

Conservation Commission – June 15, 2023 hybrid Meeting

Members present were Dr. John Schreiber, Co-Chair, Mr. Freddy Friedman, Co-Chair, and Dr. Doug Hyde. Others present were Ms. Martha Bryan, Mr. Tom Harvey, Mr. Bryan Siter, Ms. Beth Romaker, Mr. Matthew Puntin, Mr. Chris Tryon, Mr. Ben Webster and Mr. Mark Stinson, DEP Wetlands Circuit Rider.

Meeting was called to order at 5 PM.

Meeting minutes of May 18th, 2023 were accepted as amended.

NM Highway Department Hearing: Dr. Schreiber mentioned that the department is still waiting for a response from National Heritage and Endangered Species Program, so a motion was made, seconded and so voted to continue this hearing till July 20th meeting.

Webster Hearing: Present for this hearing was representative, Mr. Matthew Puntin, SK Design Group Inc. and Mr. Ben Webster, property owner. Applicant submitted a RDA for the purpose of construction of a new two-bedroom, single family dwelling, and installation of new septic system. Property location is 173 Adsit Crosby Road. Mr. Puntin mentioned that there is an existing house/garage on the property, minor work in the buffer zone, the closest activity is approximately 95 feet from the wetlands. Dr. Schreiber inquired as to the steep drop off by managed during construction, and the suggestion to pull the project work back from the drop off. Mr. Puntin mentioned that he had already suggested this to the property owners and they would prefer to keep the project work in the same location. Mr. Puntin mentioned that both silt fence and straw wattle will be installed. 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 with the following two conditions permission for the commission to stop and site visit during construction, no heavy equipment in jurisdictional areas, and erosion control in place.

Camp Wa Wa Segowea: Present for this hearing was representative, Mr. Tom Harvey, project manager. Applicant submitted a RDA for the purpose of foundation repairs and concrete deck replacement for existing steel framed building. Property location is 408 Foley Hill Road. Mr. Harvey mentioned the whole building is within 100 foot buffer zone, no tree or significant vegetation will be removed, only temporary disturbances to the buffer zone. Dr. Schreiber inquired on where will the heavy equipment will be on the property. Mr. Harvey mentioned that smaller equipment will be used on the north side of the property. Mr. Stinson mentioned that Chapter 91 needs to be submitted for docks. Mr. Harvey will submit Chapter 91 application and requests to continue this hearing till July 20th meeting. A motion was made, seconded and so voted to continue this hearing till July 20th meeting per Mr. Harvey request.

Mr. Friedman recused himself from the next hearing.

Friedman Hearing: Present for this hearing was property owner, Mr. Freddy Friedman. Applicant submitted a RDA for the purpose of resealing pipe. Property location is 1584 Norfolk Road. Mr. Friedman mentioned that DCR requested that the resealing occur. The Commission requests a copy of the request from DCR. Mr. Friedman mentioned that the project work is to slip a new sleeve in since the current one is in bad condition. 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 has a negative #2 determination.

Tolin Hearing: Present for this hearing was Mr. Chris Tyron, Berkshire Geo-Technologies. Applicant submitted a NOI for the purpose of construction of a dock & steps. A response from National Heritage and Endangered Species Program hasn't been received yet and applicant needs to apply for a dock permit (Chapter 91). A motion was made, seconded and so voted to continue this hearing till July 20th meeting, so that applicant can obtain the dock permit and a response from NHESP. Dr. Schreiber mentioned that there's a current order of conditions for this property that is still open and noticed that significant soil disturbance has occurred right up to the silt fence which is next to the shoreline. Mr. Tryon will site visit the property to see what has occur and give the commission his findings. Mr. Tryon mentioned that he has removed the current dock.

Stebbins Hearing: Present for this continued hearing was representative, Ms. Beth Romaker, Matt's Landscaping. Applicant submitted a NOI for the purpose of installing 10,000 square foot native meadow. Property location is 83 North Rd. Ms. Ronmaker mentioned that the area will be mowed once a year, the large deed tree will be left in place and will plant native species. The Commission reviewed DEP comments with Ms. Ronmaker. Ms. Ronmaker mentioned that both straw bales and straw wattles will be used. Mr. Stinson inquired if the native vegetation species that will be planted are used in Berkshire County. Ms. Ronmaker stated yes and she will submit a list to the commission of possible native species that will be used. Ms. Ronmaker mentioned that seeding will occur in the fall. 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 order of conditions with the following condition of seeding and stabilization by done prior to freezing.

Stratford Road Follow-up hearings:

35 Stratford Rd - Mr. Bryan Siter, Foresight Land Service requested to continue this matter and will be submitted a NOI for the July 15th meeting. A motion was made, seconded and so voted to continue this till June 15th meeting.

881 Stratford Rd - no one was present for this follow up, so a motion was made, seconded and so voted to continue this till July 15th meeting.

New Business:

Kimball extension order of conditions: Mr. Stinson mentioned that the current extension expired in May, 2020 and it's too late to extend. Mr. Stinson recommends that the Commission check their records to confirm and if so request a new NOI be filed.

83 North Road: Dr. Schreiber mentioned that aerial photographs provided by DEP show a tennis court was constructed and filled in the wetland resource area but no permit was grant from the commission. The commission discussed issuing an enforcement order that would include the owner to hire a wetlands scientist to assess any areas of disturbed wetlands and mitigation and replacement. After discussion a motion was made, seconded and so voted to issue an enforcement order that includes hiring a wetlands scientist consultant do complete mitigation and restoration plan.

Discussion of the potential river bank bylaw will be discussed at another meeting since Mrs. Worthington was not present.

Complaint Gravel Pit – Canaan Southfield Rd: The commission received a phone call complaint regarding the gravel pit on Canaan Southfield Rd. The person is concerned that the work area has expanded to close to a vernal pool. Dr. Schreiber mentioned he stopped and looked at the area from the road and didn't enter the property, and noticed the work has extended toward the pool. However, it was not clear that this is a jurisdictional area. Mr. Stinson mentioned that vernal pools are not jurisdictional, only jurisdictional if within 200 feet of the resource area. Mr. Stinson also mentioned that the vernal pool in question isn't a certified vernal pool. The commission will watch to see if anything else occurs in areas that are more clearly jurisdictional.

Mail:

White Engineering Inc. - Gourevitch – 98 Lumbert Cross Rd – proof of recorded order of conditions.

Next meeting is scheduled for July 20, 2023 at 5PM.

A motion was made, seconded and so voted to adjourn at 6:25 PM.

Respectfully submitted,

Kathy Chretien
Secretary