not been submitted, reviewed or approved under the ORAD.
- 9) Worthington Brook has been designated as a Coldwater Fisheries Resource (CFR # 3417450).



Match Line

See Sheet Sv-2

Saved Friday, November 15, 2024 12:07:24 PM J.FURMAN Plotted Friday, November 15, 2024 12:11:34 PM John Furman

Match Line See Below

Match Line See Above

SCALE IN FEET

BENCHMARK
FLANGE BOLT HYDRANT
ELEV.=109.82'
NAVD 88

- Legend**
- ⊕ DRAIN MANHOLE
 - ⊕ CATCH BASIN
 - ⊕ SEWER MANHOLE
 - ⊕ ELECTRIC MANHOLE
 - ⊕ TELEPHONE MANHOLE
 - ⊕ MANHOLE
 - ⊕ HAND HOLE
 - ⊕ WATER GATE
 - ⊕ FIRE HYDRANT
 - ⊕ GAS GATE
 - ⊕ BOLLARD
 - ⊕ BOLLARD w/LIGHT
 - ⊕ STREET SIGN
 - F.F.E.=45.27 FINISHED FLOOR ELEVATION
 - CNO COULD NOT OPEN
 - NPV NO PIPES VISIBLE
 - LSA LANDSCAPED AREA
 - EDGE OF PAVEMENT
 - CHAIN LINK FENCE
 - DRAINAGE LINE
 - SEWER LINE
 - OVERHEAD WIRE
 - UNDERGROUND ELECTRIC
 - TELEPHONE LINE
 - GAS LINE
 - WATER LINE
 - STONE WALL
 - VEGETATION LINE
 - TREE LINE
 - 100-FT BUFFER ZONE
 - 200-FT RIVER FRONT AREA
 - MAHWL
 - VEGETATED WETLAND BOUNDARY

Longbrook Condominium
Essex Drive
Agawam, Massachusetts

No.	Revision	Date	App'd.
1	Update Wetland 7, line colors	11-11-2024	

Designed by _____ Checked by _____
Issued for _____ Date _____

October 25, 2023

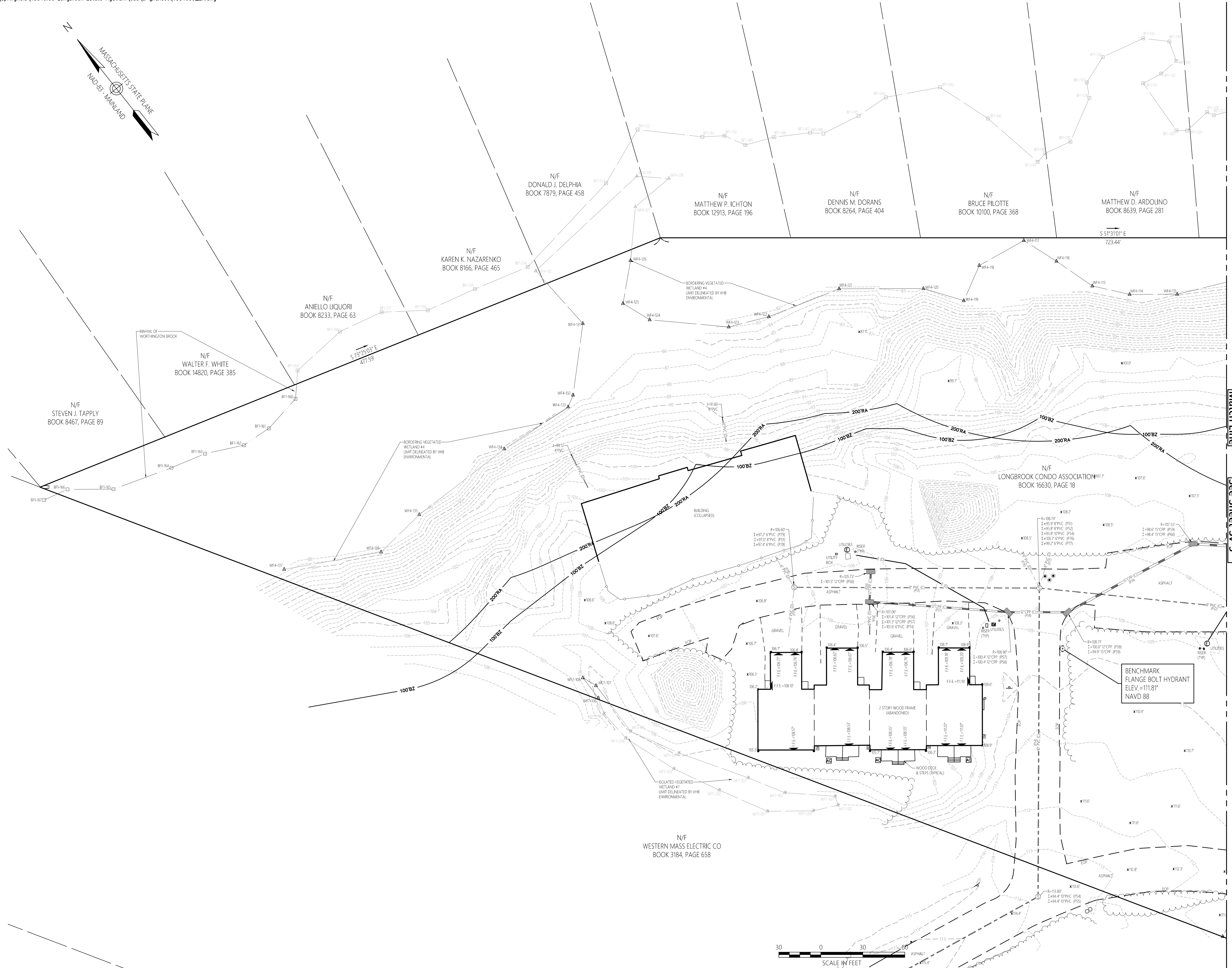
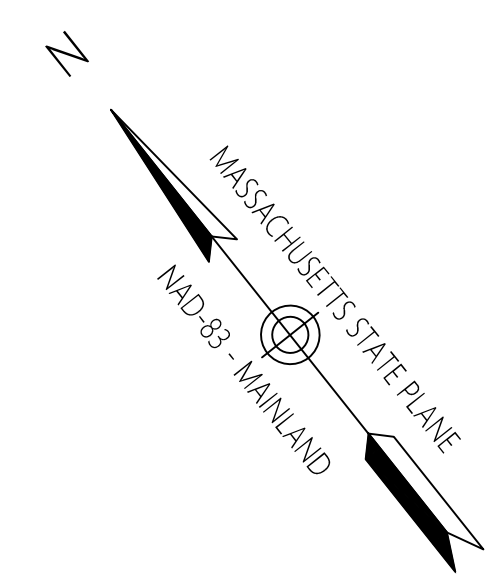
Existing Conditions
Plan of Land



