

**TOWN OF GREAT BARRINGTON  
CONSERVATION COMMISSION MEETING  
MINUTES**

**WEDNESDAY, APRIL 27, 2016  
6:30 P.M. – GREAT BARRINGTON TOWN HALL**

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

SHEP EVANS – CONSERVATION AGENT

**1. CALL TO ORDER**

Vice Chair Dezieck 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.

Shep Evans said that the applicant is fine tuning how to work with Natural Heritage.

MOTION: Andrew Mankin to continue the public hearing until Wednesday, May 25, 2016

SECOND: Lisa Bozzuto

VOTE: 4-0 (David Shanahan not yet present)

**Request for determination of Applicability** submitted by TEC Associates for Housatonic Rail Road Company (HRRC) seeking an update of the wetland delineation along the ROW of the Railroad in support of their preparation of a Vegetation Management Plan for 2016 thru 2020.

Andrew Mankin said that he and Gaetan Lachance met with engineer representatives from HRRC and concentrated on 6 spots that there were questions about. Herbicide specified for wetlands will be used. There will be plates stating 'no spray zone' placed appropriately. Updated plans are forthcoming from HRRC.

MOTION: Andrew Mankin to close the public hearing

SECOND: Lisa Bozzuto

VOTE: 4-0 (David Shanahan not yet present)

MOTION: Andrew Mankin to approve with a negative #2 and the updated plan.

SECOND: Lisa Bozzuto

VOTE: 4-0 (David Shanahan not yet present)

**WPA NOI 167- 0399 from S-K Design Group** for 79 Bridge Street Realty, LLC. Property is located at 79 Bridge Street, Map 19 Lot 139. The project includes development of a new hotel, parking and driveway areas, walkways and utilities. The project falls within the Riverfront Resource Area, Bordering Land Subject to Flooding and the Buffer Zone. **Continued from October 28, 2015.**

Shep Evans reported that the final conditions were sent from Emily Stockman which included those set by Natural Heritage.

Shep said that Emily's final invoice matches her amount for budgeted work.

Rachel Fletcher said that she is happy with the final result.

Sarah Shultz said that GBLC has issued a letter of intent for the property intended for mitigation.

Shep distributed a copy of the letter of intent to the Commission.

Ed McCormick said that asbestos remediation will begin inside the building. This work will not affect the outside. Mr. McCormick requested a letter from the Commission to the Town Manager stating such.

All agree to send a letter stating such to the Town Manager.

MOTION: Andrew Mankin to close the public hearing

SECOND: David Shanahan

VOTE: 5-0

MOTION: Andrew Mankin to approve NOI with completed conditions from Emily Stockman.

SECOND: Lisa Bozzuto

VOTE: 5-0

**WPA NOI 167-0400** submitted by Tata & Howard on behalf of the Great Barrington Fire District Water Department for the development of a new water supply source by drilling wells at 180 and 190 North Plain Road, Map 29 Lots 1 and 3. **Continued from February 24, 2016.**

Matthew Barry representing Tata & Howard said that he has spoken to Natural Heritage who agreed to the drilling. There will be 3 wells dug outside the resource area.

Natural Heritage issued a 'no take.' The document was distributed to the Commission.

MOTION: Andrew Mankin to close the public hearing

SECOND: David Shanahan

VOTE: 5-0

MOTION: Andrew Mankin to approve NOI with standard Order of Conditions

SECOND: Lisa Bozzuto

VOTE: 5-0

Chairman, Gaetan Lachance is now present.

**WPA NOI 167-0389 and 167-0390** submitted by Berkshire Engineering on behalf of Butternut Basin Inc. The projects include the construction of a new stream crossing and the dredging of two private ponds that are the water source and the alternate water source for snow making at Butternut Basin. Properties at 370 and 380 State Road, Map 37 Lot 44 and Map 42 Lot 2. Review and update in anticipation of continuing the public hearing(s). **Continued from February 25, 2015.**

Shep Evans said, at the request of the applicant, this will be looked at as a phased project.

Nick Anderson presented new plans.

Nick recapped the project.

Additional stream will be day lighted. A basin will be installed to carry discharge from the swamp. Nick Anderson said that they are awaiting final approval from the Army Corp. of Engineers.

