

**CITY OF CHICOPEE
CONSERVATION COMMISSION**

Minutes of Meeting

June 21, 2023

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, June 21, 2023 at 6:15 PM** in the Office of Planning & Development and Conservation, City Hall Annex, 4th Floor, 274 Front St., Chicopee, MA 01013

Celeste Donovan opened the meeting at 6:23 PM and announced that the meeting was being recorded.

Conservation Commission attendance:

| Member | Present | Absent | Excused |
|---------------------|----------------|---------------|----------------|
| Celeste Donovan | X | | |
| Charles Payne | X | | |
| Meghan Balakier | X | | |
| Richard Valcourt | X | | |
| Bianca Thomas | | X | |
| Barbara Chamberlain | X | | |
| Sharon Balcom | X | | |

Planning/Conservation Staff attendance:

| Member | Present | Absent | Excused |
|------------------------------------|----------------|---------------|----------------|
| Lee Pouliot, Director | X | | |
| James Dawson, Development Manager | X | | |
| Nick Kiser, Associate Planner | | | X |
| Patrick Collins, Assistant Planner | | | X |

Item 1: RDA for the continuation of existing storage yard, material processing and recycling and the continuation and expansion of “sand and gravel” pit operations. Location: 749 New Ludlow Rd. (Assessor Map 747, Parcel 1, and Assessor Map 779, Parcel 6. Applicant: LENVIV, LLP & GEN2 REALTY LLC., same address.

Notes:

The Applicant along with Edward Chapdelaine, surveyor and engineer of the project presented the RDA to the Commission. The limit of work is located just outside the 50’ wetland buffer zone. Mr. Chapdelaine and the Applicant explained there are various construction materials, within a small area of the 50’ wetland buffer zone that were present on the property when the Applicant purchased it.

Construction materials are stored on the property. Except for the small area described within the 50’ wetland buffer zone all of the storage is outside the 50’ wetland buffer boundary. The materials on the property consist of excess material from job sites to be recycled for use on other upcoming projects. The business involves hauling material in/out daily to and from projects.

The Applicant is in the process of developing plans for the property. The RDA is to clear and grade the property to maximize the useable area of the property per the City’s Wetland Regulations. Per the City’s regulations, the minimum limit of work is to the 50’ wetland buffer boundary line for Industrial and Commercial projects.

The Commission placed a condition regarding removing the material storage within the 50’ wetland buffer as the supplies are used. The Commission also conditioned that once the materials within the 50’ buffer zone were used that no additional supplies and storage would be allowed within the 50’ wetland buffer zone in the future.

The Commission also placed their standard erosion control conditions on the project to include straw wattles in conjunction with silt fence. Erosion controls must be inspected by staff prior to the commencement of any site work and they must remain in place until the site is stabilized and the Commission or its staff gives permission for its removal. Wetland signs must be permanently installed every 75’ along the 50’ wetland buffer boundary including at each corner of the hardpack parking lot, prior to commencement of any site work. In addition, Mr. Chapdelaine is to map the required signs on a plan for staff approval. Several abutters/residents were in attendance opposed to the project.

Motion to issue a Positive 2A, Positive 5 and a Negative 3 Determination, along with conditions was made by Charles Payne and seconded by Sharon Balcom. Vote was 6-0 to issue a Positive 2A, Positive 5 and a Negative 3 Determination with conditions.

| Member | Approve | Deny | Continue | Abstain |
|---------------------|----------------|-------------|-----------------|----------------|
| Celeste Donovan | X | | | |
| Charles Payne | X | | | |
| Meghan Balakier | X | | | |
| Richard Valcourt | X | | | |
| Barbara Chamberlain | X | | | |
| Sharon Balcom | X | | | |

Item 2: Ratification of Enforcement Order – Property Owner at 129 Dejordy Lane clearing vegetation and excavating and filling within 100’ wetland buffer without filing with the Commission.

Notes:

The Commission ratified the Enforcement Order that was issued by Staff on May 10, 2023. Multiple City Departments visited the property on May 18, 2023 to observe the disturbed area. Due to a staff delay in sending the property owner information Staff recommends extending the deadline to file an NOI. The Commission was agreeable to the extension and requested the property owner provide an update on his progress at the July 19, 2023 meeting. The property owner will ultimately be required to file a Notice of Intent.

Item 3: Minutes from April 5, 2023

Motion to approve was made by Richard Valcourt and seconded by Barbara Chamberlain. Vote was 5 approvals and 1 abstention. Celeste Donovan abstained since she was not in attendance for the April 5, 2023 meeting.

| Member | Approve | Deny | Continue | Abstain |
|---------------------|----------------|-------------|-----------------|----------------|
| Celeste Donovan | | | | X |
| Charles Payne | X | | | |
| Meghan Balakier | X | | | |
| Richard Valcourt | X | | | |
| Barbara Chamberlain | X | | | |
| Sharon Balcom | X | | | |

Item 4: Sign Bills – Staff indicated there were no bills to sign.

Item 5: Upcoming Projects/Discussion

- CEL Hydro Electric Project – Chicopee River at Chicopee Falls
- East Main St. progress report
- Eversource herbicide project annual report

Item 6: Adjournment – Next scheduled meeting is scheduled for July 5, 2023

Motion to adjourn was made by Sharon Balcom and seconded by Charles Payne. Vote was 6-0 to adjourn.

| Member | Approve | Deny | Continue | Abstain |
|---------------------|----------------|-------------|-----------------|----------------|
| Celeste Donovan | X | | | |
| Charles Payne | X | | | |
| Meghan Balakier | X | | | |
| Richard Valcourt | X | | | |
| Barbara Chamberlain | X | | | |
| Sharon Balcom | X | | | |

Meeting adjourned at 8:15 PM.