

**East Longmeadow
Department of Community Development and Planning
60 Center Square
East Longmeadow, Massachusetts 01028
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**Minutes
Meeting of the Conservation Commission
June 27, 2018**

6:00 pm: School Committee Conference Room, 180 Maple St., East Longmeadow, MA

Present: Chairman Craig Jernstrom; Vice Chair Robert Sheets (left early at 7:03pm); Clerk Jeffrey Bosworth; Mary Ellen Goodrow; Thomas O'Brien; Anthony Zampiceni

Also present: Director of Planning Constance Brawders

Absent: William Arment

Chairman Jernstrom called the meeting to order at 6:04pm.

APPROVAL OF MINUTES

Mr. O'Brien moved to accept the minutes of June 13, 2018 as amended; seconded by Clerk Bosworth. **The motion to accept the minutes of June 13, 2018 as amended passed unanimously (6-0).**

CONTINUED BUSINESS:

1. Public Hearing Continuation: Notice of Intent for Somers Road, Lot #1 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, May 23, June 13, 2018 – **Continued to July 25, 2018 upon request of applicant**).
2. Public Hearing Continuation: Notice of Intent for Somers Road, Lot #2 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, May 23, June 13, 2018 - **Continued to July 25, 2018 upon request of applicant**).
3. Public Hearing Continuation: Notice of Intent for Somers Road, Lot #3 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, May 23, June 13, 2018 - **Continued to July 25, 2018 upon request of applicant**).
4. Public Hearing Continuation: Notice of Intent for Somers Road, Lot #4 (Assessor's Parcel 79-30-J) by Todd Cellura of Sovereign Builders, Inc., 135 Southampton Road, Westhampton, MA 01027 (Case Continued from May 9, May 23, June 13, 2018 - **Continued to July 25, 2018 upon request of applicant**).

Vice Chair Sheets moved to allow the continuance of the Notice of Intent Public Hearings for Somers Road, Lots 1 through 4, as requested by the applicant; seconded by Mr. Bosworth. **The motion to continue the Notice of Intent Public Hearings for Somers Road, Lots 1-4 passed unanimously (6-0).**

NEW BUSINESS:

5. **Request for Certificate of Compliance: 49 Dartmouth Lane** (Assessor's Parcel ID 31-22-15) in the Residential AA district by William & Linda Fiore of 49 Dartmouth Lane, East Longmeadow MA.

Although the lot in question was not included in the original Order of Conditions, the Commission agreed that a Certificate of Compliance was necessary for housekeeping with the Registry of Deeds. Vice Chair Sheets moved to grant the Certificate of Compliance; seconded by Clerk Bosworth. **The motion to grant the Certificate of Compliance for 49 Dartmouth Lane passed unanimously (6-0).**

6. **Request for Certificate of Compliance: 21 Halon Terrace** (Assessor's Parcel ID 22-13-5) in the Residential A district by Cooley Shrair, PC of 1380 Main St., Springfield MA.

Although the lot in question was not called out in the original Order of Conditions, the Commission agreed that a Certificate of Compliance was necessary for housekeeping with the Registry of Deeds. Vice Chair Sheets moved to grant the Certificate of Compliance; seconded by Clerk Bosworth. **The motion to grant the Certificate of Compliance for 21 Halon Terrace passed unanimously (6-0).**

7. **Discussion of a potential wetlands violation at 115 Avery St.** (Assessor's Parcel ID 4-13-46) in the Residence B district, owned by Richard Barrows III and Malina Barrows of 115 Avery St., East Longmeadow, MA.