Sv-3

Sheet 3 of 3

Project Number 43346.00



- Legend**
- ⊕ DRAIN MANHOLE
 - ⊞ CATCH BASIN
 - ⊙ SEWER MANHOLE
 - ⊙ ELECTRIC MANHOLE
 - ⊙ TELEPHONE MANHOLE
 - ⊙ MANHOLE
 - ⊙ HAND HOLE
 - ⊙ WATER GATE
 - ⊙ FIRE HYDRANT
 - ⊙ GAS GATE
 - ⊙ BOLLARD
 - ⊙ BOLLARD w/LIGHT
 - ⊙ STREET SIGN
 - ⊙ F.F.E. = 45.27
 - ⊙ FINISHED FLOOR ELEVATION
 - ⊙ CNO COULD NOT OPEN
 - ⊙ NO PIPES VISIBLE
 - ⊙ LANDSCAPED AREA
 - ⊙ LSA
 - ⊙ EDGE OF PAVEMENT
 - ⊙ CHAIN LINK FENCE
 - ⊙ DRAINAGE LINE
 - ⊙ SEWER LINE
 - ⊙ OVERHEAD WIRE
 - ⊙ UNDERGROUND ELECTRIC
 - ⊙ TELEPHONE LINE
 - ⊙ GAS LINE
 - ⊙ WATER LINE
 - ⊙ STONE WALL
 - ⊙ VEGETATION LINE
 - ⊙ TREE LINE
 - ⊙ 100-FT BUFFER ZONE
 - ⊙ 200-FT RIVER FRONT AREA
 - ⊙ MAHWL
 - ⊙ VEGETATED WETLAND BOUNDARY

Match Line
See Sheet Sv-3

Longbrook Condominium
Essex Drive
Agawam, Massachusetts

No.	Revision	Date	Appr.
1	Update Wetland 7, line colors	11-11-2024	

Designed by: _____ Checked by: _____
Issued for: _____ Date: _____

October 25, 2023

Drawing Title
**Existing Conditions
Plan of Land**



Sv-2

Sheet 2 of 3

Project Number
43346.00





Memorandum

To: Agawam Conservation Commission
Attn: Taryn Egerton
36 Main Street
Agawam, MA 01001

Date: 11.19.24

Project #: 43346.00

From: Dorothy Lawrence, VHB

Re: Longbrook Estates ANRAD DEP#087-0702 –Amendment and Responses to MassDEP, Agawam Conservation Commission comments and Stockman Associates peer review letter

On behalf of our Longbrook Condo Association, VHB offers the following responses and clarifications in response to comments made by Massachusetts Department of Environmental Protection (MassDEP) as part of the Notification of Wetlands Protection Act File Number dated September 09, 2024, comments made by the Agawam Conservation Commission at the September 12, 2024, hearing, and peer review comments provided by Stockman Associates peer review letter dated October 22, 2024. Additionally, we request an amendment to the ANRAD filing (DEP file # 087-0702) to include the approval of the delineated Bank and MAHW associated with Worthington Brook.

