

**TOWN OF GREAT BARRINGTON
CONSERVATION COMMISSION MEETING
MINUTES
TUESDAY, DECEMBER 22, 2015
6:30 P.M. – GREAT BARRINGTON TOWN HALL**

PRESENT: ANDREW MANKIN – Chairman
 BILL BOYER
 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 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.

MOTION: Jess Dezieck to continue the public hearing until January 27, 2016

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 and an update on the anticipated planting plan to be mutually agreed by the parties. **Continued from October 28, 2015.**

Emily Stockman said that there was a good conversation between Mr. Marsh and Ms. Chesanow. Emily requested a continuance.

MOTION: Jess Dezieck to continue the public hearing until January 27, 2016.

SECOND: Lisa Bozzuto

VOTE: 6-0

WPA Request for Determination of Applicability from Kelly Granger Parsons & Assoc. for Joshua Fein, Daniel Fein & David Fein. The applicants are seeking to install a 1,000 gallon pump chamber within the 50 ft. well setback and a leaching bed partly within the 100 ft. well setback. A silt fence barrier is to be installed between the work area and a brook running on the property at 8 Butternut Lane, Map 42 Lot 38-7.

Mike Parsons presented a revised map. He explained that this project addresses a failed septic system under the driveway. The project is within 50 ft. of an intermittent stream. A new system needs to be designed and permitted. The project includes abandoning the current leach field and

creating a new one. The tank will be kept in place with a pump chamber to be put in more than 50 ft. away from the stream into this new leach field.

The Commission agreed that an inspection is needed when the silt fence goes up.

Gaetan Lachance asked if any prevention will be needed from water and mud going into the brook since it is a gravel driveway.

Mr. Parsons replied that there shouldn't be a need but he could add straw waddles on that side of the driveway for extra protection.

All agree that he should do so.

MOTION: Jess Dezieck to close the public hearing

SECOND: Lisa Bozzuto

VOTE: 6-0

MOTION: Jess Dezieck to issue a negative #3

SECOND: Lisa Bozzuto

VOTE: 6-0

WPA Request for Determination of Applicability from Great Barrington Land Conservancy (Riverwalk). The proposed work includes stabilization and reconstruction /repair of approximately 130 linear feet of eroded trail section on the west bank of the Housatonic River on land of Berkshire Corporation on River Street. Map 19 Lot 123.

Rachel Fletcher stated that this is part of a project with potential CPA funding.

MOTION: Jess Dezieck to close the public hearing

SECOND: Lisa Bozzuto

VOTE: 6-0

MOTION: Jess Dezieck to issue a negative #3

SECOND: Lisa Bozzuto

VOTE: 6-0

WPA Request for Determination of Applicability from Great Barrington Land Conservancy (Riverwalk). The proposed work includes ongoing Maintenance / Revegetation / Cleanup of various Riverwalk trail sections from Cottage St. to Bridge St.. Riverwalk main entrance is at 195 Main Street, Map 14 Lot 225.

Rachel Fletcher explained that this is work done every 3 years. This work is part of a maintenance plan.

MOTION: Jess Dezieck to close the public hearing

SECOND: Lisa Bozzuto

VOTE: 6-0

MOTION: Jess Dezieck to issue a negative #3

SECOND: Lisa Bozzuto

VOTE: 6-0

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. **Continued from October 28, 2015.**

Jim Scalise representing SK Design reported that since the last meeting he has received written comments from GBLC and Stockman Assoc. He has drafted a response to Stockman Associates. SK Design has not received comments from Berkshire Engineering as of yet.

Emily Stockman offered the applicant the opportunity to ask her questions.

Jim Scalise referred to the mitigation question from Stockman Assoc. and said that he is willing to discuss alternatives to the plan if needed.

Andrew Mankin said that it would be helpful to have a working meeting comprised of Riverwalk, the Conservation Commission and Stockman Associates to come up with a plan that the DEP and all groups are in agreement with.

Jess Dezieck suggested that SK Designs come prepared with all of the options in order to discuss alternatives.

Emily Stockman said that the detailed questions about mitigation does not mean that they are 'shooting down' the concept but that they need more information about the package and if it needs additions made to it.

Jim Scalise said that he will give a breakdown of the work with charts and percentages.

The Commission will try to meet the 2nd week of January for a work meeting as discussed. Shep Evans will set the meeting.

MOTION: Jess Dezieck to continue the public hearing until January 27, 2016

SECOND: Lisa Bozzuto

VOTE: 5-0-1 Gaetan Lachance recused

Miscellaneous:

100 Bridge Street – Preview and general discussion of the final site plan that will be coming before the Commission in January seeking an amended order of conditions.

Emily Stockman presented a map/plan on behalf of Tim Geller.
A formal submittal is to come.

Jess Dezieck reported that Tim Geller came before the CPA last year and received funds for the project. The project is also receiving a recommendation for funds this year.

MOTION: Jess Dezieck to make a comment to the ZBA summarizing the permitting process to date and acknowledging that this project qualifies as a riverfront redevelopment.

SECOND: Lisa Bozzuto

VOTE: 6-0

Andreas Schmidt of **Dynamic Energy USA** will discuss a solar power project in Great Barrington.

This item is continued to a future meeting.

Special Permit application #850-15 from Fairgrounds Realty LLC seeking to modify Special Permit #831-14 granted to Fair Ground Community Re development Project to correct the grantee's name and to include the mortgage holder and parties claiming through them as grantees under the permit.

The Conservation Commission is one of the Boards and Commissions that is advisory to the Selectboard in their Special Permit deliberations.

Jeff Mazel representing Loadstar Energy explained the project. Their intentions are to build, own, and operate a solar array. The Fairgrounds has applied to split off a lot where the solar array is to be erected. The name of this lot will be changed to the mortgage holder of the property.

MOTION: Jess Dezieck that the Conservation Commission has no jurisdictional concern but the current permit and Order of Conditions remains with the property.

SECOND: Lisa Bozzuto

VOTE: 5-0 (Gaetan Lachance not present for vote)

45 Christian Hill Rd.

Andrew Mankin reported that he completed a site visit.

He suggested that the area should be cleaned up and restored.

Jess Dezieck suggested that the piers be taken out, the bank stabilized and the owner come to the Commission with a replanting plan.

David Shanahan said that he did not see any damage to the bank.

Shep Evans was directed to send a letter to the owner asking that the pilings be left in for now, a professional planting plan be developed and the site restabilized.

Citizen speak time.

Approval of Minutes of the October 28, 2015 Conservation Commission Meeting

MOTION: Jess Dezieck to approve the minutes of October 28, 2015

SECOND: Lisa Bozzuto

VOTE: 5-0 (Gaetan Lachance not present for vote)

ADJOURNMENT:

On a motion by Jessica Dezieck, seconded by Lisa Bozzuto, the Commission adjourned its meeting at 8:15 P.M.

Respectfully submitted,



Cara Becker
Secretary