

# CITY OF CHICOPEE - CONSERVATION COMMISSION

274 Front Street, Chicopee, MA 01013  
(413) 594-1515

5

## PUBLIC HEARING AGENDA

March 18, 2020

**\*NOTE Meeting will be held back at City Hall**

Pursuant to Mass. General Law Ch. 131, Section 40 and the Chicopee Wetland Ordinance Ch. 272, the Chicopee Conservation Commission will hold a public hearing on **Wednesday, March 18, 2020 at 6:15 PM**, City Hall Annex, Fourth Floor, Planning/Conservation Office, 274 Front St., Chicopee, MA 01013 to discuss the following:

**Chairman please announce meeting is being recorded and inform public if they are recording the meeting they must disclose they are recording and provide their name and address for the record.**

**Item 1: Request for Certificate of Compliance (File # NOI 16-002)** Lot 4 (23 Ralph Circle) The Applicant is requesting a Certificate of Compliance for Lot 4 of the Ralph Circle Subdivision. This subdivision is only accessible from Russell Street in Springfield.

**Item 2: Request for Certificate of Compliance (File # NOI 16-003)** Lot 5 (15 Ralph Circle) The Applicant is requesting a Certificate of Compliance for Lot 4 of the Ralph Circle Subdivision. This subdivision is only accessible from Russell Street in Springfield.

**Item 3: Enforcement Orders - Updates**

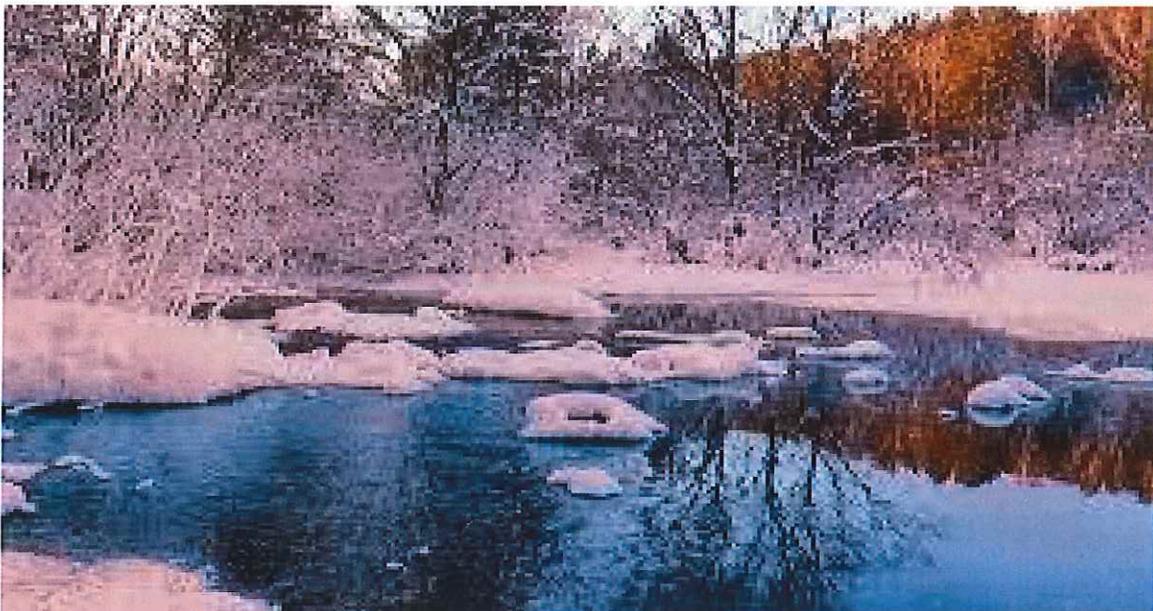
- Britton St.
- East Main St.?