Massachusetts Department of Environmental Protection (MassDEP) Comments

The following comments were made by MassDEP as part of the Notification of Wetlands Protection Act (WPA) File Number document, VHB's responses provided below in underlined italics

1. Please confirm delineation dates. Was it last October?

The delineation was conducted on October 17th and 24th of 2023.

2. It appears that the applicant is only requesting approval of BVW, under the Wetlands Protection Act. Unless the commission has a wetlands bylaw/ordinance where IVW is regulated, it should not be approving the boundary of an IVW. It does not appear that the applicant is requesting approval of Bank or the MAHWL of the perennial stream.

*The applicant is requesting the commission approve all delineated wetlands including BVW and Bank /Mean Annual High-Water Line (MAHWL). Additionally, the applicant is requesting the commission confirm the isolated wetlands (Wetland 1, 2, 3, 5, 6, 7) are isolated and **not** Isolated Land Subject to Flooding (ILSF). An Updated WPA form 4A is provided below as part of this memorandum.*

3. To help ensure that conservation commissions have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L. c. 44, section 53g gives Commissions authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to make a decision pursuant to the Wetlands Protection Act M.G.L. c. 131, sec 40 and 310 CMR 10.00.

The applicant has provided payment to the Agawam Conservation Commission for the employment of an outside consultant to review the ANRAD and subsequent requested documentation.

Agawam Conservation Commission (ACC) Comments

The following comments were made by ACC during the September 12, 2024, Hearing, VHB's responses provided below in underlined italics.

1. The ACC requested a response to MassDEP comments provided as part of the Notification of Wetlands Protection Act (WPA) File Number document.

The response to MassDEP comments has been provided as part of this document and located in the previous section.

2. The ACC requested and updated form to reflect the correct application name and amendment to the ANRAD

The updated WPA form 4A form is included as an attachment to this memorandum and the applicant formally requests the original ANRAD be amended to include the confirmation of Bank/MAHWL, delineated as the bank, of Worthington Brook. Regulatory and resource details of the Worthington Brook are included as part of the original submittal.

Stockman Associates Comments

Review Comments

- 1) Based on information provided by VHB during the site visit, delineation flagging depicted on the ANRAD site plans was located via submeter GPS. The Commission has the authority to require supporting documentation regarding the GPS accuracy, or the submittal of a site plan prepared by a Professional Land Surveyor to ensure that the final plans of record accurately depict the resource area boundaries.

The plans are based upon on the ground instrument survey performed by VHB, Inc. in October 2023.

- 2) At the time of the October 15, 2024, portions of the wetland and mean annual high water line flagging was missing, or labels were illegible. VHB utilized submeter GPS to confirm original flagging placement and replace missing flagging.

Acknowledged, no further response needed.

BVW 4

- 3) Stockman Associates LLC concurs with the boundary of BVW 4 depicted by flags WF4-100 through and including WF4-103; WF4-107 through and including WF4-126; and WF4-131 through and including WF4-137.

Acknowledged, no further response needed.

- 4) BVW flagging located off the subject property should be removed from the final site plan.

Resource areas located off site have been depicted in light gray for clarity as suggested.

BVW 7

- 5) Based on observations made during the October 15, 2024 site visit, Stockman Associates does not concur with the classification of Wetland 7 as a Bordering Vegetated Wetland. Wetland 7 presents as anthropogenic in origin and does not border on ("touch") a waterbody or waterway. The area was carefully examined and a defined channel in the ground (310 CMR 10.04 Stream) was not observed within or exiting from the wetland. Wetland 7 should be classified as an Isolated Vegetated Wetland.

Acknowledged, the plans have been modified accordingly to remove the 100-foot Buffer Zone around this non-jurisdictional wetland.

- 6) Ms. Lawrence (VHB) demarcated the limits of Wetland 7 in the field during the October 15, 2024 site visit. Flagging was reviewed and Stockman Associates concurred with the boundary. The applicant should submit calculations for Wetland 7 to assess whether the area is subject to protection as Isolated Land Subject to Flooding.

Calculations were performed for this depression and the maximum ponding was calculated to be 871 cubic feet, which is well below the Isolated Land Subject to Flooding (BLSF) threshold of ¼-acre feet or 10,890 cubic feet of ponding. Therefore, this area would not be regulated under the Wetlands Protection Act regulations.

