

**TOWN OF GREAT BARRINGTON  
CONSERVATION COMMISSION MEETING  
MINUTES  
WEDNESDAY, DECEMBER 14, 2016  
6:30 P.M. – TOWN HALL  
334 MAIN STREET**

**PRESENT:**

GAETAN LACHANCE – Chairman  
BILL BOYER  
LISA BOZZUTO  
JEFF COHEN  
JESSICA DEZIECK  
ANDREW MANKIN  
DAVID SHANAHAN –Absent

SHEP EVANS – CONSERVATION AGENT

**1. CALL TO ORDER**

Chairman LaChance 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.

Attorney Ira Kaplan informed the Conservation Agent that he is in the process of drafting a conservation restriction that will conform to the template that Natural Heritage laid out. Kaplan will maintain regular contact with the Agent throughout this process.

**MOTION:** Jess Dezieck moved to continue **WPA NOI 167-0369** until the next meeting, **January 25, 2016**

**SECOND:** Lisa Bozzuto

**VOTE: 6-0**

**Notice of Intent (DEP # 167-0406)** from Foresight Land Services on behalf of Michele Waldman. Property is located at 42 Monument Valley Road, Map 41 Lot 15. The proposed work consists of demolishing an existing single family house; installing a new 16 ft. wide common driveway crossing Muddy Brook via a new concrete deck bridge and continuing uphill to two proposed house sites. **Continued from October 27, 2016.**

**MOTION:** Jess Dezieck moved to continue the public hearing until the next meeting on January 25, 2016.

**SECOND:** Andrew Mankin

**VOTE:** 6-0

**Notice of Intent (DEP # 167-0408)** from Diego Gutierrez of Housatonic Architectural Services on behalf of Berkshire Real Estate Connections, LLC. The property is the unnumbered Main Street lot lying between #165 and #179, Map 14 Lot 219. Proposed work consists of redeveloping a previously developed riverfront area through the construction of a 1000 sq. ft. footprint commercial building. **Continued from November 16, 2016.**

Diego Gutierrez presented the plan for the undeveloped Berkshire Real Estate Connections, LLC site. The plan included the plantings of ferns, daylilies, hard grass species, or Ajuga. Lisa Bozzuto requested that Berkshire Real Estate Connections plant shrub species rather than daylilies. Jess Dezieck recommended native ferns instead of Ajuga. Lisa Bozzuto would like to have a stipulation included that the plantings survive for a minimum of five years.

Andrew Mankin requested that Housatonic Architectural Services show the commission greater detail on the storm water and drainage plan, the Commission would like to specifically know how much storm water the proposed infiltration trench will hold.

Rachel Fletcher of Riverwalk suggested that Berkshire Real Estate Connections look at the list of plantings they have accumulated; this list includes plants that have already shown to succeed in this area.

Lisa Bozzuto requested that the plan state what will be used for erosion control. The commission is in agreement that waddles or silt fences are the best options.

**MOTION:** Jess Dezieck moved to continue the public hearing until the next meeting, **January 25, 2016**

**SECOND:** Andrew Mankin.

**VOTE:** 6-0

**Discussion of proposed parking area & bridge across Thomas & Palmer Brook** with Narain Schroeder of Berkshire Natural Resources Council. Property is across from Koi Restaurant on State Road, Map 16 Lot 2E .

The intended parking area will be gravel and fit 8-10 vehicles. A future goal of the plan is to have a handicap accessible boardwalk with a railing. Jeff Cohen raised the point of beaver dams and how to construct a bridge with beaver habitat in mind. Narain told the Commission that they intend to raise the bridge high enough as to not to be affected by the beaver dams.

**Review of Restoration Planting** proposed by Windy Hill Farm and approved by GBLC to achieve mandated 75% survival of restoration plantings under the terms of the Revised Enforcement Order of 12/18/2013. Continued discussion of site visit last Wednesday, 12/07/2016, and the need for monitoring and invasive control until 75% survival of

plantings is actually achieved. Properties are located at 263 Long Pond Road and 249 Long Pond Road, Map 33 Lots 3, 4 and 5A. **Continued from November 16, 2016.**

