

Great Barrington Conservation Commission
October 27, 2010
7:00 pm Town Hall, Selectmen's Meeting Room

Pat Kinne called the meeting to order at 7:00 p.m.

7:00 NOI – 0 Brookside Drive, Map 38/Lot 15, DEP File #167-0326; filed by the Institute for Living Judaism – continued. The proposed work is to dredge material from Camp Eisner Pond. The affected resource areas are bordering Vegetated Wetlands, Bank, Land Under Water, Riverfront Area and Bordering Land Subject to Flooding.

A motion to close the public hearing was requested.

MOTION: Andrew Mankin to close the public hearing

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor

David Shanahan joined the meeting at this point.

Pat Kinne discussed the 15 conditions from Water Quality and the special conditions from Mike Kulig. The 11th special condition is that permanent markers be installed prior to the project commencing. Mike Kulig will do this next June. Her concern is that it may be a couple of years before this project starts and she wants the markers in place. He will get the markers in this fall and will notify Agent Crescentini when markers are in place. Mr. Kulig gave the Commission two stamped and signed copies of the current plan. A motion to approve was requested.

MOTION: Andrew Mankin that we issue a standard Order of Conditions, also the 15 conditions required by 401 Water Quality Certification and the 11 conditions suggested by Mr. Kulig. Attached hereto and incorporated herein.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

Pat Kinne asked for a motion to close out DEP #167-276, a smaller dredging of the pond 15 years ago.

MOTION: Jessica Dezieck that we close DEP #167-276 Brookside Drive with a Certificate of Compliance.

SECOND: Andrew Mankin

VOTE: 7-0, all in favor

7:10 NOI – 100 Bridge Street, DEP# 167-0354 filed by the Community Development Corporation of South Berkshire. Proposed work will involve demolition of 5 existing buildings at the former New England Log Homes site as the initial phase of an overall site redevelopment.

They have requested a continuance until next month

MOTION: Andrew Mankin that we continue the public hearing until 11/23 at 7:00 p.m.

SECOND: Orit Kadosh

VOTE: 7-0, all in favor

7:20 RDA – 15 Crissey Road, filed by Berkshire South Regional Community Center. Proposed work will involve installation of a fence on north and east sides of existing Berkshire South courtyard to enclose playground area.

Jennifer Connell and Andrew Mankin recused themselves.

Mr. Steve McAllister from the Building and Grounds committee was present. Pat Kinne reported that there was a site visit and it was determined that there were no issues.

A motion was requested to close the public hearing

MOTION: Jessica Dezieck

SECOND: David Shanahan

VOTE: 5-0, all in favor

A motion to issue a negative number 3 was requested.

MOTION: Jessica Dezieck to issue a negative number 3 for 15 Crissey Road

SECOND: David Shanahan

VOTE: 5-0, all in favor

7:30 NOI – Maple Ave., Map 30, Lot 45, DEP File #167-0343; filed by George Beebe, continued. The proposed project will provide flood protection and bank stabilization along approximately 600 feet of the left bank of the Green River while providing excess compensatory flood storage.

They have asked to be continued until December 22nd.

David Shanahan recused himself.

A motion to continue was requested.

MOTION: Andrew Mankin to continue the public hearing until December 22nd at 7:30 p.m.

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor

MISCELLANEOUS:

1. A new date for the November meeting was confirmed for Tuesday, the 23rd.
2. **Certificate of Compliance** for 113 Brush Hill Road. Both Andrew and Pat had a question about the replanting of 10 trees that was listed in the Order of Conditions. The trees that were planted looked good. A motion to issue a Certificate of Compliance was requested.
MOTION: Jessica Dezieck to issue a Certificate of Compliance for SMA No. 002.
SECOND: David Shanahan
VOTE: 7-0, all in favor.
3. **Certificate of Compliance** for paving on Hurlburt Road DEP # 167-0327
MOTION: Andrew Mankin that we issue a Certificate of Compliance for paving on Hurlburt Road for DEP #167-0327
SECOND: Jessica Dezieck
VOTE: 7-0, all in favor