IVWs 1, 2, 3, 5, and 6

- 7) Stockman Associates LLC concurs with the classification of Wetlands 1, 2, 3, 5, and 6 as Isolated Vegetated Wetlands. These wetlands present as anthropogenic in origin and do not border on ("touch") a waterbody or waterway. The wetlands were carefully examined and a defined channel in the ground (310 CMR 10.04 Stream) was not observed within or exiting from the wetlands. No associated culverts were observed.

Acknowledged, no further response needed.

- 8) Based on the calculations provided by VHB for Wetlands 1, 2, 5 and 6, Stockman Associates concurs that these wetlands do not meet the criteria for protection as Isolated Land Subject to Flooding.

Acknowledged, no further response needed.

- 9) The applicant should submit calculations for Wetland 3 to assess whether the area is subject to protection as Isolated Land Subject to Flooding.

Wetland 3 contains sloping grades without a confined depression that would hold any substantive ponding within this area. Given the lack of potential ponding, this area does not meet the Isolated Land Subject to Flooding (BLSF) threshold of ¼-acre feet or 10,890 cubic feet of ponding. Therefore, this area would not be regulated under the Wetlands Protection Act regulations.

MAHWL

- 10) Worthington Brook flows within the north-northeasterly portion of the property, flowing southeasterly and meandering in and out of the property. Stockman Associates reviewed the MAHWL to confirm the accuracy of the associated Riverfront Area boundary depicted within the subject area.

Acknowledged, no further response needed.

- 11) Stockman Associates concurs with the delineation of the MAHWL in the field. During the site visit, discrepancy between the site plans and the field flagging were noted, particularly the labelling and boundaries from flags

BF-105 through BF-118. The site plans should be reviewed, and revisions made to accurately depict labels and boundaries reviewed in the field.

Acknowledged, plans have been revised to clearly depict these flags.

- 12) Stockman Associates LLC concurs with the MAHWL depicted by flags BF1-160 through and including BF1-166 located within the subject property.

Acknowledged, no further response needed.

- 13) Confirmation of the 200-FT Riverfront Area boundary is pending receipt of aforementioned site plan revisions to address drafting discrepancies.

Acknowledged, plans have been revised to clearly depict these flags as noted above.

SUBJECT PROPERTY REVIEW

- 14) Stockman Associates traversed the subject property to inspect for the presence of any additional unmapped, protected wetland resource areas. In addition, previous permitting site plans (2003) were provided by the Agawam Conservation Commission and were reviewed. No additional protected wetland resource areas were identified during the site visit. Permitting site plans from 2003 support the presumption from the site visit observations that Wetlands 1, 2, 3, 5, 6, and 7 are anthropogenic in their origin.

Acknowledged, no further response needed.

- 15) The site plan set would benefit from the addition of a distinct line type depicting the boundary of the "Area Subject to Review under the ANRAD."

The first page of the plan set was revised to depict the 11.75069-acre site subject to this ANRAD application. As noted above, wetland flags and boundaries that are off the subject property have been depicted as gray lines to ensure that the plans are clear as to which resource areas and boundaries will be approved by the Order of Resource Area Delineation (ORAD).

- 16) With the exception of areas delineated by VHB, abutting lands were not examined for the presence of resource areas subject to protection. Therefore, the subject property may contain additional Buffer Zone (projected from offsite BVW and/or Bank). The Commission should consider a finding that additional 100-FT Buffer Zone associated with off property resource areas may exist within the subject property, the boundaries of which have not been submitted, reviewed or approved under the ORAD.

Acknowledged, no further response needed.

- 17) For clarity, the final site plans should clearly depict Wetland 4 as a BVW and Wetlands 1, 2, 3, 5, 6, and 7 as IVW. (Possible designation of Wetlands 3 and 7 as ISLF is pending the submittal of calculations by the applicant.)

Notes have been added to the plans to provide clarification of the Bordering Vegetated Wetland (BVW) and non-jurisdictional Isolated Vegetated Wetlands (IVW).

- 18) Per 310 CMR 10.58(2), the boundary of the 200-FT Riverfront Area is determined based on the Mean Annual High Water Line (MAHLW). For the reviewed reach of Worthington Brook, the MAHWL coincided with Bank. For clarity, the site plan legend should be revised to indicate MAHWL rather than "Limit of Bank."

The plans were revised to add a note that delineation of Worthington Brook is MAHWL.

- 19) The boundary of the 100-FT Buffer Zone should be revised to reflect the status of Wetland 7 as an IVW (no associated Buffer Zone).

Acknowledged, the plans have been modified accordingly to remove the 100-foot Buffer Zone around this non-jurisdictional wetland.

