



**Meeting of the Conservation Commission  
August 8, 2018**

**5:00pm:** Site Visit - 113 Patterson Ave.

**6:00 pm:** East Longmeadow High School  
School Committee Conference Room  
180 Maple Street, East Longmeadow, MA

**MINUTES**

Present: Chairman Craig Jernstrom; Clerk Jeffrey Bosworth; Mary Ellen Goodrow;  
Anthony Zampiceni

Also Present: Director of Planning & Community Development Constance Brawders;  
Administrative Assistant Tracy Berns

Absent: Vice Chair Robert Sheets; William Arment; Thomas O'Brien

Chairman Jernstrom called the meeting to order at 6:00pm.

**APPROVAL OF MINUTES**

Mr. Zampiceni moved to accept the minutes of July 25, 2018; seconded by Clerk Bosworth.  
Chairman Jernstrom abstained from the vote as he had not had a chance to review the minutes.

**The motion to accept the minutes of July 25, 2018 did not pass due to lack of quorum for the 7 member board.**

The Commission members present listened to the recorded meeting of January 10, 2018 for clarification, review and approval. Clerk Bosworth moved to approve the minutes; seconded by Mr. Zampiceni. **The motion to approve the minutes of January 10, 2018 passed unanimously (4-0).**

**OLD 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, June 27, July 11 and July 25, 2018).

Chairman Jernstrom shared a summary of his email communication with Regional DEP Circuit Rider Mark Stinson, in which the Chair questioned the amount of fill area required, why the deed restriction applied to the entire subdivision, and the use of the term "dredge". All points were clarified to the satisfaction of the Chair and the rest of the Commission. Mr. Zampiceni moved to approve the proposed deed restriction as written; seconded by Clerk Bosworth. **The motion to approve the deed restriction for Lot #1 as written passed unanimously (4-0).**

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, June 27, July 11 and July 25, 2018).

Clerk Bosworth moved to close the public hearing for Lot #2; seconded by Mr. Zampiceni. **The motion to close the public hearing for Somers Rd., Lot #2 passed unanimously (4-0).**

Chairman Jernstrom recognized the error in procedure, intending to continue the hearing and called for a motion to rescind the vote to close the public hearing. Clerk Bosworth moved to rescind the vote to close the public hearing for Lot #2; seconded by Mr. Zampiceni. **The motion to rescind the vote to close the public hearing for Somers Rd., Lot #2 passed unanimously (4-0).** Clerk Bosworth moved to approve the proposed deed restriction as written for Lot #2; seconded by Mr. Zampiceni. **The motion to approve the proposed deed restriction as written for Somers Rd., Lot #2 passed unanimously (4-0).**

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, June 27, July 11 and July 25, 2018).

Clerk Bosworth moved to continue the public hearing to the next regularly scheduled meeting; seconded by Mr. Zampiceni. **The motion to continue the public hearing for Somers Rd., Lots #1, #2 and #3 to August 22, 2018 passed unanimously (4-0).** Clerk Bosworth moved to approve the proposed deed restriction for Lot #3; seconded by Mr. Zampiceni. **The motion to approve the proposed deed restriction as written for Somers Rd., Lot #3 passed unanimously (4-0).**

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, June 27, July 11 and July 25, 2018 ).

Clerk Bosworth moved to continue the public hearing to the next regularly scheduled meeting; seconded by Mr. Zampiceni. **The motion to continue the public hearing for Somers Rd., Lot #4 to August 22, 2018 passed unanimously (4-0).** Clerk Bosworth moved to approve the proposed deed restriction for Lot #4; seconded by Mr. Zampiceni. **The motion to approve the proposed deed restriction as written for Somers Rd., Lot #4 passed unanimously (4-0).**

#### **NEW BUSINESS:**

5. Request by applicant for Certificate of Compliance for an ANR Plan of Land recorded in HCRD Book 378/Page 90 located at 113 Patterson Avenue Lot B (Assessor's parcel Number) in the Residence C zoning district. Applicant/Owner: Michael Frank Design, 65 Smith Avenue, East Longmeadow, MA 01028.

There were no comments from the Commission. Chairman Jernstrom confirmed that there were no permanent limit of work markers required, and all that was needed was the grass to grow in then the silt fence could be removed. Clerk Bosworth moved to approve the request for certificate of compliance; seconded by Mr. Zampiceni. **The motion to approve the Request for Certificate of Compliance for 113 Patterson Avenue, Lot B passed unanimously (4-0).**

#### **ADMINISTRATIVE MATTERS:**

Open Meeting Law complaint

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact Constance Brawders at 413-525-5400 x 1701 or ([constance.brawders@eastlongmeadowma.gov](mailto:constance.brawders@eastlongmeadowma.gov)) or MassRelay 711. Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed.

Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(e) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.

Chairman Jernstrom handed out a draft of the letter to the Town Manager from the Commission to the members and asked them to share any changes they felt were needed. Director Brawders shared a copy of her job description for the Commission to review. She clarified that she did share the open meeting law complaint with the Commission, and had asked the Chair for comments at that time. She stated that she was under an obligation to act quickly, which is why legal counsel was contacted prior to the Commission's opportunity to review the complaint. Ms. Goodrow clarified that the Commission just wanted to make sure they were not in violation by not discussing and responding to the complaint, themselves. Chairman Jernstrom stated that he did receive a copy of the complaint via certified mail the same time the Town Clerk did. Chairman Jernstrom requested that Director Brawders provide a copy of her job description electronically, because it was too lengthy to digest during the meeting. Director Brawders declined and requested that the signed, printed job description be returned to her. There was discussion as to the Director's role and actions during meetings, and it was acknowledged that there was a difference of opinion. Director Brawders stated that she would appreciate the respect of the Commission as she carries out her required duties. The Commission reviewed the letter to the Town Manager and there was no further discussion.

Discussion regarding Benton Drive/Columbia Gas proposal

Chairman Jernstrom initiated a discussion regarding the proposal and how it has changed since the original plan of keeping the work in the roadway. The plan is now to excavate a small portion of the tree belt. There was discussion about the effect of the change, and it was agreed that the change would have no impact on the buffer zone. Chairman Jernstrom will send an email approving the project to Jesse Moreno of ProTerra and will copy the department.

**PROJECT MONITORING:**

2015-2018 DEP File distribution

The spreadsheet was reviewed and discussed.

**ADJOURN:** Clerk Bosworth moved to adjourn at 7:09pm; seconded by Mr. Zampiceni. **The motion to adjourn the meeting at 7:09pm passed unanimously (4-0).**

**DATE OF NEXT MEETING:**

The next scheduled meeting of the Conservation Commission is August 22, 2018.

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