

CITY OF CHICOPEE
CONSERVATION COMMISSION
Minutes of Meeting
January 6, 2021

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 6, 2021 at 6:15 PM via video conference (Zoom).

Celeste Donovan opened the meeting at 6:15 PM and announced that the meeting was being recorded and read the following statement into the meeting record:

Pursuant to Massachusetts General Laws Chapter 131, Section 40 and the Chicopee Wetlands Ordinance, Chapter 272, the Chicopee Conservation Commission calls to order this public hearing today, January 6, 2021 at 6:15 pm.

Commissioners are meeting through video conference utilizing Zoom.

In order to ensure and satisfy CDC social distancing guidelines during the COVID-19 Pandemic and pursuant to Governor Baker’s March 23, 2020 Order as amended, the Chicopee Conservation Commission is conducting public hearings utilizing remote collaboration technology in accordance with Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 18.

Copies of application materials for items on the Commission’s agenda may be requested by phone: 413-594-1515 or by emailing Jim Dawson at jdawson@chicopeema.gov

Tonight’s public hearings will be available for viewing via the Spectrum Community Access Channel 191 or the Chicopee TV website at www.facebook.com/ChicopeeTV or <https://vimeo.com/chicopeetv>

Public comment was received during two timeframes. The first public comment period took place prior to the opening of the public hearing on January 6, 2021. The second public comment period will take place following the January 6, 2021 hearing and remained open until January 20, 2021 for newly opened agenda items.

To provide public comments in writing please mail to the Chicopee Conservation Commission, 4th Floor, City Hall Annex, 274 Front St., Chicopee, MA 01013. By email to Jim Dawson at jdawson@chicopeema.gov. or by calling 413-594-1517. All public comments received will be provided to all Commission Members and discussed at either of the above listed meeting dates. All commenting individuals shall state their name, address and company/organizational affiliation in addition to the item(s) that the comments pertain to. Comments received prior to the January 6, 2021 hearing will be entered at that meeting, those received after the January 6, 2021 hearing will be entered at the continued date for the hearing January 20, 2021.

Conservation Commission attendance:

Member	Present	Absent	Excused
Celeste Donovan (Zoom)	X		
Charles Payne (Zoom)	X		
Sharon Balcom (Zoom)	X		
Meghan Balakier (Zoom)	X		
Richard Valcourt (Zoom)	X		
Brian Nunes (Zoom)	X		

Planning/Conservation Staff attendance:

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

Item 1: RDA (Continued from December 16, 2020) for the application of herbicides to control “target vegetation” along State roads and highways in accordance with the ROW management regulations (333 CMR 11.00) and the MassDOT VMP and YOP.

Notes: Robert Natario of MassDOT provided the Commission with a brief overview on the RDA that was presented to the Commission on December 16, 2020. Mr. Natario answered questions from Commissioners with regard to the herbicide applications. The Commissioners were satisfied with the delineations on the plans submitted as part of the RDA and voted to grant a Positive 2A Determination.

Motion to issue a Positive 2A Determination was made by Charles Payne and seconded by Meghan Balakier. Vote was 6-0 to issue a Positive 2A Determination.

Member	Approve	Deny	Continue	Abstain
Celeste Donovan	X			
Charles Payne	X			
Sharon Balcom	X			
Meghan Balakier	X			
Richard Valcourt	X			
Brian Nunes	X			

Item 2: NOI for restoration of altered Terrace Escarpment Soils. Location: 19 Old Chicopee St. Applicant: Jerzy Cebula, Sunny Hill, LLC. 18 Benedict St., West Springfield, MA 01089

Notes: Edward Chapdelaine of Durkee, White, Towne and Chapdelaine presented the NOI to the Commission via Zoom. Property Owner Jerzy Cebula was also in attendance via Zoom. Mr. Chapdelaine explained the Property Owner clear cut the hillside behind his building located at 19 Old Chicopee Street without filing an NOI with the Commission and was issued an Enforcement Order. The hillside is located within a Terrace Escarpment Soil zone and is jurisdictional by the Conservation Commission. Mr. Chapdelaine noted that the trees were cut to the ground but the root systems were left intact. Staff noted that it had gone out to the site on two occasions to inspect the erosion control and found it to be unacceptable. Mr. Cebula and Mr. Chapdelaine requested to meet on site with Staff to discuss the erosion control. Staff agreed to the request. Staff requested, as part of the restoration of the site, that seed of woody plants be included in the proposed seed mix. Commissioners asked about a restoration ratio and the stabilization of the retaining wall on site. Staff noted that the retaining wall issue was separate from the NOI for the restoration of the hillside and a new NOI and plans would have to be submitted and approved by the Commission prior to any work regarding the retaining wall. Due to COVID-19 meeting requirements the Commission voted to continue the hearing on this agenda item to January 20, 2021 to allow for an adequate public comment period.

Motion to continue to January 20, 2021 was made by Sharon Balcom and seconded by Charles Payne. Vote was 6-0 to continue to January 20, 2021.

Member	Approve	Deny	Continue	Abstain
Celeste Donovan	X			
Charles Payne	X			
Sharon Balcom	X			
Meghan Balakier	X			
Richard Valcourt	X			
Brian Nunes	X			

Item 3: Enforcement Orders – Update

- Sunflower Ave. – Violator finally accepted the mailing.

Item 4: Minutes from December 16, 2020

Notes: Commissioner Balcom noted a typo in Item #1 - route number error.

Motion to approve with correction was made by Charles Payne and seconded by Sharon Balcom. Vote was 6-0 to approve with noted correction

Member	Approve	Deny	Continue	Abstain
Celeste Donovan	X			
Charles Payne	X			
Sharon Balcom	X			
Meghan Balakier	X			
Richard Valcourt	X			
Brian Nunes	X			

Item 5: Sign Bills – No new bills to sign.

Item 6: Upcoming Project Updates/Discussion

Notes: No new projects to discuss at this time.

Item 7: Adjournment – Next scheduled meeting is January 20, 2021

Motion to adjourn was made by Meghan Balakier and seconded by Richard Valcourt. Vote was 6-0 to adjourn.

Member	Approve	Deny	Continue	Abstain
Celeste Donovan	X			
Charles Payne	X			
Sharon Balcom	X			
Meghan Balakier	X			
Richard Valcourt	X			
Brian Nunes	X			

Meeting adjourned at 7:02 PM.