

**TOWN OF GREAT BARRINGTON
CONSERVATION COMMISSION MEETING
MINUTES
WEDNESDAY, JANUARY 28, 2015
6:30 P.M. – GREAT BARRINGTON TOWN HALL**

PRESENT: ANDREW MANKIN – Chairman
LISA BOZZUTO
JEFF COHEN – not present
JESSICA DEZIECK
GAETAN LACHANCE
DAVID SHANAHAN

SHEP EVANS – CONSERVATION AGENT

1. CALL TO ORDER

Chairman Mankin called the meeting to order at 6:30 P.M.

WPA NOI 167-0369 from Dave Inglis of Mahaiwe Harvest located on South Main Street, Map 37 Lot 93 for new agriculture in the resource area of the Green River, a NHESP habitat and a 100 year flood plain. Continued from August 28, 2013. Update on progress.
Nothing to report.

MOTION: Jessica Dezieck to continue the public hearing until the 2/25/15 meeting

SECOND: Lisa Bozzuto

VOTE: 5-0

WPA RDA from Emily Stockman of Stockman Associates, Inc. for Andrew McMaster of Moses Clark LLC, property at 518 Egremont Road, Map 31 Lot 101. The applicant is seeking a determination as to whether an approximately 12,000 square foot human-made pond is an area subject to jurisdiction of the Wetlands Protection Act and/or the Great Barrington Wetlands Bylaw.

Emily Stockman explained the RDA. She said that the subject area is in the front of the parcel. As determined by Wetland Consultant Shannon Boomsma in the past, the area is outside of the wetland resource area and the wetland was determined.

The basin is slightly larger than 12,000 square feet. The input to the 'pond' is a drilled well.

Ms. Stockman encouraged the Commission to consider both the interest of conservation and the interest of the Act.

David Shanahan suggested that the Commission concentrate on the definition of the word 'impervious' as it applies to this situation.

Andrew Mankin said that it looked like a basic pond, as of Fall. He added that if it isn't treated as a resource area, we would be doing a disservice to the future.

Emily Stockman pointed out that the liner is clay, which is on the top of the list of impervious materials.

Kate McCormick representing Moses Clark LLC explained that the goal was to make a water feature with an impervious surface. If impervious, there won't be any wetland qualities so it doesn't make sense to have it be jurisdictional.

David Shanahan said that he would like more information about the lining; the thickness, preparation, etc. He expressed his concern about the maintenance of the area over time wondering what will happen if it isn't maintained and the area reverts back to what it was prior.

Shep Evans said what is required is credible evidence and calling something impervious is not credible evidence. Shep pointed out page 2 of the text description of the project where it spoke about "finalizing the impervious surface." Shep said that he would like to know what that means. Emily Stockman responded that the applicant was in the process of evaluating the liner to determine if it met his specification to be impervious.

Kate McCormick said that there is a well to fill the pond, so if it is not impervious, it will not be able to be kept filled.

Shep Evans read the definition of the word pond in the Great Barrington Wetland By-Law. He added that this definition forces the decision of this being a resource area.

Noah Goble said that the term impervious is to be used to refer to swimming pools where there is no wildlife as seen in a pond. If you see wildlife, it should not be considered impervious and should be protected.

Andrew Mankin said that the regulations put this in a resource area.

MOTION: Jessica Dezieck to close the public hearing

SECOND: Lisa Bozzuto

VOTE: 5-0

MOTION: Jessica Dezieck to declare the site as a jurisdictional resource area both through WPA regulation and Great Barrington regulation.

SECOND: Lisa Bozzuto

VOTE: 4-0-1 David Shanahan abstained

Miscellaneous:

- Report on the "working group" on Wetland Bylaw & Regs. and Scenic Mountain Regs. Andrew Mankin thanked Lisa Bozzuto for her great work. Thanks to Chris Rembold for his help and direction.

Shep Evans presented the updated Wetlands Protection By-Law.

MOTION: Jessica Dezieck to accept the Wetland Protection By-Law and instruct Conservation Agent Shep Evans to send it on to the Selectboard to be vetted by Town Counsel to be put on the warrant for town meeting.

SECOND: Lisa Bozzuto

VOTE: 5-0

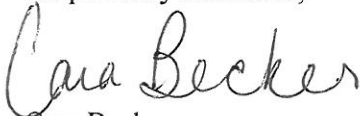
- Shannon Boomsma of White Engineering will propose an amendment to the Order of Conditions on property at 518 Egremont Road, Map 31 Lot 101. Shannon Boomsma presented the revised map of the project. She asked for an extension on the plantings on the slope until the good weather. Shannon explained that the garage will move to another area so the wall and driveway area as presented will be no longer. The changes will be presented in a future meeting. **The Commission determined that the plantings on the slope need to be put in by May 15th.** Shannon Boomsma will re-do the plan and come back to present.
- Tim Geller of the CDC will make an informal presentation concerning development plans in the riverfront resource area at 100 Bridge Street. Tim Geller presented a map and plan of the development. He explained that the CPC awarded grant money for the work to the river-front. The plan is to make a restored river-front.

- Will Conklin of the Greenagers will discuss possible projects at the McAllister property.
Will Conklin spoke about potential projects on the McAllister property.
Jessica Dezieck said that there is a trail and invasive map for the area.
Will Conklin said that he would like to get the participants in Greenagers to do some work and be involved in the project.
Will explained that there are 3 Service Learning Programs: Ad Hoc Volunteer Days, after-school and summer program with the middle school and summer trail programs for teens (paid).
Andrew Mankin said that the biggest problem is the invasive issue, which he wouldn't mind the Commission putting money towards.
Lisa Bozzuto suggested getting an inventory of plants that are there.
Shep Evans suggested a working group to determine what projects should be done and then working with Will Conklin to ensure that it happens.
- Kirt Mayland will make an informal presentation of a solar energy project for the Fair Grounds.
Kirt Mayland presented a map of the proposed solar facility. There will be 2 arrays that will be electrically connected. Posts will be used and a storm water report is coming.
Kirt said that some of the area is in Natural Heritage Priority Habitat. Papers have been submitted. More details are to come.
Andrew Mankin said the site visit is in a couple of weeks; date to be determined.
- On-line ethics training and certification of receipt of Open Meeting Law material.
Shep Evans reminded the Commission that this needs to be completed by each member.
- Approval of Minutes from the December 17, 2014 meeting.
MOTION: Jessica Dezieck to approve the December 17, 2014 minutes.
SECOND: David Shanahan
VOTE: 5-0

ADJOURNMENT:

On a motion by Jessica Dezieck, seconded by Lisa Bozzuto, the Commission adjourned its meeting at 8:20 P.M.

Respectfully submitted,



Cara Becker
Secretary