**Item 4: Minutes** from February 5, 2020

**Item 5: Sign Bills**

**Item 6: Upcoming Project updates/Discussion**

**Item 7: Adjournment** – Next scheduled meeting is April 1, 2020



**CITY OF CHICOPEE  
CONSERVATION COMMISSION  
Minutes of Meeting  
Special Meeting  
January 29, 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 29, 2020 at 5:30 PM**, Chicopee Planning/Conservation Office, City Hall Annex, Fourth Floor, 274 Front St., Chicopee, MA 01013

James Reidy opened the meeting at 5:36 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		
Tiffany Menard			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: Training Session** - Mark Stinson from MassDEP Western Region will join us for training and discussion about upcoming Fuller Road Reconstruction Project.

**Notes:** Commissioner Reidy introduced Mark Stinson from MassDEP and explained to the Commissioners that his intention for inviting Mr. Stinson to the meeting was for some training on the State Regulations and utilizing the Fuller Road Reconstruction Project plans to apply the regulations. Mr. Stinson provided his comments and file number with regard to the Fuller Road reconstruction project when the project was submitted to the Commission in October 2019. Commissioner Reidy used Mr. Stinson’s comments as the base for the discussion of the meeting. The Commission reviewed Mr. Stinson’s comments one by one and the regulations were applied to each comment. Mr. Stinson explained which sections of the regulations the Commission had discretion over and other sections that are “must strictly comply sections” by the applicant. Once the Commission was satisfied with all the information provided by Mr. Stinson regarding his comments on the Fuller Road project, Staff requested some clarification with regard to an Emergency Certification that was issued by the Commission at their previous meeting to which Mr. Stinson responded. No votes were taken on anything discussed.

**Item 2: Upcoming Project updates/Discussion**

**Notes:** Staff informed the Commission that their February 5, 2020 meeting would be held at the Senior Center and that all successive meetings, beginning February 19, 2020, should be back at City Hall.

**Item 3: Adjournment** – Next scheduled meeting is February 5, 2020

Motion to adjourn was made by Celeste Donovan and seconded by Sharon Balcom. Vote was 5-0 to adjourn.

<b>Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Continue</b>	<b>Abstain</b>
James Reidy	X			
Celeste Donovan	X			
Charles Payne	X			
Nicole Dewberry	X			
Sharon Balcom	X			

**Meeting adjourned at 7:35 PM.**

**CITY OF CHICOPEE  
CONSERVATION COMMISSION  
Minutes of Meeting  
February 5, 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, February 5, 2020 at 6:15 PM, RiverMills Senior Center, Classroom 30, 5 West Main St., Chicopee, MA 01020

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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		
Tiffany Menard		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 and January 15, 2020) 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

**Notes:** James Hall of CHA Consulting presented a project update to the Commission. He noted that the Environmental Notification Form had been submitted and they had received the certificate as of January 23, 2020. Mr. Hall proceeded to explain the stormwater basins, necessary tree removals and replacement tree plantings. Commissioner Reidy requested that the MassDEP comments be reviewed and asked Mr. Hall to provide responses as to how the responses were addressed. Mr. hall explained the requested waivers from the Chicopee wetland setback requirements.

Commissioner Dewberry asked if there was any further thought to any of the design recommendations brought up at the previous meeting. Mr. Hall explained that the project was at about the 100% design stage and that design changes at this point would not be feasible and could delay the project.

The Commissioners asked about trees that they requested be incorporated into the plan to replace trees being removed for the construction. Mr. Hall referred to the planting plan that showed 84 new trees being proposed on both City and WMDC property. Staff will work with the consultant to determine native tree species prior to installation.

The Commission discussed desired Special Conditions that they wanted attached to the Order of Conditions.

Motion to approve the Order of Conditions with special conditions was made by Celeste Donovan and seconded by Sharon Balcom. Vote was 5-0 to approve the Order of Conditions with special conditions.

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

**Item 2: Enforcement Orders - Updates**

- 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. As of February 5, 2020 no NOI has been filed.

- 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. As of February 5, 2020 the Building Commissioner has visited the property and issued a Cease and Desist Order for the Property Owner to clean up the property as a zoning violation is occurring in addition to the Conservation Issues.

Planning /Conservation Staff will issue Enforcement Orders and have the Commissioners ratify at their next meeting.

