

Conservation Commission – February 15, 2024 hybrid Meeting

Members present were Dr. John Schreiber, Co-Chair, Mr. Freddy Friedman, Co-Chair, Dr. Doug Hyde & Mrs. Nanci Worthington. Others present were Mr. Robert Akroyd, Ms. Martha Bryan, Mr. Geoffrey Maynard, Mr. Nathan Maynard, Ms. Jenny Plasencia, Mr. Mike Parsons, Mr. David Jacquier, Ms. Georgie Godfrey, Mr. Bryan Siter, Mr. Peter Scala, Mr. Elia Del Molino, Mr. Zac Culbreth, Mr. Rubin Kier, Mr. Matthew Puntin, Mr. Brett Miller and Hollis North.

Meeting was called to order at 5 PM.

Meeting minutes of January 18, 2024 were accepted as amended.

Mr. David Jacquier was present regarding his property on Clayton Mill River Rd – mile long cornfield. Mr. Jacquier mentioned that he owns two different lots, one with 82 acres and the other with 62 acres. Mr. Jacquier would like to remove some trees during a period of 3 to 4 years and was inquiring if he need to file with the commission. Dr. Schreiber inquired if the property has any wetlands and if there is wetlands then a RDA would be required to be filed, and depended upon how many trees are being removed a forest cutting plan might need to be filed, with the State Forester. Mr. Jacquier will verify Mass Mappers.

Cooper – certificate of compliance: Mr. Michael Schafer, Huntley Associates, P.C. Mr. Schafer emailed a request to continue until the spring of 2024. A motion was made, seconded and so voted to approve the request.

Diamond Hearing: Present for this continued hearing was representative, Mr. Robert Akroyd, Greylock Design Associates. Property location is at 97 Corser Hill Rd. Applicant submitted a RDA for the purpose of construction of a 16' by 32' in ground fiberglass pool and a 32' by 44' bluestone pool terrace, which equals approximately 1,408 square feet. Mr. Akroyd mentioned that is clients looked at different locations for the pool, but want to stay with the location that was submitted. After the brief discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted a positive determination that requires the filing of an NOI.

New Marlborough Land Trust Hearing: Present for this hearing was representatives, Mr. Elia Del Molino and Ms. Georgie Godfrey, Greenagers. Property location is 338/346 New Marlborough Southfield Rd. Applicant submitted a RDA for the purpose of construction of a footbridge over brook, that will be five (5) feet wide, three (3) feet high, and twenty-one (21) feet long. The site was visited by one member of the commission, Dr. Schreiber. Mr. Del Molino mentioned that there will be soil disturbance in the buffer zone, and would like to complete the work in dry weather conditions. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application as a negative #3 determination with the condition: notify the commission when work begins.

Kier Hearing: Present for this hearing was property owner Mr. Rubin Kier. Property location is 839 Stratford Rd. Applicant submitted a RDA for the purpose of lakefront vegetation. Mr. Kier mentioned that assorted native species in the 50 foot buffer zone along the waterfront, bi-annual mowing of field minimum 6" height, to 100 foot from waterline. Mr. Kier also mentioned that the native plants would be obtained from New England Wetland Plants. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application as a negative #2 determination with the condition of commission to site visit after work be completed.

North Hearing: Present for this hearing, was property owner Hollis North. Property location is 11 Mill River Great Barrington Rd. Applicant submitted a RDA for the purpose removal of a dead maple tree. Hollis North mentioned that the dead tree is with in the 20 feet of the river. Two members of the commission site visited this property. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application as a negative #3 determination with the conditions: replant with native 8 to 10 feet in height, leave stumps & roots in place.

Scala Hearing: Present for this hearing was applicate Mr. Peter Scala and representative Mr. Bryan Siter, Foresight Land Services Inc. Property location is 171 Stratford Rd. Applicant submitted a RDA for the purpose of maintain a 40' wide lake gravel access with 12'x6' wooden deck. Mr. Siter viewed the planting plan submitted, and mentioned that deck is sitting on the ground. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application as a negative #2 determination with the condition of commission to do a site visit after project is completed.