MOTION: Jess Dezieck to continue the public hearing until Wednesday, May 25, 2016

SECOND: Andrew Mankin

VOTE: 6-0

**Request for Determination of Applicability** submitted by Native Habitat Restoration LLC on behalf of Benna and Harold Wilde. The project consists of follow up treatment of invasive species after the mechanical cutting in 2015. Vegetation has grown to about 2 feet tall and will be treated with a wetland approved herbicide. It is also planned to remove 6 hazard trees from within 10 feet of an existing foot path in the riverfront area along the Williams River at 10 Button Down Lane. Map 34 Block 8 Lot 5.

Tom Ingersoll explained that the invasive control will include less than 10 shrubs/ trees being taken.

Andrew Mankin said that the Commission does not always like to take dead trees down; necessity of taking them down is key.

Jess Toro responded that removing trees from the path does not take trees away from the forest and habitat won't be lost. He added that this project is strictly about the safety of the owners in accessing the path.

Lisa Bozzuto said that she would like the trees proposed to be removed flagged.

Andrew Mankin said that anything on the bank should not be sprayed.

All agree that those trees to be taken down should be flagged and then a site visit should be scheduled.

MOTION: Andrew Mankin to continue the public hearing until Wednesday, May 25, 2016

SECOND: Jess Dezieck

VOTE: 6-0

**Request for Determination of Applicability** submitted by Native Habitat Restoration LLC on behalf of Comrade Nominee Trust. The project consists of cutting and treating the stems of larger invasive plants with a wetland approved herbicide in the Riverfront area along Alford Brook. Smaller invasive species will be sprayed. Work will be timed to happen early in May as possible at the Alford Road property, Map 33 Lot 45.

MOTION: Jess Dezieck to issue a negative #2

SECOND: Lisa Bozzuto

VOTE: 6-0

**Miscellaneous:**

Shep Evans said that the OOC – 55 Hurlburt was voted as an amendment. This is not an amendment, simply an extension. Shep asked the Commission to sign the extension paperwork needed.

**Discussion of an Enforcement Order** issued to James & Margaret Larkin on March 4, 2016 pertaining to the clearing, including cutting and stockpiling whole trees and other woody debris in Riverfront Area, Bordering Vegetated Wetland and Bordering Land Subject to Flooding adjacent to the confluence of the Green and Housatonic Rivers, Map 38 Lot 44.

Shep Evans said that there is nothing to report. No response has been received. No further work has been done on the property.

Shep Evans suggested that a letter be sent stating that they are in gross non-compliance with fine information attached. All agree that the letter should state the law that has been violated.

Andrew Mankin said that fining is always a last resort.

All Commission members agree that Shep Evans should send the letter and also contact DEP and Natural Heritage.

Andrew Mankin said that Barrington Brook requires a visit. He said that clearing has taken place. Andrew said that it looks like nothing has been done for storm water management. All agree to go take a look.

Lisa Bozzuto said that the tree committee has a by-law on the town warrant and asked the Commission to take a look.

Gaetan Lachance said that the Lake Mansfield survey resulted in 330 survey responses. The Committee will make a recommendation.

Andrew Mankin said that the Conservation Commission is charged with the protection of resource areas, so we should do the most we can to protect the area. This would mean closing the road, which is unreasonable. One way would be the next option.

Shep Evans agreed with the one-way option.

MOTION: Andrew Mankin to recommend the one-way plan.

SECOND: Lisa Bozzuto

VOTE: 5-1 Jess Dezieck against

The Commission asked Shep Evans to write a letter to LMITF that the GB Conservation Commission recommends the 1 lane plan because they feel it provides the most protection.

**Citizen speak time.** None

**Approval of Minutes** of the March 23, 2016 Conservation Commission Minutes.

MOTION: Jess Dezieck to approve the minutes from the March 23, 2016 meeting as amended.

SECOND: Andrew Mankin

VOTE: 6-0

**ADJOURNMENT:**

On a motion by Jessica Dezieck, seconded by Lisa Bozzuto, the Commission adjourned its meeting at 8:10 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cara Becker".

Cara Becker  
Secretary