- 20) Worthington Brook has been designated as a Coldwater Fisheries Resource (CFR # 3417450).

Acknowledged, no further response needed at this time.

If you have any questions or comments, please feel free to contact me by phone at 508-513-2708 or by email at dflawrence@vhb.com.

Sincerely,

Dorothy Lawrence

Dorothy Lawrence
Environmental Scientist

Attachments:
WPA Form 4A

cc: MassDEP WERO; John Furman, VHB; Marie Izzo, Longbrook Condo Association

Attn: Taryn Egerton
Ref: 43346.00
11.19.24
Page 6





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
City/Town

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) 1676
Linear Feet of Boundary Delineated

2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

- a. MassDEP BVW Field Data Form (attached)
- b. Other Methods for Determining the BVW boundary (attach documentation):
 - 1. 50% or more wetland indicator plants
 - 2. Saturated/inundated conditions exist
 - 3. Groundwater indicators
 - 4. Direct observation
 - 5. Hydric soil indicators
 - 6. Credible evidence of conditions prior to disturbance

3. Indicate any other resource area boundaries that are delineated:

Bank/MAHWL
a. Resource Area

1471
b. Linear Feet Delineated

Confirm IVW's are not ILSF
c. Resource Area

d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. See instructions for details. **Online Users:** Attach the Document Transaction Number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. ANRAD (Delineation Plans only)
- 2. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 3. Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
- 4. List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

D. Fees



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
City/Town

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

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

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

<u>386424</u>	<u>08.28.2024</u>
2. Municipal Check Number	3. Check date
<u>386360</u>	<u>08.28.2024</u>
4. State Check Number	5. Check date
<u>Vanasse Hangen Brustlin, INC</u>	<u>Vanasse Hangen Brustlin, INC</u>
6. Payor name on check: First Name	7. Payor name on check: Last Name

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1782320
 City/Town:AGAWAM

Abbreviated Notice of Resource Area Delineation

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

D. Signatures and Submittal Requirements

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

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

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

Maria Berto, IT'S PRESIDENT
 1. Signature of Applicant

8-29-24
 2. Date

3. Signature of Property Owner(if different)

4. Date

Dorothy Lawrence

5. Signature of Representative (if any)

8/30/24

6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

Other:

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

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



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

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



A. Applicant Information

1. Location of Project:

1485 Suffield Street Agawam
 a. Street Address b. City/Town
 previously sent
 c. Fee amount d. Check number

2. Applicant:

Marie Izzo Longbrook Condo Association
 a. First Name b. Last Name c. Company
 476 Colledge Hwy
 d. Mailing Address
 Southwick MA 01077
 e. City/Town f. State g. Zip Code
 4135695557
 h. Phone Number

3. Property Owner (if different):

a. First Name b. Last Name c. Company
 d. Mailing Address
 e. City/Town f. State g. Zip Code
 h. Phone Number

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/>	single family house project	a. feet of BVW	x \$2.00 =	b. Fee for BVW
2. <input checked="" type="checkbox"/>	all other projects	1676	2.00	3352.00
		a. feet of BVW	x \$2.00 =	b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. <input type="checkbox"/>	single family house project	a. linear feet	x \$2.00 =	b. Fee
4. <input checked="" type="checkbox"/>	all other projects	3563	2	7126.00
		a. linear feet	x \$2.00 =	b. Fee

Total Fee for all Resource Areas: 2000.00
 Fee

State share of filing fee: 987.50
 5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee: 1012.50
 6. 1/2 of total fee **plus** \$12.50

Online users: check box if fee exempt.



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

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



To: Agawam Conservation Commission
Attn: Taryn Egerton
36 Main Street
Agawam, MA 01001

Date: 10.14.24

Memorandum

Project #: 43346.00

From: Dorothy Lawrence, VHB

Re: Longbrook Estates ANRAD DEP#087-0702 –Amendment
and Responses to MassDEP and Agawam Conservation
Commission Comments

On behalf of our Longbrook Condo Association, VHB offers the following responses and clarifications in response to comments made by Massachusetts Department of Environmental Protection (MassDEP) as part of the Notification of Wetlands Protection Act File Number dated September 09, 2024, and comments made by the Agawam Conservation Commission at the September 12, 2024, Hearing. Additionally, we request an amendment to the ANRAD filing (DEP file # 087-0702) to include the approval of the delineated Bank and MAHW associated with Worthington Brook.

