

**Great Barrington Conservation Commission Meeting
Selectman's Meeting Room, Town Hall
August 24, 2011**

ATTENDEES: Pat Kinne, Andrew Mankin, Jessica Dezieck, Jennifer Connell, Bruce Gore, David Shannahan, Orit Kadosh

Chairman Kinne opened the meeting at 7:00 p.m.

7:00 RDA – 131 Hurlburt Road, filed by Enore and Ursula Ceola. Construction of a new single family home, well, and septic system. Proposed work is partly in 100 foot wetland buffer zone.

Jeffery Collingwood presented construction plans and identified that they are hoping to extend the driveway, but that it is still out of wetland jurisdiction. They proposed to plant new trees to replace the three that will be removed.

MOTION: Andrew Mankin that we issue a negative #3 with the condition that that ten (10) native trees are to be planted to replace the 3 that are removed, and that we close the public hearing.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:10 RDA – 28 Blue Hill Road, filed by Jeanne R. Chesanow. Proposed work to remove invasives along intermittent stream and throughout property, reclamation of overgrown areas. Replanting of native species.

Jeanne Chesanow was not present at the meeting. Agent Sewell will contact her and make sure that she is aware she cannot continue to work until after the public meeting.

MOTION: Andrew Mankin that we continue the public hearing at 7:10 on September 28th.

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

7:20 NOI SMA #12– 324 Long Pond Road, filed by Edward Perkin. Proposed work will include the construction of a new house, associated site work, landscaping, swimming pool, well and septic system on a 10.428 acre parcel of undeveloped land.

Craig Okerstrom-Lang, landscape architect, representing Edward Perkin, presented plans involving a number of possible house locations, and identifying the one preferred by Edward Perkin. The total proposed disturbance area is 1.5 acres. Blasting would be required, and some clearing of trees, as the property owners would like to cut a 30 foot north-facing area to improve the view for the house. Plans also include removing stumps from the field below which has been previously cleared a number of times, grading the field, and seeding it. Craig Okerstrom-Lang also identified the fact that the property owners have decided they do not need an additional second access lane, and will use the existing maintenance lane. Andrew Mankin identified concerns about the plan's compliance with Scenic Mountain Act performance standards: 1) *Non- natural disturbances above ridgelines damage scenic qualities.* The house site is right on a ridge line, and to cut 74 trees on the ridge line goes against the interest of the Scenic Mountains Act. In permitting a project on Monument Valley Road, the trees removed were well below the ridge line and would not have been noticed, and the house could not be seen. 2) *Clearing of continuous mountain ridges.* The proposed acreage to clear is 1.5 acres, which again goes against the interest of SMA. The house sits right on the ridge line and will stick up in the air, being two stories. Andrew Mankin suggested that finding an alternative house site would be favorable. 3) *Alteration of slopes deeper than 15%* The project involves lots of blasting, which goes against the third performance standard of the Scenic Mountain Act. Chairman Kinne raised concern for the survival of the trees that aren't going to be taken down, as it had become an issue with another project on Long Pond Road in which the trees eventually had to be removed because they became a danger. She also stated that the field

had previously been cleared six years ago, but it has reestablished itself. The field area would receive changes coming from above where the blasting and house construction would occur, and that is a concern. The change of terrain above the meadow will change what the meadow receives in runoff. David Shannahan questioned whether the meadow could be allowed to grow instead of clearing it, and Craig Okerstrom-Lang identified that the owners are concerned that eventually the meadow will block the view of the house. Alternative locations for the house were discussed, and Andrew Mankin explained that the house needs to be designed and relocated so that it is less visible and doesn't create a hole in the ridge line.

MOTION: David Shannahan that we continue the public hearing at 7:00 on September 28th, and that a site visit occur within the next few weeks.

SECOND: Jessica Dezieck seconds

VOTE: 7-0, all in favor

7:30 NOI – Maple Avenue, Map 30, Lot 45, DEP file #167-0343, filed by George Beebe, continued. George Beebe was not present.

MOTION: Andrew Mankin that we continue the public hearing at 7:30 on September 28th.