**Item 3: Minutes from January 15, 2020**

**Notes:** James Reidy was not present at the meeting on December 18, 2019. The only two Commissioners present were Sharon Balcom and Nicole Dewberry therefore there was no quorum. The meeting was continued to January 15, 2020. The minutes for December 18, 2019 show Commissioner Reidy as present.

Motion to approve the minutes from January 15, 2020 with noted amendment was made by Sharon Balcom and seconded by Charles Payne. Vote was 4 in favor, 0 opposed and 1 abstention. (Celeste Donovan abstained as she was not present at the January 15, 2020 meeting.

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

**Item 4: Sign Bills**

Notes: Staff noted there were no bills to sign.

**Item 5: Upcoming Project updates/Discussion**

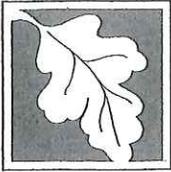
Notes: Staff noted that the Commission did not receive any applications and therefore it would not be necessary to meet on February 19, 2020. The Commission discussed the possibility of meeting to review regulations but instead decided not to meet on February 19, 2020.

**Item 6: Adjournment** – Per notes in Item 5 above, the next scheduled meeting is March 4, 2020.

Motion to adjourn was made by Sharon Balcom and seconded by Celeste Donovan. Vote was 5-0 to adjourn.

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

Meeting adjourned at 7:30 PM.



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:

WE 133-0324  
 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:

Sodi Inc  
 Name  
72 Prospect Hills Dr  
 Mailing Address  
East Longmeadow MA 01028  
 City/Town State Zip Code  
413-575-7114  
 Phone Number

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

Sodi Inc  
 Applicant  
04/13/16 WE 133-0324  
 Dated DEP File Number

3. The project site is located at:

23 Ralph Cir. AKA Lot 4 Chicopee  
 Street Address City/Town  
57 0057-0018  
 Assessors Map/Plat Number Parcel/Lot Number

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

Property Owner (if different)  
Hampden 22661 453  
 County Book Page

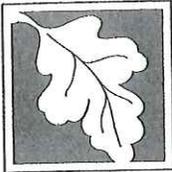
Certificate (if registered land)

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).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 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:

WE 133-0324  
Provided by DEP

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### 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

