

**CITY OF CHICOPEE
CONSERVATION COMMISSION
Minutes of Meeting
October 18, 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, October 18, 2023 at 6:15 PM in the Chambers Conference Room, City Hall Annex, 4th Floor, 274 Front St., Chicopee, MA 01013

Celeste Donovan opened the meeting at 6:15 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: Response to and Ratification of Enforcement Order – Western Massachusetts Food Bank to provide the Commission with a response to the requirements of the Enforcement Order issued on September 15, 2023 (23-E001)

Notes:

The Project Manager reported the erosion control was put in place in April of 2022. Shaun Boughton of C.E. Floyd noted there were three entities “in control” of the erosion control. These included Marion, Gheeheer, and C.E. Floyd who turned it over to Mountainview Landscapes on July 1, 2023. Reportedly there was a 3-week lag time between Gheeheer turning over the site to C.E. Floyd and then Mountainview Landscapes. A review of the Enforcement Order was provided by Mr. Boughton. He reported that per the Enforcement Order, all erosion control had been replaced/repared, all paved areas were swept and cleaned of any sediment, and all the catch basins associated with the project or adjacent to the project had been cleaned and new silt sacks installed. Staff visited the site on October 13, 2023 and confirmed this. Mr. Boughton noted that paving was completed in July 2023 and it was unknown how much sediment was in the catch basin silt sacks prior to the September 11, 2023 severe rain event. Staff asked if C.E. Floyd or Mountainview had a copy of the Order of Conditions. It was reported that herbicides were used to control weeds prior to the installation of the jute mats and seeding. Staff noted the use of any herbicides and/or pesticides was not allowed per the Order of Conditions. Staff also recommended to the Commission that the stormwater management basin on the north side of East Main Street be inspected to determine if any sediment affected it in any way. The Commission discussed requiring a comprehensive site inspection after every storm event moving forward. The Commission also discussed increasing the frequency of inspections on the site and requiring weekly reports be submitted to Staff. The Commission also wants to be notified of any future erosion control failures.

A few of the attending residents spoke on the issue and expressed their concerns including but not limited to the lack of preparation prior to the storm, excessive stormwater runoff, lack of remorse and accountability on the part of the Food Bank, pesticide use on site, and the Food Bank not being a good neighbor. City Councilor Fred Krampits

attended the meeting via Zoom stating he felt it was outrageous as to what happened and thanked the Commission for its quick response.

The Commission had several issues that it wants addressed by the November 1, 2023 hearing. Including the following:

1. A response to the use of herbicides on site in violation of the Order of Conditions.
2. Inspection of the Stormwater basin on the north side of East Main Street with WestMass Area Development Corporation.
3. Meeting with C.E. Floyd, Mountainview Landscapes, and the Food Bank to review the Order of Conditions.
4. Weekly reports and photos from C.E. Floyd to Staff.
5. Applicant to immediately inform Staff if there is any failures of erosion controls in the future.
6. The Commission is requiring C.E. Floyd to provide the dates when catch basins were inspected and when roadway and parking lot sweeping occurred. Per the Order of Conditions catch basins are to be inspected and parking areas and roadways are to be swept twice annually.

The Commission voted to continue the discussion on the Enforcement Order to November 1, 2023.

Motion to continue discussion on the Enforcement Order to November 1, 2023 was made by Charles Payne and seconded by Richard Valcourt. Vote was 7-0 to continue discussion on the Enforcement Order to November 1, 2023.

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

Item 2: Minutes from October 4, 2023

Motion to approve the minutes was made by Charles Payne and seconded by Sharon Balcom. Vote was 7-0 to approve.

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

Item 3: Sign Bills

Notes: Staff noted there were no bills to sign.

Item 4: Upcoming Projects/Discussion/Communications

- **RDA for Szot Park Pool site submitted on October 18, 2023 - on agenda November 1, 2023**

Notes: Soils to be tested for PCBs- limited vegetation removal to perform work.

- **Update on responses to Enforcement Orders issued to property owners on McKinstry Ave.**

Notes: Nothing submitted to date. NOI required by November 1, 2023

- **Update on erosion control at 129 Dejordy Lane**

Notes: Erosion Control to be in place by November 1, 2023 – to be inspected by Conservation Staff.

Item 5: Adjournment – Next scheduled meeting is November 1, 2023

Motion to adjourn was made by Barabara Chamberlain and seconded by Charles Payne. Vote was 7-0 to adjourn.

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

Meeting adjourned at 7:20 PM.