

**East Longmeadow  
Department of Community Development and Planning  
60 Center Square  
East Longmeadow, Massachusetts 01028  
(413) 525-5400- ext. 1700 - fax (413) 525-1656**



**Minutes  
Meeting of the Conservation Commission  
July 11, 2018**

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

Present: Chairman Craig Jernstrom; Vice Chair Robert Sheets (left at 7:11pm); Clerk Jeffrey Bosworth; Mary Ellen Goodrow; Anthony Zampiceni

Also present: Director of Planning & Community Development Constance Brawders

Absent: Thomas O'Brien, William Arment

Chairman Jernstrom called the meeting to order at 6:05pm.

**ADMINISTRATIVE MATTERS**

As there were no other pressing matters before the Commission, Vice Chair Sheets moved to take the agenda out of order, to facilitate discussion with Mr. Barrows of 115 Avery St.; seconded by Clerk Bosworth. **The motion to take the agenda out of order and discuss 115 Avery St. passed unanimously (5-0).**

**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.

Mr. Barrows, in receipt of his invitation to attend a Conservation Commission meeting, stated that he did cut down one large tree in his backyard as he deemed it a safety hazard to his family. He did the work himself with help from a friend. He stated the tree is about 15 yards off the lawn, but leaning toward the pool and the area where his children play in the yard. Chairman Jernstrom asked for photos of the tree, which Mr. Barrows showed to him and Vice Chair Sheets on his phone, showing significant rot. Chairman Jernstrom asked how Mr. Barrows plans to take the rest of the tree down, and Mr. Barrows indicated he would use rope. Ms. Goodrow asked what else was cut down surrounding the tree, and he indicated skunk cabbage and other small trees. There was discussion among the commissioners as to the likelihood they would allow the work to continue, as well as a potential site visit. Chairman Jernstrom explained the Conservation Commission's jurisdiction of wetlands protection and that in the future, any work in that jurisdiction must be brought to the Commission's attention via RDA or other means of advance notice. Mr. Barrows was advised to submit an RDA to the Commission so that the site could be looked at and he could be advised as to necessary next steps prior to any additional clearing. Mr. Barrows agreed to submit an RDA prior to the submittal deadline for the July 25, 2018 Conservation Commission meeting.

Mark Stinson, Environmental Analyst (Circuit Rider) at Mass Department of Environmental Protection, was present to meet with the Conservation Commission for a question and answer information session.

Mr. Stinson reviewed some of the violations observed at 115 Avery St., and shared photos he took of the site. He reviewed some of the responsibilities of the Conservation Commission in general. Mr. Stinson mentioned Natural Heritage as a good resource for information on approved plantings. There was also general discussion regarding what is considered exempt activity and what is not. There was also discussion about best practices for monitoring projects, conducting site visits, and the potential creation of local ordinances that could further protect wetlands. There was a suggestion to run Orders of Conditions by Mr. Stinson to check for their enforceability.

### **APPROVAL OF MINUTES**

Clerk Bosworth moved to accept the minutes of June 27, 2018; seconded by Mr. Zampiceni. **The motion to accept the minutes of June 27, 2018 passed unanimously (4-0).**

1. ZBA Administrative Appeal, 20 Pleasant St. – Zoning Violation: 3.308 Unregistered Vehicle. Clerk Bosworth moved to provide no comment on this case as it is a non-jurisdictional matter; seconded by Mr. Zampiceni. **The motion to provide no comment based on the fact that the case is a non-jurisdictional matter passed unanimously (4-0).**
2. Comments for Planning Board Plan Review:
  - A. Spec Permit (Case SP 2017-10) - Chipotle Request by applicant for Special Permit Modification/Amendment at 42 Center Square (Assessor's Parcel ID: 27-182-18) located in the business zoning district. Applicant: East Longmeadow Center Village, LLP, 40 Island Pond Rd., Springfield MA 01118. Clerk Bosworth moved to provide no comment on this case as it is a non-jurisdictional matter; seconded by Mr. Zampiceni. **The motion to provide no comment based on the fact that the case is a non-jurisdictional matter passed unanimously (4-0).**
  - B. Preliminary Subdivision Approval (Case SD-P 2018-03) - Fairway Lane: Request by applicant for Preliminary Subdivision approval at 295 Maple St (Assessor's Parcel ID: 6-11-0) on a 4.47 +/- acre site located in the Residence B zoning district. Applicant: Michael Carabetta, 202 Allen St., East Longmeadow MA 01028. Clerk Bosworth moved to instruct the Planning Board to refer to the RDA issued by the Commission; seconded by Mr. Zampiceni. **The motion to instruct the Planning Board to refer to the RDA issued by the Commission passed unanimously (4-0).**
3. Discussion of DRAFT revisions to the General By law under **10.011 Conservation Commission – Consultant Fees – Definitions**. There was no new discussion.

### **4. Open Meeting Law Complaint**

Ms. Brawders reported that Town's Counsel Kevin Maynard said there was a withdrawal of the complaint but it was subsequently rescinded, and a response from the Town's Counsel has been filed with the Town Clerk and will be forwarded to the Attorney General.

### **ADJOURN:**

Clerk Bosworth moved to adjourn at 8:17pm; seconded by Mr. Zampiceni. **The motion to adjourn at 8:17pm passed unanimously (4-0).**

### **DATE OF NEXT MEETING:**

The next scheduled meeting of the Conservation Commission is July 25, 2018.