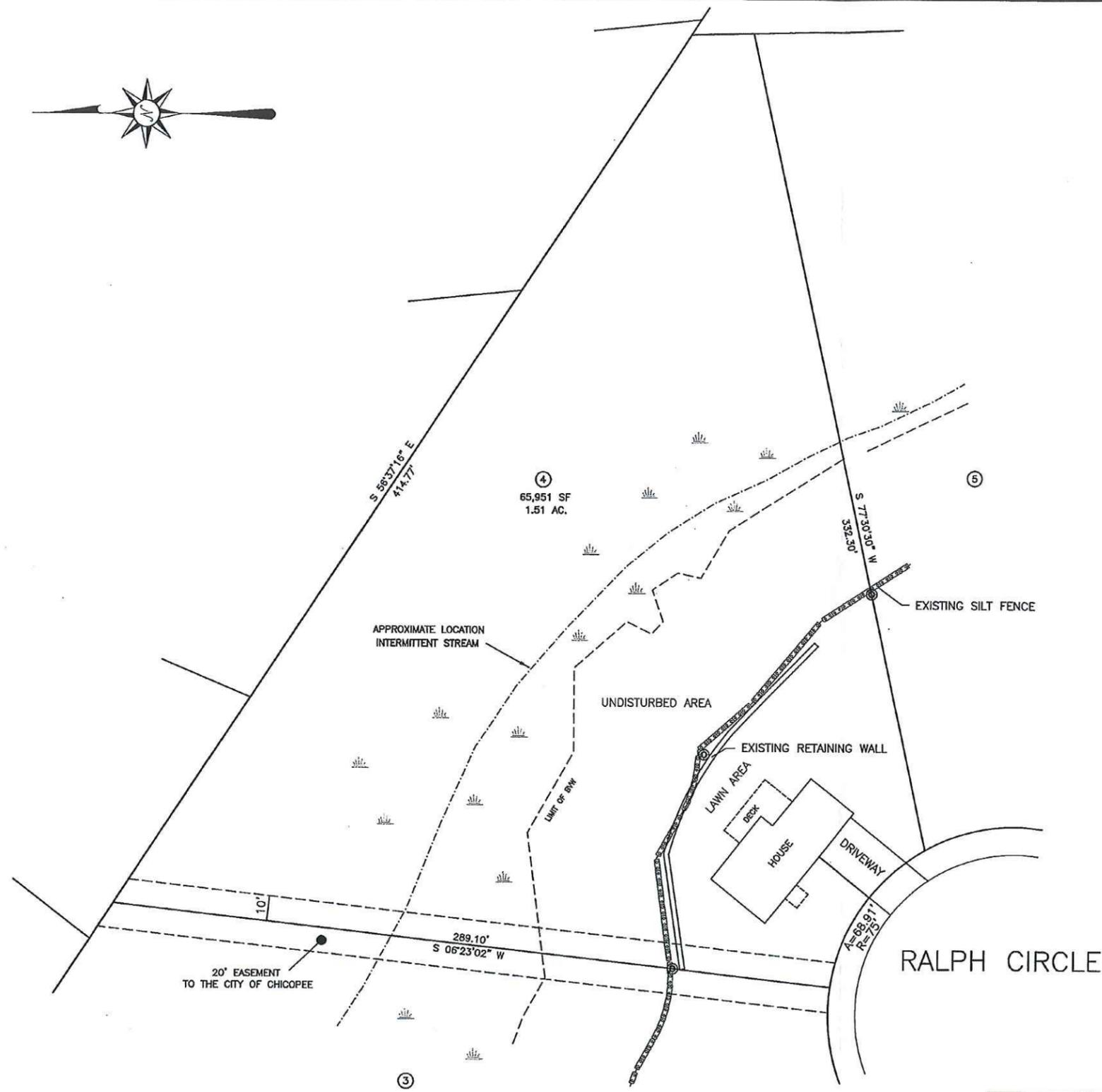
If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

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### 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>).



AS BUILT PLAN  
 LOT 4 RALPH CIRCLE  
 CHICOPEE, MA  
 OWNED BY  
 SODI, INC.

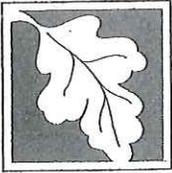
⊙ EXISTING WETLAND WORKLIMIT SIGN



2-18-20

DATE: FEBRUARY 18, 2020 SCALE: 1" = 30'

PAUL S. SMITH LAND SURVEYING  
 319 SHAKER ROAD EAST LONGMEADOW, MA  
 (413) 525-4700



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:

WE 133-0325  
 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:

Sodi Inc  
 Name  
72 Prospect Hills Dr  
 Mailing Address  
East Longmeadow MA 01028  
 City/Town State Zip Code  
413-575-7114  
 Phone Number

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

Sodi Inc  
 Applicant  
04/13/16 WE 133-0325  
 Dated DEP File Number

3. The project site is located at:

15 Ralph Cir. AKA Lot 5 Chicopee  
 Street Address City/Town  
57 0057-0018A  
 Assessors Map/Plat Number Parcel/Lot Number

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

Property Owner (if different)  
Hampden 22661 427  
 County Book Page

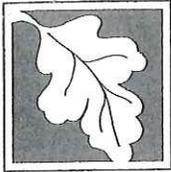
Certificate (if registered land)

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).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 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:

WE 133-0325  
Provided by DEP

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### 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