Massachusetts Department of Environmental Protection (MassDEP) Comments

The following comments were made by MassDEP as part of the Notification of Wetlands Protection Act (WPA) File Number document, VHB's responses provided below in underlined italics

1. Please confirm delineation dates. Was it last October?
The delineation was conducted on October 17th and 24th of 2023.
2. It appears that the applicant is only requesting approval of BVW, under the Wetlands Protection Act. Unless the commission has a wetlands bylaw/ordinance where IVW is regulated, it should not be approving the boundary of an IVW. It does not appear that the applicant is requesting approval of Bank or the MAHWL of the perennial stream.
The applicant is requesting the commission approve all delineated wetlands including BVW and Bank /Mean Annual High-Water Line (MAHWL). Additionally, the applicant is requesting the commission confirm the isolated wetlands (Wetland 1, 2, 3, 5, 6) are isolated and **not** Isolated Land Subject to Flooding (ILSF). An Updated WPA form 4A is provided below as part of this memorandum.
3. To help ensure that conservation commissions have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L. c. 44, section 53g gives Commissions authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to make a decision pursuant to the Wetlands Protection Act M.G.L. c. 131, sec 40 and 310 CMR 10.00.
The applicant has provided payment to the Agawam Conservation Commission for the employment of an outside consultant to review the ANRAD and subsequent requested documentation.

Agawam Conservation Commission (ACC) Comments

The following comments were made by ACC during the September 12, 2024, Hearing, VHB's responses provided below in underlined italics.

1. The ACC requested a response to MassDEP comments provided as part of the Notification of Wetlands Protection Act (WPA) File Number document.

The response to MassDEP comments has been provided as part of this document and located in the previous section.

2. The ACC requested and updated form to reflect the correct application name and amendment to the ANRAD

The updated WPA form 4A form is included as an attachment to this memorandum and the applicant formally requests the original ANRAD be amended to include the confirmation of Bank/MAHWL, delineated as the bank, of Worthington Brook. Regulatory and resource details of the Worthington Brook are included as part of the original submittal.

If you have any questions or comments, please feel free to contact me by phone at 508-513-2708 or by email at dflawrence@vhb.com.

Sincerely,

Dorothy Lawrence

Dorothy Lawrence
Environmental Scientist

Attachments:
WPA Form 4A

cc: MassDEP WERO; John Furman, VHB; Marie Izzo, Longbrook Condo Association

WPA Form 4A



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
City/Town

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) 1676
Linear Feet of Boundary Delineated
2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:
 - a. MassDEP BVW Field Data Form (attached)
 - b. Other Methods for Determining the BVW boundary (attach documentation):
 1. 50% or more wetland indicator plants
 2. Saturated/inundated conditions exist
 3. Groundwater indicators
 4. Direct observation
 5. Hydric soil indicators
 6. Credible evidence of conditions prior to disturbance
3. Indicate any other resource area boundaries that are delineated:

<u>Bank/MAHWL</u>	<u>1471</u>
a. Resource Area	b. Linear Feet Delineated
<u>Confirm IVW's are not ILSF</u>	<u>1887</u>
c. Resource Area	d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. See instructions for details. **Online Users:** Attach the Document Transaction Number (provided on your receipt page) for any of the following information you submit to the Department.

1. ANRAD (Delineation Plans only)
2. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
3. Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
4. List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

D. Fees



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

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Agawam
City/Town

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

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

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

<u>386424</u>	<u>08.28.2024</u>
2. Municipal Check Number	3. Check date
<u>386360</u>	<u>08.28.2024</u>
4. State Check Number	5. Check date
<u>Vanasse Hangen Brustlin, INC</u>	<u>Vanasse Hangen Brustlin, INC</u>
6. Payor name on check: First Name	7. Payor name on check: Last Name

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
City/Town

understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

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

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

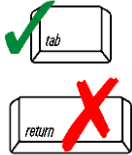
One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

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



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

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



A. Applicant Information

1. Location of Project:

1485 Suffield Street Agawam
 a. Street Address b. City/Town
 previously sent
 c. Fee amount d. Check number

2. Applicant:

Marie Izzo Longbrook Condo Association
 a. First Name b. Last Name c. Company
 476 Colledge Hwy
 d. Mailing Address
 Southwick MA 01077
 e. City/Town f. State g. Zip Code
 4135695557
 h. Phone Number

3. Property Owner (if different):

a. First Name b. Last Name c. Company
 d. Mailing Address
 e. City/Town f. State g. Zip Code
 h. Phone Number

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/>	single family house project	a. feet of BVW	x \$2.00 =	b. Fee for BVW
2. <input checked="" type="checkbox"/>	all other projects	1676	2.00	3352.00
		a. feet of BVW	x \$2.00 =	b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. <input type="checkbox"/>	single family house project	a. linear feet	x \$2.00 =	b. Fee
4. <input checked="" type="checkbox"/>	all other projects	3563	2	7126.00
		a. linear feet	x \$2.00 =	b. Fee

Total Fee for all Resource Areas: 2000.00
 Fee

State share of filing fee: 987.50
 5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee: 1012.50
 6. 1/2 of total fee **plus** \$12.50

Online users: check box if fee exempt.



