

**Great Barrington Conservation Commission**  
**August 25, 2010 Meeting Minutes**  
7:00 pm Town Hall, Selectmen's Meeting Room

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

Pat Kinne opened the meeting at 7:00 p.m.

**7:00 NOI – 0 Brookside Road, Camp Eisner, DEP File # 167-0353**, filed by Northeast Camp Institute. Proposed work is replacement of two existing bunkhouses, and removal and replacement of 4 to 6 trees.  
Shannon Boomsma presented. Two bunkhouses are to be replaced. Existing bunkhouses are on piers. New bunkhouses will be on piers as well, limiting excavation. Same location, stone edge put around the drip line to capture roof runoff. One pine tree needs to come down, no other trees. Structures will be demolished into a dumpster and debris will be taken off site. Pat Kinne concerned about the intermittent stream but didn't see any concerns at site visit.  
A motion 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 NOI for Camp Eisner bunkhouse replacement.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

Pat Kinne asked the Commission to approve the Certificate of Completion for the previous bunkhouse project under DEP File #167-0276, per Shannon Boomsma's request.

MOTION: Andrew Mankin to approve the Certificate of Compliance for DEP #167-0276.

SECOND Jessica Dezieck

VOTE: 7-0, all in favor

**7:10 Request to Amend the Order of Conditions, SMA # 6** for 316 Long Pond Road, filed by Paul Chesloff. Proposed work would involve more excavation and blasting in the western hillside due to shifting the house's east wall off the fault line. Craig Okerstrom Lang and Paul Chesloff were present. Paul Chesloff told the Commission that due to financial issues he is not in a position to have formal drawings done and will put off building for the present time. He asked to do a to-scale sketch

sufficient to move forward with the amendment. Then, at such time when they are in a position to build the house they would provide the drawings. Mr. Okerstrom Lang will return in September to present a sketch plan and official narrative. A motion to continue was requested.

MOTION: Andrew Mankin to continue the public hearing until 7:30 on 9/22

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

**7:20 RDA – 9C Monument Valley Road; SMA #9;** filed by Gavin & Vigdis Burke.

Proposed work will involve clearing woodlands around the north and west side of

existing house, along the driveway and other areas of the property.

Craig Okerstrom Lang represented the Burke's. The Rockery is on a potential vernal pool although not certified as such. The owner is now wants to protect it and will maintain a 20 ft. buffer. The house was built before the Scenic Mountain Act came into being. Pat Kinne would consider the project maintenance. The Commission does not have jurisdiction over the possible vernal pool and a Request for Determination of application will not be required. A motion to close the public hearing and issue a negative #3 was requested.

MOTION: Andrew Mankin to close the public hearing

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

MOTION: Andrew Mankin to issue a negative #3

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

**7:30 NOI - 164 Castle Hill Avenue, DEP File #167-0350;** filed by Judd and Susan Shoal. 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.

Pat Kinne went over history of the project to date. She then made the following recommendations and comments: Stay out of wetlands except for trimming sprouts in buckthorn cut in 2009 and removal of bittersweet. In buffer zone area remove 6 Norway maples and buckthorn, continue cutting new sprouts, hand removal of bittersweet, no foliar spray. No problem with gazebo as long as clearing no more than five feet. Monitor the tree removal and replication area; meet with Agent before cutting Norway maples, O.K. to proceed with other work. Bridghe McCracken was asked for her comments. She understands concerns of altering the forest and said the intention of the plan is to improve wooded area and functioning of the forest for lake and wildlife. Concerned about windbreak as Norway maples are the healthiest trees on the site and that large ash trees falling will affect new native plantings. They want to treat and remove invasive species on the property due to spreading issues and said spraying materials are on the sensitive list for wetlands areas although it will not be used there. David Vigneron spoke about his concerns regarding wetlands replication and reforestation and gazebo

construction. As there were no further comments a motion to close the public hearing was requested.

MOTION: Andrew Mankin to close the public hearing

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

Andrew Mankin commented that this is the biggest invasive project we have looked at and thanked Nick and Bridghe for their work and plans. He is concerned that with the amount of trees being cut down there will be a significant amount of time before plants can grow enough to protect the wetland area and the pond. He does not want any more clearing in the BVW; invasive species treatment can be continued but no more cutting. In buffer zone he wants to see a staggered cutting to leave the canopy to protect the ground from runoff and let re-plantings grow. The ash trees should be left, even dead trees, the Buckthorn taken out, then come back in two years and ask to take out the rest of it. Bridghe explained that the under story in the buffer zone is almost impenetrable and requested that the rest of the 20 buckthorn in the wetland area be cut – from the lake to the BVW. She also noted that Buckthorn is a diuretic for songbirds and needs to be removed. The pros and cons of cutting down the Norway maples were discussed. David Shanahan concerned that in doing things in stages there is a large potential for damage and work will need to be redone. Andrew Mankin then went over the eight conditions presented by Nick as well as the additional conditions for approval as follows:

1. Maintain in place all up gradient silt fence; inspect after storm events of 1” or greater until removal of silt fence is approved by the Great Barrington Conservation Commission.
2. Monitor for intrusion of invasive species, remove as necessary.
3. Refueling, servicing, and repair of motorized construction vehicles shall take place outside of all “areas subject to protection under MGL C.131, Section 40” and related buffer zones (as defined at 310 CMR 10.02). Equipment operators shall be prepared to immediately respond to accidental releases of fuel, motor oil, and other liquids through containment.
4. Stockpiles of soils, aggregate, or any other unconsolidated construction materials shall be stored outside the 100’ buffer zones to “areas subject to protection under MGL C.131, Section 40” (as defined at 310 CMR 10.02).
5. Upon completion of the project, the applicant shall request inspection from the Conservation Commission attesting that site has been developed in compliance with an Order of Conditions and work referenced on a site plan prepared by Berkshire Engineering, Inc. accepted by the Commission.
6. Stockpile Topsoil. Any available topsoil is to be stockpiled within the silt fence. Topsoil is to be stabilized with seed and mulch or covered with a polyethylene tarp until it is used or removed. The tarp or vegetative cover of stockpiled soils is to be maintained throughout the duration of the project.
7. Upon establishment of vegetative growth, the Conservation Commission is to be notified by the applicant to request approval to remove silt fencing and issue a Certificate of Compliance.

