



**Meeting of the Conservation Commission
August 22, 2018**

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

MINUTES

CALL THE MEETING TO ORDER

Clerk Bosworth called the meeting to order at 6:00pm.

CALL THE ROLE

Present: Clerk, Jeffrey Bosworth; MaryEllen Goodrow; Thomas O'Brien; Anthony Zampiceni

Absent: William Arment; Chairman Craig Jernstrom; Vice Chair Robert Sheets

Also Present: Director of Planning & Community Development, Constance Brawdgers;

Administrative Assistant, Tracy Berns; Town Manager, Denise Menard

APPROVAL OF MINUTES

The minutes of August 8, 2018 were reviewed. Mr. Zampiceni moved to approve the minutes; seconded by Mr. O'Brien.

The motion to approve the minutes of August 8, 2018 passed unanimously (4-0).

The minutes of July 25, 2018 were reviewed. Mr. Zampiceni moved to approve the minutes; seconded by Mr. O'Brien.

The motion to approve the minutes of July 25, 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, July 25, and August 8, 2018).

Clerk Bosworth read an email received from the applicant's representative by department staff at 4:57pm asking for a continuance. However, since the request was received after department hours, there was discussion as to the applicant's representative not following protocol for requesting the continuance. Mr. O'Brien's opinion was to continue the hearing, but in the future the applicant must follow protocol. Mr. John Goddard of R. Levesque Associates entered the meeting at 6:10pm. Mr. Goddard stated that he is still working with David Foulis of the Massachusetts DEP regarding the requested deed restriction and issuance of DEP numbers for all four lots. Mr. Zampiceni moved to continue to September 12, 2018; seconded by Mr. O'Brien. **The motion to continue the hearing to September 12, 2018 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, July 25, and August 8, 2018).

Mr. Zampiceni moved to continue to September 12, 2018; seconded by Mr. O'Brien. **The motion to continue the hearing to September 12, 2018 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, July 25, and August 8, 2018).

Mr. O'Brien moved to continue to September 12, 2018; seconded by Mr. Zampiceni. **The motion to continue the hearing to September 12, 2018 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, July 25, and August 8, 2018).

Mr. Zampiceni moved to continue to September 12, 2018; seconded by Mr. O'Brien. **The motion to continue the hearing to September 12, 2018 passed unanimously (4-0).**

ADMINISTRATIVE MATTERS:

5. Comments for Planning Board Plan Review:
 - a. **Case SITE 2018-03 - Cornerstone Church.** Request by applicant for Site Plan Review to construct an equipment storage shed on a 9.71+/- acre site located at 15 Kibbe Road (Assessor's Parcel ID: 52-26-D) in the Residential A zoning district. Applicant: Cornerstone Church, 15 Kibbe Rd., East Longmeadow, MA 01028.

Discussion ensued. Clerk Bosworth stated that he didn't think there was any impact to wetlands. The shed is 270' from the wetland and clearly outside of the Commission's jurisdiction. The commission has no comment due to the fact that the work falls outside of their jurisdiction.

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

Discussion ensued regarding forming a subcommittee, as previously discussed at the July 25, 2018 meeting. Clerk Bosworth explained to the Director the discussion that had taken place during that meeting, as she was not present. Director Brawdgers explained the need to revise the consultant fee bylaw expeditiously. Town Manager Denise Menard explained the difficulty sometimes prevalent in trying to get subcommittees to be able to meet in addition to regular scheduled meetings. She stated that addressing the fee schedule on its own would be advisable. She also expressed the need to have a separate fee schedule, outside of the bylaw, as all the Town's departments need to implement. Clerk Bosworth stated he didn't realize there was a sense of urgency to get the fees revised. Mr. O'Brien stated that he did sense the urgency, but felt that the idea was forced on the Commission and he just wanted time to look at it a little deeper. Director Brawdgers explained the process for rewriting bylaws and asked that the Commission have some faith in her ability to gather information for their review, rather than feeling they need to gather it themselves. Ms. Menard suggested gathering surrounding towns' bylaws for reference, and then tackling the bylaws one section at a time, rather than trying to change all of them at the same time. She also suggested PVPC as a valuable resource for establishing which towns have good bylaws. Ms. Brawdgers explained the sources she had used to craft the original draft bylaw revision. Clerk Bosworth read the existing bylaw regarding consultant fees to illustrate just how out of date the fees listed are. Further

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact Constance Brawdgers at 413-525-5400 x 1701 or (constance.brawdgers@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.

discussion served to clarify to the Commission what changes were deemed necessary and for what reason.

7. Open Meeting Law Complaint

Clerk Bosworth recused himself from deliberation. Discussion ensued. The consensus of the Commission was that an acceptable resolution had been reached and the item may be removed from future agendas.

Project Monitoring:

Clerk Bosworth stated that he had visited the site for Deer Park Drive and tree cutting has begun and silt fence will be installed by the end of the week.

ADJOURN

Mr. O'Brien moved to adjourn at 7:50pm; seconded by Mr. Zampiceni. **The motion to adjourn at 7:50pm passed unanimously (4-0).**

DATE OF NEXT MEETING:

The next scheduled meeting of the Conservation Commission is September 12, 2018

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