

**CITY OF CHICOPEE
CONSERVATION COMMISSION
Minutes of Meeting
May 19, 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, May 19, 2021 at 6:15 PM via video conference (Zoom).**

Celeste Donovan opened the meeting at 6:16 PM and announced that the meeting was being recorded and read the following statement into the meeting record:

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 City of Chicopee is providing public notice that it will conduct a public hearing 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. C. 30A, 18.

Copies of application materials may be requested by phone (413-594-1517) or by emailing Jim Dawson at jdawson@chicopeema.gov.

To view the recorded public hearings please tune to Spectrum Community Access Channel 191 or the ChicopeeTV website at [Facebook.com/ChicopeeTV](https://www.facebook.com/ChicopeeTV) and/or <https://vimeo.com/chicopeetv>

Public comments were received during two timeframes. The first public comment period took place prior to the opening of public hearings on May 5, 2021. The second public comment period took place following the May 5, 2021 hearings and remained open until May 19, 2021.

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.

Conservation Commission attendance:

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

Item 1: (Continued from April 7, 21 and May 5, 2021) NOI for Chicopee Reservoir Annual Drawdown and Vegetation Management Project. Work will include removal of vegetation within 20’ of the reservoir dam and for a five year authorization of the annual drawdown of the reservoir for maintenance purposes. Work will occur within Inland Bank, Bordering Vegetated Wetland, Land Under Waterways and Waterbodies, Riverfront Area and Buffer Zone. Location: Chicopee Memorial State Park – 570 Burnett Rd., Chicopee, MA 01020. Applicant: Sean Gaffney, Massachusetts DCR, 1048 North Rd., Westfield, MA 01085

Notes: At the start of the meeting neither the Applicant nor their representative was logged into the meeting. The Commission proceeded with the remainder of the agenda to see if the Applicant was simply late in logging in. After the other items on the agenda were heard the Applicant still had not logged into the meeting. The Commission voted to continue the hearing to June 2, 2021. (After the meeting ended Staff noticed that an email arrived during the meeting from the Applicant’s representative requesting to continue to June 2, 2021)

Motion to continue to June 2, 2021 was made by Richard Valcourt and seconded by Sharon Balcom. Vote was 5-0 to continue to June 2, 2021.

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

Item 2: Minutes from April 21 and May 5, 2021

April 21, 2021

Motion to approve was made by Sharon Balcom and seconded by Charles Payne. Vote was 4 in favor, 0 opposed and 1 abstention.

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

May 5, 2021

Motion to approve was made by Richard Valcourt and seconded by Charles Payne. Vote was 3 in favor, 0 opposed and 2 abstentions.

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

Item 3: Sign Bills – Staff noted there was one bill to sign and asked Commissioners to stop by City Hall to sign at their earliest convenience.

Item 4: Upcoming Projects/Discussion

- **Enforcement Order** – 535 East Main Street – Property Owner Carlos Martins has been ordered to appear before the Commission to discuss the Enforcement Order.

Notes: Joe Rogers of GZA Environmental was in attendance via Zoom on behalf of the Property Owner Carlos Martins who was not in attendance. Mr. Rogers provided the Commission with an update on progress being made with regard to the Enforcement Order. The Commission requested a copy of the contact between GZA and Mr. Martins by the June 2, 2021 hearing. Staff requested, on behalf of the Commission, a draft of plan for the sediment sampling required by the Commission in the Enforcement Order. Mr. Rogers explained how he expected progress to occur with regard to the next two dates (June 2 and 16, 2021) in the timeline for compliance as detailed in the Enforcement Order. Commissioner Payne wants to see a hard and fast timeline by GZA on when the steps defined in the Enforcement Order will occur. The Commission has requested Mr. Rogers attend the Commission meeting scheduled for June 16, 2021 to present a plan showing the delineations of any resource areas on the property and the extent of the violation affecting those resource areas.

- **650 C Memorial Drive** – Metro Chrysler Jeep is proposing an addition to their building and an expansion of their parking area. The proposed project lies in very close proximity to an isolated wetland; work will occur closer than the local regulations permit.

Notes: John Tomaszewski from R. Levesque Associates and Leon Berneche (Builder) attended the meeting via Zoom to represent the Applicant who was also in attendance. Mr. Tomaszewski presented the proposed plan to the Commission. Staff presented comments regarding development setbacks and possible shared parking agreements instead of adding more pavement that it had presented to the Applicant on behalf of the Conservation Commission. The Commission agreed with the Staff comments. The Commissioners asked several question of Mr. Tomaszewski regarding the plans. Commissioner Payne brought up the issue of setting precedent with a former project on Burnett Road in which the Commission held to its setback requirements. Staff expressed concern that some isolated wetlands can be classified as vernal pools and that any NOI submission should take this into consideration. Mr. Tomaszewski and Mr. Berneche asked if it would be possible to replicate the wetlands further on the opposite side in exchange for encroaching on the buffer zone per the proposed plan. Staff noted it may be possible but noted many times replication areas are not successful unless proper and continuous management is undertaken to insure success. The Applicant noted that they were willing to undertake that responsibility. Commissioner Donovan asked about next steps. Staff reported that the Applicant had to submit an NOI to advance the project forward and that the Planning Board could not proceed with any approvals until the Conservation Commission was satisfied with the plans and an Order of Conditions was issued.

- **Email Correspondence:** The Commission received correspondence from Councilor Derek Dobosz with a notation to Item #1 of this agenda (see attached correspondence.)

Item 5: Adjournment – Next scheduled meeting is June 2, 2021

Motion to adjourn was made by Richard Valcourt and seconded by Sharon Balcom. Vote was 5-0 to adjourn.

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

Meeting adjourned at 7:19 PM.