4. Request for reduced payment on New England Log Homes project. Agent Crescentini stated that this was an informal request at the site visit a month ago. Pat Kinne believes that only municipalities can receive a reduction in the filing fee and that the CDC does not fall in this category. Jessica Dezieck read the regulations and it was confirmed that this does not apply.
5. Review of 15 Berkshire Heights project. A site visit was conducted. Concern is with the stump of a tree that fell into the wetlands area. It was decided it would be better to leave it alone. Agent Crescentini was told that the stump would be ground down. Reinstallation of silt fence was required. Andrew Mankin asked that we send an e-mail requesting that in their October report we want clarification on the future of the stump, a picture of the reinstalled silt fence and verification from the engineer that the area is stabilized for the winter.
6. Review of White House Square Project, Stockbridge Road. Follow-up to confirm status of the Order of Conditions. Andrew Mankin and Bruce Gore recused themselves. A site visit was performed to verify that the 100 dogwood trees that should have been planted were planted. They only saw about 25 and no elderberry trees. Pat Kinne suggested waiting until spring when plants can be more readily identified. At that time the Commission can then reiterate the mowing distance. Concerned it did not go far enough over from the riverbank. From a very old Order of Conditions the bank should not be mowed along the long building and required a 10' strip of no mow. From what she saw it is mostly correct in what we asked for.
7. Review of Camp Eisner bunkhouse project, Brookside Drive. Shannon Boomsma was present to inform the Commission that the footprint for the approved Eisner bunkhouse would change. Increase of 432 sq. ft. of the one bunkhouse. A plan was presented. Andrew Mankin's opinion was that this is a minor change that would not adversely affect the buffer zone. It was determined that an amendment would not be required.
MOTION: Andrew Mankin that we approve the changes and we do not need an amendment to the NOI
SECOND: David Shanahan
VOTE: 7-0, all in favor
8. Approval of September 22, 2010 Meeting Minutes was requested.
MOTION: Andrew Mankin that we approve the meeting minutes for September 22nd.
SECOND: Jessica Dezieck
VOTE: 7-0, all in favor.
9. 164 Castle Hill Ave – Shoal Residence – Corrected signature page was signed by Commission members.

10. General Discussion of the recently excavated gravel pit at Koladza Airport. After some discussion it was decided that this would appear to be a prohibited activity. Agent Crescentini will send a letter stating the Commission's position that it is a protected area and they need to come to us if they are participating in any prohibited activities.
11. Larkin situation was discussed. The Larkin's have \$30k in an escrow with the town being held. The date they are supposed to be finished is November 1st. This had to occur within six months of the grant being given. NRCS did initial design and did the grant. Pat Kinne needs to find out if we need to do anything prior to November 1st. She asked that DEP take this over. Jessica Dezieck will ask Kate at NRCS. Ed McCormick is representing the Larkin's and should get this together.
12. Pat Kinne asked if there was anything on the Dale Culleton property. Agent Crescentini will review the file.
13. Rob Ackroyd from Greylock Design was present and reported that the NOI for 113 Brush Hill road is still open. He will submit a Request for Certificate of Compliance.
14. Mr. Ackroyd then presented a plan for work at 9 Buttowdown Lane. Landscape improvements to the property, pool and spa, also work inside the house. Previous owners left pile of debris they want to remove with excavator machinery. They want to start working on a portion of the project soon, if weather permits. Pat Kinne pointed out that in 2000 an enforcement order was issued on this property. The previous owners cut down the trees that were planted in 2005. A discussion ensued as to whether the previous owner's violation of the Wetlands Act can be carried over to the new owners. It was decided to refer this matter to Mark Stinson for his opinion. Mr. Ackroyd decided it would be prudent to hold off on exterior work until this matter has been clarified.
15. Pat Kinne asked Commission members to sign the Conflict of Interest statement.
16. Tree cutting on Lake Mansfield Road – Agent Crescentini reported that Joe Sokul said he couldn't comment on it. Agent Crescentini took photos of the area in question. Rules were not followed. Discussed.

Due to time constraints McAllister Wildlife Refuge use and Forest Cutting Plans on Old Stockbridge Road were not discussed.

A motion to adjourn was requested.

MOTION; Jessica Dezieck to adjourn the meeting

SECOND: Andrew Mankin

VOTE: 7-0, all in favor

Meeting adjourned.

Respectfully submitted

Pamela Torres
Secretary