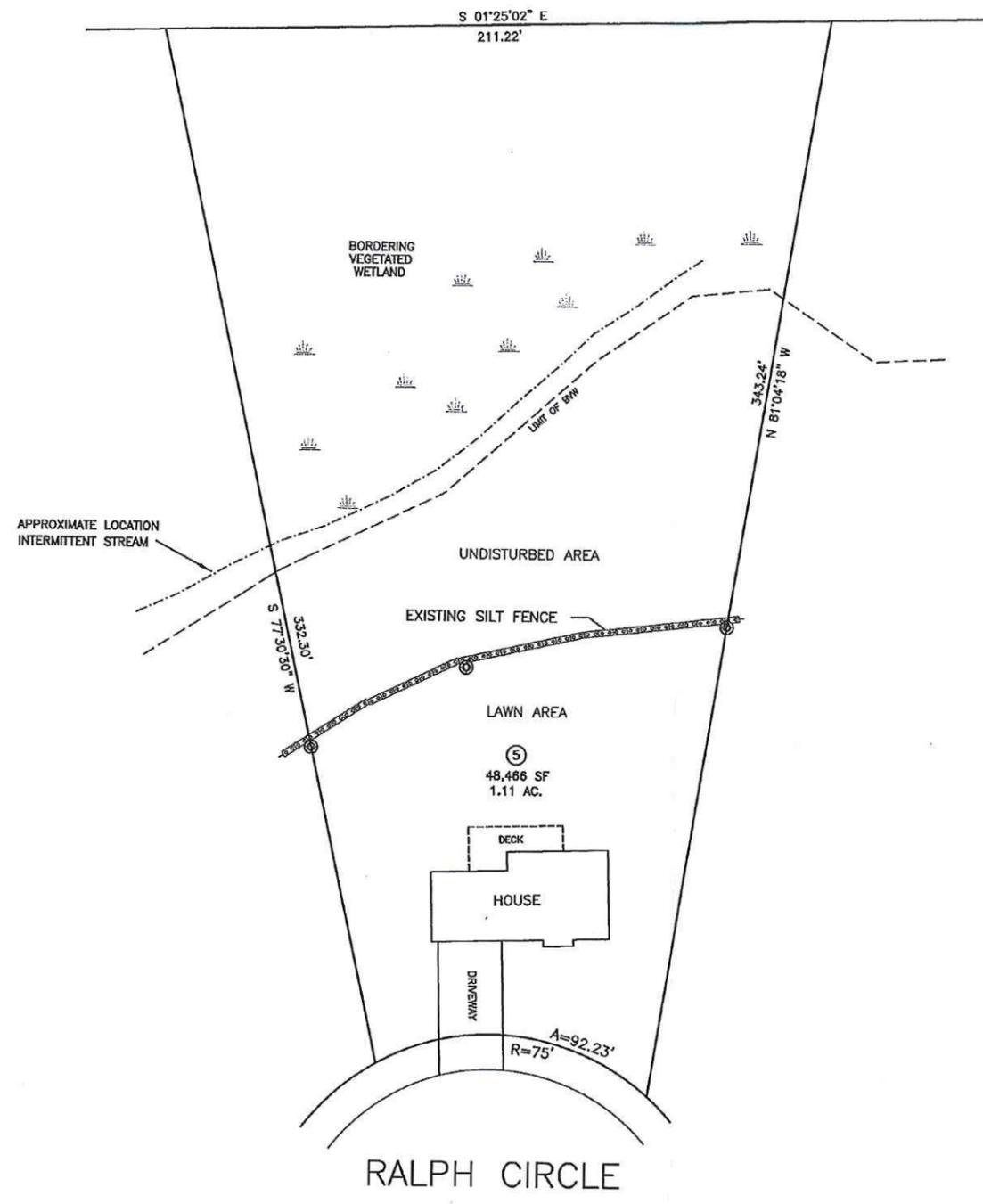
If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

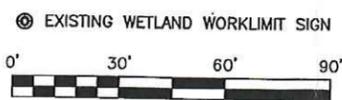
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### B. Submittal Requirements

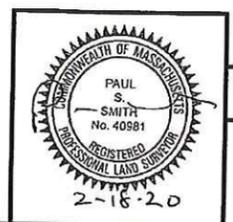
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 LOT 5 RALPH CIRCLE  
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Ⓢ EXISTING WETLAND WORKLIMIT SIGN



DATE: FEBRUARY 18, 2020 SCALE: 1" = 30'  
 PAUL S. SMITH LAND SURVEYING  
 319 SHAKER ROAD EAST LONGMEADOW, MA  
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