



Town of Chester Conservation Commission Agenda

Monday, March 6th, 2025 | 16:00 (4 P.M.)

Location/Contact

Town of Chester: Town Hall Auditorium

15 Middlefield Road

Chester, MA 01011-9733

(386) 506-1343 / (413) 354-7760

*This meeting will be held in-person for open public comments. Further public comments, concerns, and questions are to be made in writing within ten business days to the address above. Please contact the Conservation Commission with any questions or concerns. We appreciate your patience and flexibility.

Agenda

1. Call to Order

- Roll Call, Sign-Ins
- Disclosures, if applicable.
- Approval of Previous Meeting Minutes, if applicable.

2. Reports

- New Member Alert! Welcome Sean Forgue!
 - Sworn in by Town Clerk on Monday, February 24th, 2025.
- Call To Vote: For the Town of Chester Conservation Commission to: "Hereby recognize and accept provisions of M.G.L. c. 110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect".
 - The "Certificate of Vote" is to be certified by the City/Town Clerk as a "True Attest Copy" of the Vote. The City/Town Clerk or designated municipal employee will record the True Attest Copy with the Hampden County Registry of Deeds. Upon the recording within the Hampden County of Deeds, a receipt of the book and page where it was recorded will be issued to the Conservation Commission where it will be recorded and filed for FOIA/Public Inspection/Review at the Town Hall upon request and shall henceforth be included by vote within the Commission on its signature page

to read: "Registry of Deeds in Book.....Page.....", and shall specify in either perpetuity or for a specified amount of years within the required documentation within Conservation Commission's jurisdiction, authority, or oversight; to include Wetland Protection Act (WPA) Order Of Conditions (OOC), Administrative-OOCs, Enforcement Orders, Fines/Fees, Permits/Variations, Determinations of Applicability (RDA/ARDA), Notice of Intent (NOI/ANOI), Certificate of Compliance (COC), or any action or vote taken by the acting voting members of the Commission thereof. This shall include all necessary Town of Chester specific permits and/or approvals under the Commission's jurisdiction per M.G.L. c. 131, s. 40 and their respective Federal and State laws, rules and regulations, local bylaws, policies/procedures. The Commission shall have authority to delegate the recording, adjustment, amendment, or take any action thereto of said or related, and to respective Town Boards/Committees with a recorded receipt(s) of all filings, fees to said Boards/Committees and shall be filed at the Town Hall for further inspection upon request. The Certificate to Vote shall be recorded, renewed, recertified as per Hampden County of Deeds and Land Court Requirements and upon newly voted/appointed members of the Conservation Commission.

- Call to Vote: A vote from the Chester Conservation Commissioner where per M.G.L. 131 ss 8c, Massachusetts Deed Indexing Standards (January 2025), M.G.L. c.110G, the Home Rule Procedures Act (Chapter 43B), the Wetlands Protection Act (MA General Law - Part I, Title XIX, Chapter 131, Section 40), as well as within any/all legal authority/act(s) relative thereof will bear full responsibility of the "**Certificate of Vote**" and any actions thereof to the Conservation Commission's Chair, and henceforth only be delegated by the Chair as so written to any of its acting voting and appropriate member(s) to carry out such any/all duties/acts and/or relative thereof.

-Call to Vote: The Conservation Commission will have the authority to formulate administrative procedures, promulgate rules, regulations, bylaws, fines/fees, and Conservation Programs necessary to administer, enforce, educate, and manage said rules/regulations/programs/finances. Issuance of an Conservation's Administrative Order-Order of Conditions-Approvals, Denials, Continuations, Variations, etc. issued by the Commission involving any and all Boards/Committees as required within the Conservation Commission's jurisdiction, oversight, or enforcement will henceforth be subject to filing/documentation requirements and shall henceforth be carried out under the responsibility of the Conservation Commission's Chair and/or via the Chair's delegated Commission acting member IAW The Conservation Act (General Law - Part I, Title VII, Chapter 40, Section 8C), The Wetland Protection Act (310 CMR 10.00| Mass.gov), MA Home Rule Procedures (MA Chapter 43B), Uniform Procurement Act (M.G.L. Part I, Title III, Chapter 30B), and respective M.G.L. Parts I, II, III, IV, V, and will hold the same legal weight and authority of the Commission.

