

**TOWN OF GREAT BARRINGTON
CONSERVATION COMMISSION MEETING
MINUTES
WEDNESDAY, July 26 2017
6:30 P.M. – TOWN HALL
334 MAIN STREET**

PRESENT:

GAETAN LACHANCE
BILL BOYER
LISA BOZZUTO
JEFF COHEN
JESSICA DEZIECK
ANDREW MANKIN
DAVID SHANNIHAN

SHEP EVANS – CONSERVATION AGENT

1. CALL TO ORDER

Gaetan 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.**

MOTION: Jess Dezieck moved to continue **WPA NOI 167-0369** until the next meeting, **August 23, 2017**

SECOND: Andrew Mankin

VOTE: 7 -0

WPA NOI 167- from Berkshire Engineering on behalf of Camp Institute of Living Judaism (Camp Eisner), property at 53 Brookside Rd, Map 38 Lot 11. The proposed work at Eisner Pond includes repair to a retaining wall, the dam outlet, and low level outlet structure and the inlet valve and removal of accumulated sediment. Continued from May 31, 2017 until August 23, 2017

MOTION: Jess Dezieck moved to continue the WPA NOI until August 23, 2017

SECOND: Andrew Mankin

VOTE: 7-0

Discussion of an enforcement letter issued to Marion Gilliam on April 6, 2017 concerning cutting, thinning and burning trees and the understory vegetation on a 15 acre property on Monument Valley Road, Map 36 Lot 21. Berkshire Engineering will present and discuss the extent of alteration and suggested restoration ideas. **Continued from May 31, 2017.**

Benjamin Nailer, Berkshire Engineering. All of the cutting done on Marion Gilliam's property was within delineated wetlands and the buffer zone. Andrew Mankin said that the eventual plan should include an invasive species management plan with 5 years of monitoring and invasive control and 75% survivability. Mr. Nailer asked for species suggestions. The Commission suggested not replacing the Ash because it was not thriving in that area.

MOTION: Jess Dezieck moved to continue the discussion until August 23, 2017

SECOND: Andrew Mankin

VOTE: 7-0

Discussion with Emily Stockman of Stockman Associates, on behalf of Flag Rock Farm LLC, concerning restoration work recently completed under an Enforcement Order (DEP#167-0346) at 414 Park Street (Map 2 Lot 28) and consideration of the Commission issuing a requested Certificate of Compliance.

Emily Stockman presented on behalf of Flag Rock Farm's restoration plan. The plan will include two additional annual inspections and reporting to the Conservation Commission. Ms. Stockman asked the Commission to issue a Cert. of Compliance.

MOTION: Jess Dezieck moved to Issue a Certificate of Compliance letter as presented.

SECOND: Lisa Bozzuto

VOTE: 7-0

The Commission signed the COC and will issue on July, 27 2017.

Discussion of an Enforcement Order issued on March 4, 2016 pertaining to alterations to resource areas at the confluence of the Green and Housatonic Rivers (Map 38 Lot 44). Marc Volk of Foresight Land Services will discuss proposed restoration alternatives. **Continued from May 31, 2017.**

Conservation Commission Agent, Shep Evans encouraged the Larkin's representative, Marc Volk, to look into alternative options to resolve the Larkin enforcement matter. Mr. Volk of Foresight Land Services suggested conveying the property to MA Division of Fish and Wildlife as an alternative option for the Larkin's. According to Mr. Volk the Larkin's were not opposed to the suggestion. Commissioner Andrew Mankin said conveying the property to Fish and Wildlife might be one of the easier options for the Larkins in order to resolve their issues. **The Discussion was continued until the meeting on September 27, 2017.**

Discussion of proposed revisions to land use regulations at the McAllister Wildlife Refuge.

The Commission agreed to publish these new regulations on the Town's Conservation Commission webpage.

McAllister Wildlife Refuge

The McAllister Wildlife Refuge is comprised of 94 acres of open fields and wooded areas adjacent to Haley Road and extending southwesterly to the Green River. The property is identified on the 2017 Assessors

Map as Map 31, Lot 34, and was deeded to the Town in 1974 under the management of the Conservation Commission.

Approved uses.

