

**CITY OF CHICOPEE
CONSERVATION COMMISSION**

**Minutes of Meeting
January 15, 2020**

Pursuant to Mass. General Law Ch. 131, Section 40 and the Chicopee Wetland Ordinance Ch. 272, the Chicopee Conservation Commission held a public hearing on **Wednesday, January 15, 2020** at 6:15 PM, RiverMills Senior Center, Classroom 30, 5 West Main St., Chicopee, MA 01020

James Reidy opened the meeting at 6:15 PM and announced that the meeting was being recorded and asked if anyone was recording the meeting to please state their name and address for the meeting record.

Conservation Commission attendance:

Member	Present	Absent	Excused
James Reidy, Chair	X		
Jessica Dzwonkoski			X
Celeste Donovan			X
Charles Payne	X		
Nicole Dewberry	X		
Sharon Balcom	X		

Planning/Conservation Staff attendance:

Member	Present	Absent	Excused
Lee Pouliot, Director			X
James Dawson, Development Manager	X		
Patrick McKenna, Assistant Planner			X
Nathan Moreau, Associate Planner			X

Item 1: (Continued from October 2, December 4 and 18, 2019) NOI for the Fuller Road Roadway Rehabilitation Project. The project includes reconstruction of a 1.7 mile section of Fuller Road from Memorial Dr. (Rt. 33) to the I-291 overpass bridge. Work will occur within Riverfront Area of the Chicopee River as well as Bordering Land Subject to Flooding and Buffer Zones. Applicant: Elizabette Botelho, City of Chicopee DPW. 115 Baskin Dr. Chicopee, MA 01020

**The Applicant for Item #1 has requested a continuance to February 5, 2020.*

Notes: Item #1 was continued to February 5, 2020. On December 18, 2019 the Commission was scheduled to hold a hearing at which Item #1 was to be continued to February 5, 2020. No quorum was present to continue Item 1 at that hearing therefore one of the two Commissioners present continued the entire meeting agenda to January 15, 2020. The Applicant had requested Item 1 be continued to February 5, 2020 therefore on January 15, 2020 the Commission voted to continue to February 5, 2020.

Motion to continue the hearing to February 5, 2020 was made by Charles Payne and seconded by Sharon Balcom. Vote was 4-0 to continue.

Member	Approve	Deny	Continue	Abstain
James Reidy			X	
Charles Payne			X	
Nicole Dewberry			X	
Sharon Balcom			X	

Item 2: Item 2: NOI for the restoration of cleared vegetation within Riverfront Area of the Chicopee River. Location: East Main St., Assessor Map 132, Parcels 2, 3 and 7. Applicant: Bridgetown, LLC, 1350 Main St. Springfield, MA 01103

Notes: Chris Karney of R. Levesque Associates presented the NOI to the Commission and explained it was in response to the Enforcement Order issued earlier in 2019 for clearing and grubbing of vegetation within the riverfront Area of the Chicopee River. The Commission discussed the submitted restoration plan and the NOI. The Commissioners arrived at several special conditions below:

1. Restoration shall commence as soon as nursery stock is available in Spring of 2020 and installation shall be completed on site by June 1, 2020.
2. Applicant or designee shall provide and the Chicopee Conservation Commission shall approve the specific seed mix to be used for soil stabilization prior to installation.
3. Any new trees or shrubs that die or fail to establish at any time shall be replaced as approved and shall be maintained in perpetuity i.e. nursery stock shall be irrigated when necessary for the first two growing seasons after installation.
4. Erosion control shall be maintained in good condition until given the approval to remove by the Chicopee Conservation Commission.
5. A site inspection shall be scheduled with the Chicopee Conservation Commission upon completion of the restoration install.
6. A site inspection shall be scheduled with the Chicopee Conservation Commission in October 2020 (after one complete growing season).
7. A site inspection shall be scheduled with the Chicopee Conservation Commission in October 2021 (after two complete growing seasons).
8. Invasive species shall be removed from the site within the Riverfront Area and shall be managed in perpetuity within the Riverfront Area of the site.
9. Applicant or Owner must obtain a Certificate of Compliance from the Chicopee Conservation Commission prior to filing a new Notice of Intent for any future development on the site.

The Commission voted to grant an Order of Conditions with the above conditions.

Motion to grant an Order of Conditions with noted conditions was made by Nicole Dewberry and seconded by Charles Payne. Vote was 4-0 to grant an Order of Conditions with noted conditions.

Member	Approve	Deny	Continue	Abstain
James Reidy	X			
Charles Payne	X			
Nicole Dewberry	X			
Sharon Balcom	X			

Item 3: Enforcement Orders

- Britton St. ? – Planning/ Conservation Staff met with the Applicant and directed him as to the appropriate permitting pathway to development on the site. Since no solid disturbance had occurred, Staff will hold off on issuing an Enforcement Order until the end of January 2020 to give the Applicant time to submit an NOI. An Enforcement Order will be issued if no progress is made by then.

Notes: Staff noted they had met with an individual regarding the cutting of trees in a Terrace Escarpment Soil designated area. No soil disturbance had occurred as of Late December 2019. It was explained to the individual that an NOI was required to do any site work on the property as just about the entire property is in TE soils. Staff has recommended to the Commission that if an NOI is not filed by January 31, 2020, an Enforcement Order should be issued. TE soils are jurisdictional under the Chicopee Wetland Protection Ordinance.

- East Main St. ? A concerned citizen contacted the Planning/Conservation office to express concerns about possible Riverfront Area violations for property located at 535 East Main Street. Staff cannot safely access an area to investigate and obtain photos without going onto the subject property.

Notes: A concerned citizen and local business owner contacted Staff regarding possible violations occurring at 535 East Main Street. Staff trying to get access and obtain photos of the property. This is difficult due to topography and layout of abutting property. Staff will keep Commission informed of progress on this issue.

Item 4: Minutes from December 4 and 18, 2019

December 4, 2019

Motion to approve the minutes from December 4, 2019 was made by Sharon Balcom and seconded by Nicole Dewberry. Vote was 4-0 to approve .

Member	Approve	Deny	Continue	Abstain
James Reidy	X			
Charles Payne	X			
Nicole Dewberry	X			
Sharon Balcom	X			

December 18, 2019

Motion to approve the minutes of December 18, 2019 was made by Nicole Dewberry and seconded by Sharon Balcom. Vote was 4-0 to approve.

Member	Approve	Deny	Continue	Abstain
James Reidy	X			
Charles Payne	X			
Nicole Dewberry	X			
Sharon Balcom	X			

Item 5: Sign Bills

Notes: Staff presented one bill for signatures.

Item 6: Upcoming Project updates/Discussion

- **Emergency Certification – Fuller Road**

Notes: Staff presented an Emergency Certification to the Commission for ratification. Staff signed an Emergency Certification for the clearing of vegetation and the construction of a gravel access road, off of Fuller Road, within Riverfront Area of the Chicopee River. The purpose of the work was to provide access for Emergency First Response vehicles to access to the River for a search and rescue mission. The Commissioners ratified the Emergency Certification. (File # 19-EC002)

Item 7: Adjournment – Next scheduled meeting is February 5, 2020

Motion to adjourn was made by Charles Payne and seconded by Sharon Balcom. Vote was 4-0 to adjourn.

Member	Approve	Deny	Continue	Abstain
James Reidy	X			
Charles Payne	X			
Nicole Dewberry	X			
Sharon Balcom	X			

Meeting adjourned at 7:12 PM.