-Conservation Chair will be attending a free virtual class offered by the MSMCP titled *Registry of Deeds 101 for Conservation Professionals*, Wednesday, March 5, 2025, from 12:00 PM to 1:30 PM.

- Call to vote: A vote from the Town of Chester Conservation Commission to enact and take any action thereof with the passing of *An Act to Modernize Municipal Meetings, Town Meetings, and Local Elections*, BILL HD.2863, *An Act to Modernize Municipal Meetings, Town Meetings,*

and Local Elections, Bill SD. 1850, and take any action thereto with the passing of the Massachusetts Municipality Empowerment Act, An Act Providing for Pre-Service Training for Members of Local Boards and Commissions, Bill SD. 254, respectively.

- Call to Vote: Call to vote for the Town of Chester Conservation Commission to vote: Lora Wade as Chair, Paul Waite for Vice-Chair as noted in dated September 30th, 2024, meeting agenda/minutes.

Motion made by: Paul Waite (2-0-1) Seconded by: Sean Fogue
Motion unanimous.

- Discuss Continuations from previous Agenda/Minutes dated 9/30/24.
- Public/Open Comments, if any/applicable. none attended. No minutes.

Meeting adjourned at 3/6/2025.

Approved Agenda/Meeting Minutes for the Town of Chester Conservation Commission on (date/time) 3/6/2025 11033.

Chair: _____ (print)/ Lora Wade (signature)/ [Signature]
Vice Chair: _____ (print)/ Paul Waite (signature)/ [Signature]
Member: _____ (print)/ Sean Fogue (signature)/ [Signature]

Additional Resources/Cited:

- Massachusetts Constitution (Articles 89 and 97)
- Conservation Commission Act (MGL Ch. 40 §8C)
- Wetlands Protection Act (MGL Ch. 131 §40)
- Community Preservation Act (MGL Ch. 44B) (HB 1.1.6)
- Consultant Fee Provisions (MGL Ch. 44 §53G)
- Conservation Restriction Act (MGL Ch. 184 §§31-33)
- The 1957 Conservation Commission Act (MGL Ch. 40 §8C)
- Article 89 (Home Rule) of the state Constitution
- The 1972, the state Wetlands Protection Act (MGL Ch. 131 §40)
- Municipalities that have adopted the Community Preservation Act
- Article 97 of the Amendments to the Constitution of the Commonwealth
- www.macc.org



Certificate Of Vote Authorizing Signatures
Pursuant to M.G.L., c. 110G

On March 6th, 2025, the Town of Chester Conservation Commission met in open session through accessible video conference software, pursuant to the Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, section 20 issued by Governor Charles D. Backer on March 12th, 2020, and extended by H58 Chapter 2 of the Acts of 2023, Suspending Certain Provisions of the Open Meeting Law. At this duly held meeting, the following were taken:

Motion: by Lora Wade that The Town of Chester Conservation Commission hereby recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures and/or with wet ink signatures and that both will carry the same legal weight and effect.

Motion seconded by Paul Waite.

Role Call Vote:

Lora Wade, Chair – Aye

Paul Waite, V. Chair – Aye

Sean Forgue, Commissioner – Aye

The vote was unanimous.

The above is a true and accurate account of the proceedings of the Chester Conservation Commission. By affirmative vote of a majority of the members of the Commission, the motion passed.

Date: <u>3/6/2025</u>	Print: <u>Lora Wade</u>	Signature: <u>[Signature]</u>
Date: <u>3/6/2025</u>	Print: <u>PAUL WAITE</u>	Signature: <u>[Signature]</u>
Date: <u>3/6/2025</u>	Print: <u>Sean Forgue</u>	Signature: <u>[Signature]</u>

This above is a true and accurate account of the proceedings of the Town of Chester Conservation Commission.

Attest:

A True Copy:

Town Clerk's Name / Date / Municipality Name / Clerk