

Great Barrington Conservation Commission
Meeting Minutes
July 28, 2010

Present: Pat Kinne, Bruce Gore, Orit Kadosh, Andrew Mankin, Jessica Dezieck, Jennifer Connell, David Shanahan.
Agent Crescentini

7:00 NOI – Long Pond Road & Round Hill Road; filed by the Town of Great Barrington. Proposed work is pavement reclamation and repaving. Marc Levasseur from Foresight Land Services presented plan. The Commission was in agreement that this is a straightforward project. There were no questions from the audience. A notice to close the public hearing and approve was requested.

MOTION: Andrew Mankin to close the public hearing

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

MOTION: Andrew Mankin to approve the Order of Conditions with standard conditions.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:10 NOI 164 Castle Hill Avenue; DEP File #167-0350; filed by Judd and Susan Shoval. Proposed work is the re-vegetation of native plants in the resource area and buffer zone along with the installation of a boat rack and a 10' x 12' gazebo. Nick Anderson and Bridghe McCracken were present. Nick Anderson said this is the same project that was proposed earlier. Pat Kinne noted that Peter Jensen did not complete his restoration effort and it is not included in this plan. Discussion ensued. Nick Anderson said that nothing transfers and that this is a special project that does not overlap with what Peter Jensen has done. He also explained that the NOI narrative revision eliminates any reference to Peter's work as far as the boardwalk and replication effort. Pat Kinne asked about the tree removal as it is not on the plan. A planting plan was passed out to the Commission members. Agent Crescentini noted that the boardwalk is not reflected as built on the drawing that was handed out and that the original plan showed the location of the gazebo to be closer to the walkway than it is in the field. Andrew Mankin said the Commission has to have a complete plan that it can approve and reference as this is a complicated site. Pat Kinne asked to postpone for another month until a complete package is received that includes a complete list of the number of trees in the wetland area and buffer zone and a complete list of what is going into each area. She also stressed that the Commission requires everything to be on the same plan. Mr. and Mrs. Shoval spoke about their desire to move forward with this project. David Shanahan asked for a chain of command on the project and Mrs. Shoval designated Bridghe McCracken as the point person. Mr. Shoval suggested that we take Mark Stinson's suggestion that we give a partial COC so that Peter Jensen's finished work is approved and roll over the replication work into the plan. Lengthy discussion ensued on whether or not to approve the COC. Bridghe McCracken then asked for a special

meeting prior August 25th to allow the project to stay on target. This request was denied. David Vigneron spoke from the audience about his many concerns regarding the project. There were no further questions. It was decided that a complete plan is required, as discussed, before the next meeting. A motion was requested to continue the public hearing.

MOTION: Bruce Gore that we continue this until the next meeting on August 25th at 7:30.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:20 RDA - 84 Alford Road; filed by Bard College at Simon's Rock. Proposed work is decommissioning of the septic system on the Red Brick House property and the connection into the Simon's Rock sewer system in the Liebowitz building.

Shannon Boomsma presented plan. All work is in an existing paved area and silt fences and straw wattles will be erected around the work area. Trenches will be closed up at the end of the day. Andrew Mankin did not see any problems at the site visit. A motion to approve was requested.

MOTION: Andrew Mankin to close the public hearing.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

MOTION: Andrew Mankin to approve the Determination of Applicability with a negative #3.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:30 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. Mike Kulig presented. The initial plan contained about an acre of wetland removal. He received the Water Quality Certification from Boston last week but the Commission has not received a copy of the permit. He is also trying to ascertain whether or not the Army Corps of Engineers will require them to get a new permit. Mr. Kulig went over some changes to the previous plan. He also needs a permit from Natural Heritage. Andrew Mankin said because the plan has changed since the first site visit the Commission needs to make a site visit and all the paperwork needs to be in place in order to prepare for a decision in August. A motion was requested to continue.

MOTION: Andrew Mankin to continue the public hearing until August 25th at 7:40 p.m.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:40 Abbreviated Notice of Resource Area Delineation for 249 Long Pond Road; filed by the Great Barrington Land Conservancy. Chris Vleck presented. At the request of Pat Kinne Mark Stinson spoke and said that no official paperwork has been submitted to the DEP and a review and file number is needed before the Commission can take any action. It was also his opinion that the correct form to be submitted would be either an RDA or an NOI. After some discussion it was agreed that the applicant would delineate the wetland area and not do any work until approval is granted. Pat Kinne asked Chris Vleck to formally withdraw this Notice, get the wetlands marked and if he then decides to get work done on the site to get an RDA to the Commission two weeks before August 25th. Chris Vleck then made a request to withdraw the ANRAD before the Commission.

7:50 RDA - West Bank Housatonic River, Cottage to Bridge St. (River Walk); filed by the Great Barrington Land Conservancy. Proposed work is ongoing trail maintenance within conservation easements. Rachel Fletcher was present. Description of work being done fits into negative #2. A motion to approve was requested.

MOTION: Andrew Mankin to close the public hearing
SECOND: Jessica Dezieck
VOTE: 7-0, all in favor

MOTION: Andrew Mankin that we issue a negative #2
SECOND: Jessica Dezieck
VOTE: 7-0, all in favor

8:00 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. David Shanahan recused himself.

MOTION: Andrew Mankin to continue the public hearing until August 25th at 7:50
SECOND: Jessica Dezieck
VOTE: 6-0, all in favor

8:05 NOI - 440-444 Stockbridge Road; filed by Community Health Program. Proposed work is the installation of a new water line to serve the existing facility. Matt Putin from SK Design presented. Andrew Mankin is an abutter but he did not feel his judgment would be altered. Discussed plan. Andrew Mankin said it was clear at the site visit that it is in the buffer zone; his only concern is that there are strong erosion controls. Applicant will notify Agent Crescentini before drilling work commences. A motion was requested to close the public hearing and approve.

MOTION; Andrew Mankin to close the public hearing
SECOND: Orit Kadosh
VOTE: 7-0, all in favor

MOTION: Andrew Mankin to approve the NOI with a standard order of conditions.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

Jennifer Connell left the meeting

MISCELLANEOUS:

1. Special Permit for Bryant School. This is in addition to the special permit that was granted two weeks ago. The Massachusetts Wetlands Act does not apply to this. Agent Crescentini will send a letter to this effect. A motion was requested.

MOTION; Andrew Mankin that the Massachusetts Wetlands Act does not apply.

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor.

2. Certificate of Compliance, 164 Castle Hill DEP #167-0338

MOTION: Andrew Mankin that we need to gather information and will continue until August 25th

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor.

3. Certificate of Compliance, 409 Stockbridge Road, Legacy Bank

A motion to approve was requested.

MOTION: Andrew Mankin to approve the COC for Legacy Bank

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor

4. Approval of Meeting Minutes for June 23, 2010. and July 13, 2010

MOTION: Jessica Dezieck to approve the Meeting Minutes for June 23, 2010 and July 13, 2010.

SECOND: Andrew Mankin

VOTE: 6-0, all in favor

5. 177 State Road. Joe Wilkinson wants to demolish a building and asked the Commission to sign off on it per the building inspector. Mark Stinson said it is actually exempt.

A motion was requested to close the meeting.

MOTION: Andrew Mankin to close the meeting at 9:20 p.m.

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor

Respectfully submitted,

Pamela Torres
Secretary