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

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

MICHAEL MOCKO ENVIRONMENTAL CONSULTANT

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

July 11, 2024

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:

I would like to provide an update to this project following a field walk with Stockman Associates on June 18, 2024 to review changes made to the delineation of the wetlands. My client has retained Levesque Associates to complete surveying as Ron Huot of Andersen Associates is unable to proceed due to illness.

The hope is to have a survey and plan to review in one month. Due to the complexity of issues, I would prefer to do a site walk with the commission to view the proposal.

On behalf of my client, I am requesting a one month continuance.

Sincerely,



Michael Mocko

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number
 Agawam
 City/Town

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



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

A. General Information

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

Main Street _____ Agawam _____ 01001 _____
 a. Street Address b. City/Town c. Zip Code
 Latitude and Longitude: 42.0871 _____ -72.6207 _____
 d. Latitude e. Longitude
 See attached Table 1 _____
 f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Mario _____ Mazza _____
 a. First Name b. Last Name
 Superintendent, Agawam Department of Public Works
 c. Organization
 1000 Suffield Street
 d. Street Address
 Agawam _____ MA _____ 01001 _____
 e. City/Town f. State g. Zip Code
 (413) 821-0600 _____ mmazza@agawam.ma.us _____
 h. Phone Number i. Fax Number j. Email Address

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

See attached Table 1 _____
 a. First Name b. Last Name

 c. Organization

 d. Street Address

 e. City/Town _____ f. State _____ g. Zip Code _____
 h. Phone Number _____ i. Fax Number _____ j. Email address _____

4. Representative (if any):

Melissa _____ Coady _____
 a. First Name b. Last Name
 Tighe & Bond, Inc.
 c. Company
 53 Southampton Road
 d. Street Address
 Westfield _____ MA _____ 01085 _____
 e. City/Town f. State g. Zip Code
 (413) 572-3224 _____ (413) 562-5317 _____ MPCoady@TigheBond.com _____
 h. Phone Number i. Fax Number j. Email address

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

N/A - Municipal Project _____ N/A - Municipal Project _____ N/A - Municipal Project _____
 a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

A. General Information (continued)

6. General Project Description:

The project involves replacing approximately 870 linear feet of the Westfield River Sewer to an alignment farther from the bank of the Westfield River, as well as restoration of surfaces along the new alignment (pavement, lawn, etc.). Refer to the attached narrative for additional details.

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

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

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

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

310 CMR 10.53(3)(d) - public utilities (sewer)

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Hampden

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

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

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

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



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Westfield River (inland) 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

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

3. Total area of Riverfront Area on the site of the proposed project: 4,100 square feet

4. Proposed alteration of the Riverfront Area:

<u>4,100</u>	<u>500</u>	<u>3,600</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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

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

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

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
 City/Town

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

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

_____ a. square feet of BVW _____ b. square feet of Salt Marsh _____

5. Project Involves Stream Crossings

_____ a. number of new stream crossings _____ b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number
Document Transaction Number
Agawam
City/Town

C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

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

August 1, 2021
 b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
 percentage/acreage

(b) outside Resource Area _____
 percentage/acreage

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

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

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

(b) Photographs representative of the site

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

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

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



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

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).
 Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

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

- 1. Project is exempt from MESA review.
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
- 2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
- 3. Separate MESA review completed.
 Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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



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

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

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

D. Additional Information

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

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

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

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



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D. Additional Information (cont'd)

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

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

Westfield River Interceptor Sewer Relocation Project

a. Plan Title

Tighe & Bond, Inc.

b. Prepared By

December 2023

d. Final Revision Date

c. Signed and Stamped by

Varies

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

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

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

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant

2. Date

3/11/24

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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





Town of Agawam

Department Of Public Works

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

MEMORANDUM

To: Conservation Commission
CC: File
From: Engineering Division
Date: March 4, 2024
Subject: PW 470 – Westfield River Interceptor Sewer Relocation – Main Street

Per your request, we have reviewed the Notice of Intent for the proposed Westfield River Interceptor Sewer Relocation Project; Prepared by Tighe & Bond; Dated: February, 2024. Based on our review, we have the following comments:

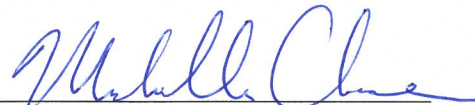
1. Engineering recommends that the abandoned SMH #9 be filled with flowable fill rather than gravel. Over time, gravel could shift within the manhole structures, potentially causing sinkholes within the parking lot of #141 Main Street.