The Revised Enforcement Order of 12/18/2013 mandated a restoration of the clear cut areas at 263 and 249 Long Pond Road. The Restoration Plan prepared by Foresight Land Services specified a planting scheme including a list of plant species and quantities of each specie to be planted. Windy Hill Farm was contracted to supply and install all the plants. The Enforcement Order also specified ongoing monitoring and inventory of the condition of each plant (also contracted to Windy Hill), along with invasive species management to facilitate new plant growth (contracted to New England Environmental-NEE), both for three growing seasons with a mandate to achieve overall 75% survival of the new plantings at the end of the third growing season, ie.- in the fall of 2016. At the end of the third growing season, Windy Hill's monitoring inventory revealed that 75% survival had not been achieved, and a supplemental planting was proposed by Windy Hill to achieve the 75% survival target. The supplemental planting plan was reviewed and approved by GBLC and the Commission and the actual supplemental planting was completed in November 2016. NEE has since requested a certification of completion of the work called for in the Revised Enforcement Order of 12/18/2013.

In discussing the progress to date of the restoration effort and the recent supplemental planting, the Commission was in agreement that restoration had not reached the 75% survival target and that monitoring and invasive species management should continue until such a determination could be made. The suggestion was made and generally agreed that monitoring and management of invasive plant species should continue for three more growing seasons to determine whether the new plantings would survive and whether the restoration target of 75% survival mandated by the Revised Enforcement Order will be achieved.

**Motion:** Jess Dezieck moved to deny the issuance of a certification of completion requested by NEE and to direct that monitoring & inventorying as well as invasive plant management shall continue for three more growing seasons until the fall of 2019 with the ultimate goal of reaching the 75% survivability required by the Revised Enforcement Order of 12/18/2013. **SECOND:** Andrew Mankin **VOTE: 6-0**

**Discussion of Proposed Revisions to the Riverwalk Planting Plan along** the riverfront of the 79 Bridge Street hotel project (DEP # 167-399) with Sarah Gapinski of S-K Design Group, Inc.

The Conservation Commission Chair recuses himself from this discussion and vote. Sarah presents a reduced density planting plan for the project. Rachel Fletcher of Riverwalk commented that while this is not the number of plants they originally intended to see installed, they are in agreement that this reduction will achieve the needs of the location. Sarah states that the timing of plantings changed but has been approved by Riverwalk.

The Conservation Commission would like annual updates on progress from SK Design Group.

**MOTION:** Andrew Mankin moved to approve the change in numbers and densities as described by Sarah and submitted by Riverwalk.

**SECOND:** Lisa Bozzuto

**VOTE:** 5-0

**Miscellaneous matters:**

- **Notice of Enforcement Order** issued on the Larkin property of +/- 15.6 Ac. adjacent to the Housatonic and Green Rivers. Notice to be signed and recorded.

The Conservation Commission Agent requested signatures from the Commission for a Notice of Enforcement Order to be recorded in the Registry of Deeds. The Notice of Enforcement Order states, 'the Great Barrington Conservation Commission has issued an Enforcement Order for violation of the Wetland's Protection Act and it's regulations on the property identified above.'

The Conservation Commission signed the Notice of Enforcement Order to be recorded in the Registry of Deeds. They plan to draft a letter notifying the Larkins that this Notice of Enforcement Order will be permanently documented in the chain of title to the property unless remediated action is taken by the Larkins.

- **Review and comment** on a delay in the planting of the McDonald property at 326 & 328 State Road.

The restoration plan for the McDonald property requires the planting of woody species. Emily Stockman informed the Conservation Commission that she had advised clients to hold off on these requirements due to the excessive drought conditions seen in the past growing season. Stockman intends to complete this installation in the spring of 2017. The consensus of the Commission was approval of Ms. Stockman's advice and agreement with the shift of planting schedule to spring 2017.

**Citizen speak time.**

Christine Ward, of GBLC sought permission from the Commission to harvest fallen locust trees from the Lake Mansfield forest. They plan to use the harvested locust for the Pfeiffer Arboretum boardwalk.

Agent Shep Evans has been instructed by the Commission to provide written permission to GBLC for the removal of fallen locust.

**Approval of Minutes** of the November 16, 2016 Conservation Commission Meeting.

**MOTION:** Jess Dezieck moved to approve the November 16, 2016 Meeting Minutes.

**SECOND:** Lisa Bozzuto

**VOTE:** 6-0

**ADJOURNMENT:**

On a motion by Jessica Dezieck, Seconded by Andrew Mankin, the Commission adjourned its meeting at 8:30 P.M.

**Vote 6-0**

Respectfully submitted,  
Rebecca Jurczyk  
Recording Secretary

 1/25/17