



**TOWN OF TEWKSBURY
CONSERVATION COMMISSION
999 Whipple Road
Tewksbury, MA 01876**

Stephen Deackoff, Chairman
Anthony Ippolito, Vice-Chair
Sean Czarniecki, Clerk
Dennis Sheehan
Carolina Linder

**Wetland Protection Bylaw Subcommittee
Meeting Minutes
January 22, 2014**

The meeting was called to order at 6:15 PM at the temporary Tewksbury Town Hall by Sean Czarniecki, Chairman. Present at the meeting were Carolina Linder and Dennis Sheehan (late arrival). Also in attendance was Kyle Boyd, Conservation Agent, and Melissa Johnson, Recording Secretary.

Conservation Commission members Stephen Deackoff and Anthony Ippolito were also in attendance.

Approval of Meeting Minutes – December 4, 2013

MOTION: Mr. Czarniecki made the motion to approve the December 4, 2013 meeting minutes; seconded by Ms. Linder and the motion carried 2-0.

A) Regulation Review and Updates

Mr. Czarniecki noted that the Committee voted on December 18, 2014 to approve some of the suggested edits to reorganize the regulations. Ms. Linder has suggested some further organization in the future and she would also like to focus on some details in the regulations to make them clearer.

Section B - Purposes

No. 2, Section C: “Applicable portions of the Tewksbury Zoning Bylaw and Rules and Regulations promulgated by the Zoning Board of Appeals, Planning Board and Board of Selectmen”.

Mr. Czarniecki explained that this section states that the laws are limited to those Boards. Discussion took place on whether the Conservation Commission should be included in this and it was the consensus that it should be. Mr. Boyd feels that are certain sections in the Zoning Bylaws that he does not feel the Commission currently covers though their bylaws. Mr. Boyd

provided the example of an Open Space Residential Design (OSRD) in which it states that the applicant should come before the Commission to determine the areas that should be protected. Mr. Czarniecki suggested putting the OSRD section on the Commission's website as well. Mr. Boyd will review the Zoning Bylaws to ensure that there are no other areas that should also be covered in the Wetland Protection Bylaws.

6:21 p.m. Mr. Ippolito arrived.

Mr. Czarniecki noted that Section B also provides references on where to find the Bylaws and suggested also including the web addresses. Ms. Linder suggested also including the web links to the Conservation Commission's website. Discussion took place on the links changing over time and how this would be addressed. Ms. Linder suggested creating a link to a resource page of all of the links that could be edited if the web addresses were to change.

Ms. Johnson requested a copy of the regulations. Mr. Boyd explained that documents that are discussed or provided at the meeting should also be provided to Ms. Johnson for the record. Mr. Czarniecki noted that he will provide a copy of the regulations.

Section C - General Provisions

No. 2 - "The Commission may amend these regulations at any regular meeting of the Commission by a two thirds (2/3) vote of the total membership. One week notice shall be given to the entire Commission"

Discussion took place on whether this regulation was put into place when the membership of the Commission was 7; the Commission now consists of 5 memberships. Mr. Deackoff noted that this would require 4 of the 5 members.

Mr. Czarniecki noted that currently the Commission would only receive 48 hours notice as that is when the agenda is posted, but he is more concerned with on whether the public is properly noticed and allowing them time to provide their comments. Discussion took place on the meetings not currently being televised and there not being a requirement to notify the public of regulation changes. Ms. Linder suggested the regulation changes be made at regular Conservation Commission meetings rather than the Bylaw Subcommittee meetings. Mr. Deackoff suggested discussing at a Conservation Commission that a regulation change is being proposed and it will be voted on next week; this would provide both the public and Commission with two weeks notice. Mr. Boyd noted that the only other option would be to appropriate money and put an ad in the newspaper. Ms. Linder noted that many changes/edits will likely take place and suggested notifying the public once all the changes have been determined rather than for each change. It was the consensus to keep the notification for the Commission members at one week and to include the regulation changes on the Conservation Commission agenda as a way to notify the public.

Discussion took place on whether the meeting minutes are on the Commission's website. Mr. Czarniecki will look into this.

Section D - Bylaw Clarification

“Review of submittals would be expedited if ten (10) copies were made of all materials submitted to the Commission”

6:49 p.m. Mr. Sheehan arrived.

Discussion took place on the requirement to provide 10 copies of all documentation submitted and whether 10 copies are still necessary. Mr. Boyd explained that he has been determining the amount of copies on a case by case basis; if the project is on a larger scale the 10 copies are required. It was the consensus to keep the requirement of 10 copies and to add additional language on electronic submittals.

Discussion took place on the EDEP website. Mr. Czarniecki noted that it is his understanding that the website is set up more for submittals and there really is no ability to review things. Ms. Linder noted that she was told by DEP that you are able to see the same information that DEP has. Mr. Boyd will contact Pam at DEP regarding the EDEP website.

Adjournment

MOTION: Mr. Sheehan made the motion to adjourn; seconded by Ms. Linder and the motion unanimously carried 3-0.

Respectfully submitted,

Approved: 9/2/15

(No new information provided.)