

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

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

SHEP EVANS – CONSERVATION AGENT

1. CALL TO ORDER

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

The Commission agreed that the dates of the next 2 meetings will be; November 18th and December 22nd.

WPA NOI DEP #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.

Shep Evans read an E-mail from Dave Inglis.

Shep Evans said that Mr. Inglis should be coming before the Commission in a couple of months with his submission to the state.

MOTION: Jess Dezieck to continue the public hearing until November 18, 2015

SECOND: Lisa Bozzuto

VOTE: 6-0

Emily Stockman of Stockman Associates LLC for Jeanne Chesanow, property at #28 Blue Hill Road and #5 Roger Road, Map 37 Lots 1B and 2. Response to an Enforcement Letter dated September 22, 2015 concerning possible violations of the Wetlands Protection Act, M.G.L. c.131 sec.40 and Wetland Regulations 310 CMR 10.00.

Emily Stockman presented the Commission with a surveyed site plan.

The owner has a determination from the Conservation Commission to remove invasives.

Emily reported that trees were cut on the wrong property in error. There is a total of 10 stumps that were identified. Emily presented the proposed planting list to be planted along the bank and in the buffer zone.

Mr. Marsh, neighbor, would like to see larger trees to replace the ones that were cut down.

Emily said, from a practical standpoint, it is difficult to get native genotypes of this size.

Shep Evans said that the issue of cut trees and replacement is a civil matter, not a conservation commission matter. He added that what is a conservation commission matter is what is appropriate to be planted.

A resident on behalf of Brian Marsh, neighbor, said that the list that has been submitted is not acceptable because they are not tall enough.

Emily Stockman said that she will report back to the Conservation Commission with an update after a discussion with Mr. Marsh.

WPA NOI 167- 0399 from S-K Design Group, Inc. for 79 Bridge Street Realty, LLC, property located at 79 Bridge Street, Map 19 Lot 139. The project includes the demolition and removal of the existing building and parking areas and construction of a new hotel building which will require parking and driveway areas, walkways and utilities. A substantial portion of the project falls within the Riverfront Resource Area of the Housatonic River, the Bordering Land Subject to Flooding and the Buffer Zone.

Kathleen McCormick representing McCormick, Murtagh and Marcus and Jim Scalese representing SK Design presented the plan.

Chairman, Andrew Mankin, read a letter into the record from Kathleen McCormick regarding the potential conflict of interest of Jeff Cohen given that he may have interest in the development. Jeff Cohen denied any interest in the property so he will not recuse himself in this matter.

Gaetan Lachance, although not present, has recused himself.

Kathleen McCormick said that this project is 3.1 acres situated in a B3 zone. The permitting will be under Hotel use, floodplain district and water quality district.

Ms. McCormick said that all other boards have given a favorable recommendation and she asked that the Conservation Commission do so also.

Jim Scalese presented a printed copy of his presentation that was shown via slide show.

Mr. Scalese said that existing outfalls to the river will be used. A storm sceptor will be used and the project will exceed the standard for TSS removal. It will also exceed the standard for water quality volume.

There will be erosion controls surrounding the whole work area and on all catch basins.

Jeff Cohen asked if most of the traffic will come from Bridge St.

Mr. Scalese replied that they do not want to encourage rear entry. Google maps directs via Bridge St. and there will be signage directing traffic to exit via Bridge St.

Mr. Scalese said that Rachel Fletcher proposed a plan for off-site mitigation. The DEP is satisfied with the approach. There will be a specific planting plan included. Mr. Scalese is working on getting a budget for the value of the proposed work to present to the Commission.

Allison Dixon expressed her concern about the river and watershed. She asked how much water was going into the river directly.

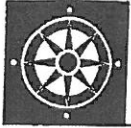
Mr. Scalese explained the process of the storm sceptor.

Chairman Mankin asked Shep Evans to solicit a proposal from Stockman Associates to conduct a peer review.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cara Becker". The letters are fluid and connected, with a prominent loop at the end of the word "Becker".

Cara Becker
Secretary



**McCormick, Murtagh
& Marcus**

ATTORNEYS AND COUNSELORS AT LAW

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ATTORNEYS

Edward G. McCormick

Kathleen M. McCormick

BY EMAIL ONLY andrewmankin@yahoo.com

October 27, 2015

Mr. Andrew Mankin

Re: 79 Bridge Street Special Permit

Dear Andrew:

Thank you for taking the time to speak with me yesterday regarding our inquiry into potential conflicts of interest of Jeffrey Cohen regarding the Searles School site at 79 Bridge Street. Per our discussion, you are aware that we had been advised that Mr. Cohen, as a developer, has potential economic advantages if the proposed Hotel project at 79 Bridge Street fails to be permitted. We thank you for proactively discussing our inquiry with Mr. Cohen and for confirming with me that Mr. Cohen denies any interest or potential interest in 79 Bridge Street and that he does not intend to recuse himself or make any disclosures in accordance with G.L.c. 268A.

We appreciate your assistance and look forward to working with you and the Conservation Commission on this project.

Sincerely,

McCormick, Murtagh & Marcus

Kathleen M. McCormick

KMM/svm