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,



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



Michelle C. Chase, P.E.
Town Engineer

AGAWAM CONSERVATION COMMISSION
November 14, 2024

MEMBERS PRESENT:

Henry Kozloski, Chairman
Magda Galiatsos
Frank Meagher
Keven Brown
Jill Ward

MEMBERS ABSENT:

Sheryl Becker
S Page Fallon

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker

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

1. PUBLIC HEARING CONT. – NOTICE OF INTENT – 250 Suffield Street –
Ekstrom & Hoyle

Petitioners Robert Hoyle and Kayla Ekstrom and Ryan Nelson, with R. Levesque Associates, Inc. were present for this agenda item. The applicant is proposing to construct an addition, replace the retaining wall, driveway repairs, and a stonedust path. Mr. Kozloski asked if this would be done in phases. Ms. Ekstrom stated that the driveway repairs would be completed first, followed by the retaining wall, and then the addition and stonedust path would be last. Mr. Kozloski suggested requiring a phasing plan in the Order of Conditions, allowing the erosion controls to be installed in only the area of construction rather than the entire property. Mr. Nelson stated he and the Commission performed an onsite. Mr. Meagher asked if the wooden bridge and other debris from previous owners could be removed and the applicants agreed. Mr. Nelson read the original Engineering Department comments and responses and showed the minor plan revisions.

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

Motion was made by Ms. Ward and seconded by Mr. Meagher to close the public hearing for 250 Suffield Street – Ekstrom & Hoyle.

VOTE 5 – 0

The Order of Conditions was written at the end of the meeting.

2. REQUEST FOR DETERMINATION CONT. – 409, 411, 421, 427 Southwick Street
– Cascio & Metz

Ryan Nelson with R. Levesque Associates, Inc. was present for this agenda item. Mr. Nelson stated the applicant is only looking for a determination on boundaries and no work is being proposed at this time. He confirmed that 421 Southwick Street was only delineated to the rear of the house and that anything west of the existing house has not been delineated. Ms. Egerton questioned the revised application stating the applicant is proposing a six lot subdivision. Mr. Nelson said that was included in error. Scott Moore stated they are hoping to subdivide to create two additional lots. Mr. Brown went onsite and felt the boundaries were conservative and straightforward. Mr. Fallon could not attend the meeting but submitted a report on the site visit stating the same. Mr. Kozloski asked if soil borings were done onsite and Mr. Nelson confirmed. Mr. Kozloski requested the information be sent to the Commission for review prior to the next meeting.

Mr. Nelson requested a continuance to December 12, 2024.

Motion was made by Ms. Ward and seconded by Ms. Galiatsos to continue the Request for Determination for 409, 411, 421, and 427 Southwick Street to December 12, 2024, as requested.

VOTE 5 – 0

3. PUBLIC HEARING CONT. – ABBREVIATED NOTICE OF RESOURCE AREA
DELINEATION – 1485 Suffield Street – Atrium Property Services

The Commission received a request to continue this agenda item to the next regularly scheduled meeting, which is December 12, 2024.

Motion was made by Ms. Ward and seconded by Mr. Brown to continue the Public Hearing for the Abbreviated Notice of Resource Area Delineation on 1485 Suffield Street – Atrium Property Services to December 12, 2024, as requested.

VOTE 5 – 0

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

The Commission received a request to continue this agenda item to the next regularly scheduled meeting, which is December 10, 2024.

Motion was made by Ms. Ward and seconded by Mr. Brown to continue the Public Hearing for the Notice of Intent on 1014 North St Ext – VIP Homes & Associates, LLC to December 12, 2024, as requested.

VOTE 5 – 0

5. ENFORCEMENT ORDER UPDATES

Nicole Terrace Subdivision – The monuments for delineating the restoration area have been ordered and R. Levesque Associates will be installing

57 Meadow Street – Mr. Kozloski and Mr. Meagher went onsite and confirmed grass was growing in the restoration area.

Motion was made by Ms. Ward and seconded by Mr. Meagher to lift the enforcement order for 57 Meadow Street dated May 13, 2024.

VOTE 5 – 0

6. APPROVAL OF MINUTES – October 24, 2024

Motion as made by Ms. Ward and seconded by Mr. Brown to approve the October 24, 2024 minutes.

VOTE 5 – 0

7. Correspondence and Complaints

There will be a site visit Monday, November 18th at 9am with Emily Stockman for the TGP annual inspection.

The ribbon cutting ceremony for Still Brook Park will be Tuesday November 19th at 2pm.

The Commission then wrote the Order of Conditions for 250 Suffield Street. A copy of the Order can be obtained from the Office of Planning and Community Development at Town Hall.

Motion was made by Ms. Ward and seconded by Mr. Meagher to issue the Order of Conditions for 250 Suffield Street – Ekstrom & Hoyle, as written.

VOTE 5 – 0

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

VOTE 5 – 0

Meeting adjourned at 6:45pm.