

**TOWN OF GREAT BARRINGTON
CONSERVATION COMMISSION MEETING
MINUTES
WEDNESDAY, MAY 25, 2016
6:30 P.M. – GREAT BARRINGTON TOWN HALL**

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

SHEP EVANS – CONSERVATION AGENT

1. CALL TO ORDER

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

WPA NOI 167-0402 from Berkshire Engineering on behalf of Andrew & Marymar Ruggles , property at 106 Hurlburt Road, Map 31 Lot 38A. Proposed work includes demolishing and replacing the existing foundation under a barn, repair and removal of retaining walls, connecting the barn to an existing septic system and repair or replacing existing utility service for the barn and two shed structures. The project's structural footprint will not extend beyond the existing barn footprint, and area grading will result in additional flood storage.

Nick Anderson from Berkshire Engineering presented a map. Nick explained that an existing barn and retaining wall has been left. The existing grades remain the same. There will be 1 ½ foot increase in the height to the barn. There will be underground utilities. Nick Anderson said that an excavator will be used. This will be a 90 day project. Nick reported that he is still waiting to hear from Natural Heritage.

MOTION: Jess Dezieck to continue the public hearing until June 22, 2016

SECOND: Lisa Bozzuto

VOTE: 7-0

WPA NOI 167-0403 from SK Design Group, Inc. for Guido's Realty, Inc., property at 770 South Main Street, Map 24 Lot 16 & 17. Proposed work includes erection of a 363 kilowatt ground-mounted solar array on approximately 1.4 acres that will be utilized as an accessory use to the abutting Guido's Market Place building. Some tree clearing is proposed to reduce shading on the proposed panels.

Jim Scalise explained the project. A 3.63 KW solar array will be constructed and post driven into the ground. No grading is proposed. There are no Natural Heritage issues. There are no impervious areas on the site and a forest fringe will be created. No storm

water management is required. The carriage barn will be demolished. There will be 22,000 sq. ft. of restoration versus 20,000 sq. ft. of clearing. This array needs to be up and working by the end of the year.

Lisa Bozzuto expressed her concern for the effect on wildlife. She asked to see an alternate analysis showing no buffer area being affected.

Jim replied that alternate analysis has been done and they worked hard to make this project work. He said that solar panels have a benefit.

David Shanahan said that there are areas around the barn in which debris can be seen through the dirt. He asked that any debris encountered during demolition be removed. Jim agreed saying it would be considered solid waste.

Jeff Cohen asked how they will prevent trees that are planted from shading the panels. Jim responded that they are choosing trees that don't grow up.

Gaetan Lachance and Lisa Bozzuto both asked that no work be done within the first 50 ft. Jim Scalise said that he could plant a meadow mix or low shrub instead of mowing in the first 50 ft., as well as, extend the forest fringe to the first 50 ft.

MOTION: Jess Dezieck to approve NOI with the following special conditions and contingent upon receiving amended plans dated and signed.

- A) Clean up solid waste
- B) No mowing in first 50 ft.
- C) Invasive species management for 5 years beginning in 2017.
- D) Will re-work plan and come back to Commission

SECOND: Jeff Cohen

VOTE: 7-0

Request for Determination of Applicability submitted by Chris Sweet of Sweet Tree Service LLC for the taking down of dead, dying and/or dangerous trees and vines and removing brush piles in the Riverfront Resource Area along the Housatonic River at #27 Humphrey Street, Map 20 Lots 2, 5, 8 & 8B.

Chris Sweet explained that there are 2 rotten trees. The taller of the two trees will be cut to 10 ft. and left. One tree that is leaning will be cut on the top. There are 2 silver maples with invasive vines that will be pruned.

Jeff Cohen asked if dropping the leader onto bank instead of removing it would be better for the habitat.

Andrew said that it could cause erosion to the dropped area or possibly be taken downstream, which would be a problem.

Chris Sweet said that it needs to be cut into pieces and removed.

Jess Dezieck said that she would like to see improvement in the riverfront.

Shep Evans responded that this can be a request of the applicant.

MOTION: Jess Dezieck to close the public hearing
SECOND: Andrew Mankin
VOTE: 6-0 (David Shanahan not present)

MOTION: Jess Dezieck to issue a negative #2
SECOND: Lisa Bozzuto
VOTE: 6-0

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.
No update

MOTION: Andrew Mankin to continue the public hearing until June 22, 2016
SECOND: Jess Dezieck
VOTE: 7-0

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.**

Nick Anderson reported that he has successfully secured state and federal approval to do this project.

MOTION: Jess Dezieck to close the public hearing
SECOND: Andrew Mankin
VOTE: 7-0

MOTION: Jess Dezieck to approve plan as presented with standard conditions
SECOND: Andrew Mankin
VOTE: 7-0

MOTION: Jess Dezieck to approve NOI as presented with standard conditions
SECOND: Andrew Mankin
VOTE: 7-0

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. **Continued from April 27, 2016.**

Gaetan Lachance reported that only 5 trees have been flagged.

Andrew Mankin said that the forest is dense and that 5 trees coming down won't alter anything. He suggested that the trees be left on the ground after being cut.

Lisa Bozzuto said that the Commission approved removal of a specific amount of trees last year and is not happy that they are requesting more. She said that the tree closest to the house could be removed but the others should be left.

Jess Dezieck agreed.

MOTION: Jess Dezieck to close the public hearing

SECOND: Andrew Mankin

VOTE: 7-0

MOTION: Jess Dezieck to issue a negative #2 with conditions that only the 1 tree (out of the 5 requested) closest to the house can be cut and left in the woods.

SECOND: Andrew Mankin

VOTE: 7-0

Miscellaneous:

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 reported that there has been no response from the Larkins. He is waiting to hear from Natural Heritage and DEP.

Margaret Brownell – 21 Knob Hill Rd. – explained that she purchased 2.94 acres of land below her house that has been thought to be an old vineyard. She said it is loaded with invasives. Ms. Brownell said that this has no impact on the neighbors and can't be seen from below. No chemical herbicides will be used. She would like to have fruit and nut trees, shrubs and permaculture. The land is part of Scenic Mountains. The Commission agrees to do a site visit on June 4th.

McAllister Reserve – Jeff Cohen said that Mike Parsons has a map of the area and will give a price to mark the boundaries. A comprehensive cost proposal is to come.

Gaetan reported that the LMITF consultant is putting together a recommendation to be presented in June. The Commission should then review and make a recommendation to the Selectboard.

MOTION: Andrew Mankin to reappoint Jess Dezieck to the CPC.

SECOND: Jeff Cohen

VOTE: 6-0-1 Jess Dezieck recused

Jess reported that the CPC is looking to revise the Community Preservation plan and would like to know what the Commissions priorities are going to be in 2017. She needs this information for her next meeting.

Shep Evans reported that Claudia Shapiro sent a document siting a dump behind a hangar at the airport. Shep did a site visit with building inspector, Ed May and determined that there are only rusty drums and garbage; it is not an active site. There is nothing further for the Commission to do.

Citizen speak time – None

Approval of Minutes of the April 27, 2016 Conservation Commission Meeting.

MOTION: Andrew Mankin to approve the minutes from the April 27, 2016 meeting.

SECOND: Jess Dezieck

VOTE: 7-0

ADJOURNMENT:

On a motion by Jessica Dezieck, seconded by Lisa Bozzuto, the Commission adjourned its meeting at 8:30 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cara Becker". The signature is written in dark ink and is positioned above the printed name and title.

Cara Becker
Secretary