Chairman Jernstrom could not see any evidence of trees being cut down from the street. Chairman Jernstrom suggested sending a letter to the property owner asking them to come to a meeting to discuss, or request a site visit. Clerk Bosworth moved to send the property owner at 115 Avery St. a letter requesting a site visit on July 11 at 5pm, seconded by Mr. O'Brien. **The motion to send a letter to the property owner of 115 Avery St. requesting a site visit on July 11, 2018 at 5pm passed unanimously (6-0).**

ADMINISTRATIVE MATTERS:

8. **Bella Vista Estates:** Update on project status of the definitive subdivision consisting of 43.8 acres, approved by the Planning Board 09/20/2010, located off Prospect Street in the Residence AA zoning district by developer/developer's agent.

Lawrence Lloyd, developer of Bella Vista, was present to address the Commission on the project status of Bella Vista Estates. He said they have a verbal commitment from a lender to begin phase II of development within the next couple of weeks. Chairman Jernstrom asked about the stumps of wood debris that were reported to the Commission. Mr. Lloyd said it would be taken care of as soon as funding came through for phase II. Chairman Jernstrom reminded Mr. Lloyd that maintenance of the basins and erosion controls are still the responsibility of Pecoy, and an accurate maintenance log is necessary showing details of what was done and when, stating that what was provided last August is not sufficient. He also pointed out that wetlands crossing coming out of existing Phase I is inadequate, as the observed bark mulch thrown on the ground does not allow for unrestricted water flow. Mr. Lloyd assured the Commission that wetland crossings have been engineered and will be built as shown on plans. Mr. O'Brien said it was his opinion that the mulch was doing its job of allowing the water to still flow underneath the crossing. Chairman Jernstrom maintained that the established performance standards need to be adhered to. Vice Chair Sheets asked if the Commission could get a commitment from Mr. Lloyd that performance standards would be adhered to as established, moving forward, and

Mr. Lloyd agreed that they would be. The Commission complimented Mr. Lloyd on the positive progress in several other areas of the development, so far.

9. Stream Crossings—Information describing well designed crossings was presented by the Chair for the Commission's information.

10. Discussion of DRAFT revisions to the General By law under 10.011 Conservation Commission – Consultant Fees – Definitions

Director Brawders summarized her proposed revisions to the bylaw, explaining that the fee limits outlined are inadequate and out of date, so she suggested asking the Town Council to modify the bylaw by removing the current fee limits, and instead allowing the Commission to have their own separate fee schedule, which would also not restrict the consultant fees to only Notices of Intent. She said the Town Clerk has been contacted for assistance on how to go about presenting the request to Town Council. Chairman Jernstrom expressed his interest in checking out how other towns handle their fee schedules, prior to deciding on how to submit the new bylaw revision to Town Council. He also asked if there was any progress by the committee in Town that was tasked with rewriting the bylaws, as there is interest by the Commission to do rewrites of some of 10.1, 10.11 and 10.12. Ms. Brawders explained the need for a revised Master Plan as well as the bylaw revisions. Mr. O'Brien moved to continue the decision for one month; seconded by Mr. Zampiceni. **The motion to continue the discussion of the Consultant Fees bylaw for approximately one month passed unanimously (6-0).**

There was general discussion about the Commission's role in wildlife protection, but it was determined in the end that it is not the Commission's purview unless the wildlife falls within the buffer zone of wetlands.

11. Open Meeting Law Complaint

Ms. Brawders explained that she had not heard back from the Town's Counsel regarding the Open Meeting Law Complaint received. Mr. O'Brien moved to continue the discussion to July 11, 2018; seconded by Mr. Zampiceni. **The motion to continue the Open Meeting Law Complaint discussion to the next meeting on July 11, 2018 passed unanimously (5-0).**

There was general discussion initiated by Chairman Jernstrom's request for clarification from Ms. Brawders regarding what is appropriate for Commissioners to discuss, outside of listed agenda items.

12. A MACC membership information and resources handout was distributed and the value of membership for the Commission was discussed.

Clerk Bosworth moved to adjourn at 7:25pm; seconded by Ms. Goodrow . **The motion to adjourn at 7:25pm passed unanimously (5-0).**

Respectfully Submitted,

Tracy Berns
Administrative Assistant