8. All work is to be performed utilizing appropriate excavating equipment free from leaks. Equipment is to be stored either off-site overnight, or in areas a minimum of 50 ft. from the Bordering Vegetated Wetland.
9. No activity in the Wetland/BVW area except for hand removal of Buckthorn, Winged Euonymus and Bittersweet.
10. No foliar spray is allowed to be used in any area.
11. Removal of 5 to 6 Norway maples and 6 dead standing Ash in the buffer zone is allowed. Agent must be contacted prior to removal.
12. Buckthorn, Winged Euonymus and Bittersweet may be removed in the buffer zone.
13. Establish straw wattles on the wetlands line.
14. Fourteen trees and 26 shrubs planted in DEP NOI #167-0338 must be monitored and replaced if necessary until May of 2012.
15. Wetlands replication area from DEP NOI #167-0338 must be monitored and replaced if necessary until May of 2012.
16. Clearing around the gazebo may not exceed 5 feet.
17. Work Time Line as follows: August 2010, hand removal of invasives. November through March 2010-2011, removal of 5 to 6 Norway maples and 6 dead standing ash. May 2011, new plantings and continued hand removal of invasives.

A motion was requested to approve.

MOTION: Andrew Mankin to approve the Notice of Intent with the above conditions

SECOND: Pat Kinne

VOTE: 6-0 in favor, 1 opposed (Jessica Dezieck).

Pat Kinne asked for a signed, stamped plan.

**7:40 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 said he still does not have permit from Army Corp re-issuance and Natural Heritage. All of the outstanding permits and comments are needed before the Commission can proceed. A continuance was requested.

MOTION: Andrew Mankin to continue the public meeting until 7:40 p.m. on 9/22.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

**7:50 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.

MOTION: Andrew Mankin to continue the public hearing to 7:50 p.m. on 9/22.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

## MISCELLANEOUS:

- Chris Vleck appeared for the Pfeiffer Arboretum, 249 Long Pond Road. He said the wetlands have not been delineated but they will actually start the work. They will file a Request for Determination. It will be put on the agenda for 7:20 p.m. They were asked to notify the Commission as soon as the wetlands are delineated. They can definitely work outside of the wetlands.
- Special Permit, 9 Crissey Road, Apex Automotive. James Clark, project manager presented plan. The owners are planning to move their existing business to this location in a pre-engineered building. It was decided that the project requires an RDA as it is too close to the wetlands but the Commission did not want to hold up the permit. It was decided to hold a straw vote to pass this on to Committee. There were no objections. The RDA will be on the agenda for 9/22 at 7:00 p.m.
- Jessica Dezieck spoke about The Great Great Barrington Walk-About on 9/11. Agent Crescentini will send information to all.
- 974 Main Street Larkin/Green River Project. NHESP has agreed to a time change on OOC #15. Pat Kinne talked about this project and asked for a vote to approve the work going forward now. Commission members all agreed to approve. Agent Crescentini will go to a preconstruction meeting and a site visit. This project needs to be totally complete by 11/21 and approved or they will not receive the grant money.
- Driveway permit for 126 Lake Buel Road. No issue
- Driveway permit for 7 Abbey Hill Road. No issue.
- Driveway permit for 139 Hurlburt Road. No issue.

A motion to approve all three driveway permits was requested.

MOTION: Andrew Mankin to approve driveway permits for 126 Lake Buel Road, 7 Abbey Hill Road and 139 Hurlburt Road.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

- Howitt Wedding Request at McAllister Wildlife Refuge. Discussed. It was decided that no altering of the site, no weed whacking and no vehicles would be allowed.
- Certificate of Compliance request from Peter Jensen for DEP #167-0338 at 164 Castle Hill Avenue. A motion to approve was requested.

MOTION: Andrew Mankin to approve the partial Certificate of Compliance for Peter Jensen

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

Approval of July 28, 2010 Meeting Minutes was requested.

MOTION: Andrew Mankin to approve meeting minutes for July 28, 2010

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

- Pat Kinne talked about the Taft Farms Project. She e-mailed Raina Weber to remind her about no heavy equipment on site. Agent Crescentini will visit the site tomorrow.
- Agent Crescentini will also meet with Joe Wilkinson tomorrow morning at 8:30 at the Community Health Program site. Pat Kinne expressed concern about this job.
- Matt Puntin's report on 15 Berkshire Heights was briefly discussed.
- Agent Crescentini reported on a request by the owner of 38 Christian Hill Road to build a second house on the parcel. There is a perennial stream on the property with a 200' setback. The homeowner was advised to contact an engineer.
- Agent Crescentini talked about the need for a fence around the playground at Berkshire South. Pat Kinne suggested that he look through the records as we originally gave them a permit to build a fence.

A motion to adjourn was requested.

MOTION: Andrew Mankin to close the meeting at 9:50 p.m.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor.

Meeting adjourned.

Respectfully submitted,

Pamela Torres  
Secretary