Rubinstein Hearing: Present for this hearing was representative, Mr. Bryan Siter, Foresight Land Services Inc. Property location is 201 Stratford Rd. Applicant submitted a NOI for the purpose of lakefront access restoration plan. Mr. Siter mentioned that the area had been previously developed 20' feet wide, and property owners would like to maintain a twenty (20) foot wide grass path, an existing deck and gravel beach for lake access. Mr. Siter also mentioned that native species would be used for the re-planting. Mr. Siter reviewed DEP comments with the commission. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application with as submitted with the conditions: all new Windemere owners will be notified of the wetlands protection act, replanting to be completed with some new plantings within the existing path in order to the narrow the grass path to approximately 15 feet wide.

Miller Hearing: Present for this hearing was representative Mr. Bryan Siter, Fore Sight Land Services Inc and property owner, Mr. Brett Miller. Property location is 187 Stratford Rd. Applicant submitted a NOI for the purpose of buffer zone restoration planting. Mr. Siter mentioned the owners wish to maintain a sandy beach and existing deck and kayak launch area along the shore of the lake. Mr. Siter also mentioned that the vegetation in the 50' buffer zone will be re-planted in the spring of 2024 and mowing will stop. After discussion, a motion was

made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application with as submitted with the conditions: planting to be done in the spring of 2024, commission to site visit once work is completed.

Glanzman/Levin Hearing: Present for this hearing was representative, Mr. Bryan Siter, Foresight Land Services Inc. Property location is 1043 Mill River Great Barrington Rd. Applicant submitted a NOI for the purpose of construction of an accessory building. Mr. Siter mentioned that there is an existing tennis court (possible built in 1985), and that a portion will be used to install a slab foundation for studio and two-bedroom guest cottage. Mr. Siter mentioned that there are two intermittent streams connected to an existing man-made pond. Mr. Siter also mentioned that project is in the buffer zone, and area for the driveway will be a new gravel driveway – existing grade. Mr. Siter also mentioned that there would be improvement for the leaching field, which is outside of the buffer zone. Mr. Siter reviewed DEP comments with the commission. Dr. Hyde mentioned that the area is flat and a lot of the project is in the buffer zone. Mrs. Worthington mentioned project is well contained. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application as submitted.

Maynard Hearing: Present for this hearing was Mr. Matthew Puntin, SK Design Group, Inc. Property location is New Marlborough Hill Rd. Applicant submitted a NOI for the purpose of construction of a single family house, driveway, septic system & well. Dr. Schreiber mentioned that in the past Natural Heritage Endangered Species Program has marked out the area leaving only a small area for building a house which is right near various wetlands. The Commission felt that the proposed house would consume all of the available lot and negatively impact resource areas. While reviewing DEP comments which also felt the resource areas would be negatively impacted, it was suggested to modify the NOI to meet all DEP requirements or for the commission to vote on the current plan. Mr. Puntin requested to continue this hearing until March 21st meeting in order to modify the NOI proposal.

Plasencia Hearing: Present for this hearing was property owner Ms. Jenny Plasencia, and representative, Mr. Mike Parsons, Kelly, Granger, Parsons, & Associates, Inc. Property location is 1193 Norfolk Rd. Applicant submitted a NOI for the purpose of resurfacing an existing driveway, extending driveway existing driveway, installing underground utilities along the driveway and constructing a septic field within the buffer zone. Mr. Parsons mentioned in the past a RDA was submitted and was issued a positive determination requiring a NOI be filed with a wetland resource delineation report, which was completed by Stockman Associates. Mr. Parsons also mentioned that the house has been moved further away the resource area as requested, no trees will be removed and silt fence will be installed on the side by the leech field. After discussion, a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve this application with plans submitted.

Town of New Marlborough: A motion was made, seconded and so voted to continue this hearing until March 21st meeting, since no file number has been issued for Trout Unlimited the Town partner for this proposal.

Next meeting is scheduled for February 22, 2024 at 5PM to complete unfinished business.

Next regular meeting will be March 21, 2024 at 5PM.

A motion was made, seconded and so voted to adjourn at 6:26 PM.

Respectfully submitted,

Kathy Chretien
Secretary