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor; David Shannahan recused himself from voting.

7:40 Amendment to NOI – 174 Front Street, DEP file #167-0346, filed by Whitmore Kelley. Shannon Boomsma was present and requested an amendment to the order of conditions issued in December 2009. Changes to plan include an access route which comes in off of a right of way from Grove Street. The route does cross a small wetland area, and plates or planking would be laid down and removed at the end of the construction. If construction is anticipated to continue past the winter, then the steel plates will be removed for the winter, as construction cannot begin again until July. If there is disturbance to vegetation it will be fluffed and seeded, though disturbance is not anticipated. Any trees removed for the access route will be replanted with red maples at a 1:1 ratio. At least 7 trees will be replaced with red maples 5-6 feet in height, planted in the same general area. Condition #2 in the Order of Conditions states that cement trucks will not be washed out in any wetlands resource area, but this cannot be done, as the trucks won't take their chutes off site to wash them. Therefore Shannon Boomsma requests permission to create a washing station by digging a hole to wash the chutes into. The hole will be located outside the wetlands area, and once dried the concrete can be removed and the hole backfilled. No one will be obligated to clean any of the debris that's already in the wetland, and if anyone does so, that will be voluntary.

MOTION: Andrew Mankin approving the amended plan 09-10-02B as presented for the new access road and other items including an area for the concrete trucks to be washed.

SECOND: Jessica Dezieck

VOTE: 6-0, all in favor; Jennifer Connell recused herself from voting

MISCELLANEOUS:

1. Approve June 22 meeting minutes.

MOTION: Jessica Dezieck that we approve the June 22 meeting minutes.

SECOND: David Shannahan

VOTE: 7-0, all in favor

2. Approve July 27 meeting minutes.

MOTION: Jessica Dezieck that we approve the July 27 meeting minutes.

SECOND: David Shannahan

VOTE: 7-0, all in favor

3. Special Permit #791-11 for 5 Comstock Lane in Housatonic – addition onto single family home for two family use. Agent Sewell stated that it is not in the Commission's jurisdiction.

MOTION: Andrew Mankin that the Wetlands Act does not apply

SECOND: Jessica Dezieck

VOTE: 7-0, all in favor

4. 326 Long Pond Road. Alexander Sarbib presentation about clearing land in SMA area. Alexander Sarbib spoke about some clearing he has done on his property. When he purchased the property, almost three acres had been cleared by its previous owner, Jeff Polidero, in 2006. Alexander Sarbib would like to grade, clean, and seed the land, and also remove 5 or 6 dead trees. He also plans to build a house on the property at some point in the future. The land is subject to the Scenic Mountains Act, and Agent Sewell has asked Alexander Sarbib to cease and desist all work on the property until he is given permission to continue. There was no decision to make tonight; this was an informative presentation. Alexander Sarbib will mark out the boundaries where he wants to clear, and calculate the square footage of the proposed area to be cleared. The Commission will do a site visit on Tuesday, August 30th and an RDA will need to be filed.
5. Diego Gutierrez representing John Delmolino for White House Square. Diego Gutierrez presented John Delmolino's plans to enclose a pavilion, as he hopes to use it as a retail space. The pavilion will be heated, so the area around the approximately four foot deep concrete slab would need to be dug out, insulation installed, and the dirt replaced. Chairman Kinne stated that she believes that John Delmolino used the 10 percent of construction on a riverfront space provided to him in the original Rivers Protection Act, and whether the Commission should have given him the right to construct the slab around the shed is questionable. White Engineering calculated it at the time of his original construction. This proposed project will require a Notice of Intent, as it is within 200 feet of the riverfront. Andrew Mankin stated that John Delmolino needs to apply for a certificate of compliance on the open pavilion before we can issue another Notice of Intent. It is also important to find out the percentage of riverfront construction on his property, as he may have used all of his space already.
6. A motion to adjourn was requested.
MOTION: Andrew Mankin to adjourn the meeting at 8:48.
SECOND: Jessica Dezieck
VOTE: 7-0, all in favor

Meeting adjourned at 8:48 pm.

Respectfully submitted



Paige Cerulli, Secretary