The property is for the use and enjoyment of the public. Passive recreational activities are encouraged while maintaining these areas in a natural condition now and for future generations.

Collection of plant material.

Collection of berries and mushrooms or other plant material is prohibited.

Horse riding.

Horse riding is allowed on the property with written permission from the Commission.

Dog walking.

Dogs shall be kept on leashes at all times. It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his or her dog at the McAllister Wildlife Refuge.

Overnight Camping.

Overnight camping is prohibited.

Fires.

Fires are prohibited.

Hunting.

Hunting is prohibited.

Alteration of natural growth and building of structures.

No wood cutting. Cutting and planting are prohibited, except with written permission of the Commission. Trails shall not be marked or cut except with written permission of the Commission. No structures such as dams, lean-tos, cabins or towers shall be constructed without written permission from the Commission.

Vehicle restrictions.

Motor vehicles (including but not limited to motorcycles, minibikes, snowmobiles, and all-terrain vehicles) are prohibited, except as specifically authorized in writing by the Commission.

Littering and vandalism.

No person shall cut, break, remove, deface, defile, or ill-use any building, structure, fence or sign. Depositing or leaving rubbish, litter, demolition or yard debris, garbage, excavated fill or any hazardous waste is prohibited.

Alcoholic beverages and smoking.

Possessing or consuming any alcoholic beverage, illegal substances,

or smoking are all prohibited.

Violations and penalties.

Unless a higher fine has been established for a specific offense by the Town of Great Barrington or the State of Massachusetts, violation of these regulations is punishable by a fine of not more than \$300 for each offense. Each day the violation occurs shall constitute a separate offense.

MOTION: Jeff Cohen moved to approve the changes to the land use regulations for the McAllister Wildlife Refuge.

SECOND: Andrew Mankin

VOTE: 7-0

Discussion between the Commission, Jess Toro of Native Habitate Restorations and Will Conklin of Greenagers concerning habitat management at the McAllister Wildlife Refuge.

Jess Toro suggested applying for a Forest Management Plan through DCR, this management plan is a pre-requisite for other funding options. Ms. Toro said the draft of the plan will be presented and discussed at the next meeting. The Commission scheduled a site visit for August 21, 2017 at 4pm.

Issuance of an Enforcement Order to Richard Bourdon of the Berkshire Mountain Bakery at 367 Park Street, Housatonic (Map 4Lot 10) concerning restoration planting within the riverfront area next to the Housatonic River.

MOTION: Jess Dezieck motioned to issue the Enforcement Order to Richard Bourdon.

SECOND: Andrew Mankin

VOTE: 7-0

David Shannihan informed the Commission that the parking area has expanded without formal permission.

Citizen Speak Time. Kathy Kessler and Michael Feldstein on the importance of managing invasive plant species in general and Japanese Knotweed in particular.

Kathy Kessler, Christian Hill Road. Ms. Kessler asked to form a coalition to address the spreading of Knotweed and other invasive species. Ms. Kessler suggested better roadside maintenance management. Jess Toro informed the Commission that any road work done by Mass D.O.T should include an invasive species management plan. Ms. Toro suggested that the mowing could take place at a time when seed pods have not yet formed and a thorough cleaning of the machine after roadside use. Ms. Toro said it might be beneficial to have our DPW Superintendent Sean Van Deusen and Conservation Commission Agent Shep Evans set up a meeting with the State Highway Department to discuss practical options for invasive management. Shep Evans said for

future Wetland Protection Act permit the Commission could require applicants include an invasive species management plan in their project.

Jeff Cohen suggested including educational presentations during the monthly meetings from local people who can provide expertise and guidance on a variety of issues like, invasive species management etc.

Approval of Minutes of the June 28, 2017 Conservation Commission Meeting.

MOTION: Jess Dezeick motioned to approve the June 28, 2017 meeting minutes.

SECOND: Andrew Mankin

VOTE: 7-0

Adjournment: On a motion made by Jess Dezieck, seconded by Andrew Mankin the meeting was adjourned at 8:25PM with a unanimous vote of 7-0.

Respectfully submitted,
Rebecca Jurczyk
Recording Secretary

A handwritten signature in black ink, appearing to read 'Rebecca Jurczyk', written in a cursive style.