

Conservation Commission – November 19, 2020 Conference Call Meeting

Members present were Dr. John Schreiber, Vice Chair, Mrs. Nanci Worthington and Mr. Freddy Friedman, Chair. Others on the conference call were Ms. Emily Renshaw, Mr. Thomas Scheffey, Mr. Thomas Ingersoll, and Mr. Gary Cookson.

Meeting was called to order at 9:30 AM by Vice Chair, Dr. Schreiber. Dr. Schreiber mentioned that the meeting was being taped for the 5 Village News.

Meeting minutes of October 17th, 2020 were accepted as prepared.

Old Business:

Koerner Hearing: Representative's Ms. Renshaw, Morgan, Lewis & Bockius LLP for the continued RDA hearing. Dr. Schreiber mentioned that a site visit was completed for the enforcement order for Canaan Southfield Rd, and that per the enforcement order the driveway area has been filled in with topsoil and seeded, and per the Commission request the contractor put down a layer of straw. Dr. Schreiber also mentioned that the Commission has requested permission to view the whole property multiple times, but each request has been denied. Ms. Renshaw mentioned the developments with this hearing are frustrating and she still has concerns and is also disappointed. Ms. Renshaw understands that the Commission has been denied access to the property. Dr. Schreiber mentioned that the run off can't be determine, since they are denied access, and that the Commission has been working with DEP on this enforcement/RDA. Dr. Schreiber mentioned that he would like to close the RDA hearing at this time. Ms. Renshaw inquired if something could be done. Mrs. Worthington mentioned that the Commission would need an engineer's evaluation to be completed. Ms. Renshaw requested to continue this hearing till next month's meeting so that she has the opportunity to speak with her clients. Dr. Schreiber mentioned that he would be willingly to continue this hearing to December meeting, but if no further documentation is received then the Commission will close this hearing at their December meeting. After discussion motion was made, seconded and so voted to continue this hearing till December meeting.

Beers for #10709 Gibson Grove R.O.W. Members: No one was present for this hearing continued hearing, so a motion was made, seconded and so voted to continue this hearing till December meeting.

New Business:

The Commission received an extension request from Combs/Easton for 136 Adsit Crosby Road. Mr. Friedman mentioned that the property owners haven't finished the project work. After a brief discussion a motion was made, seconded and so voted to approve a three year extension.

Mr. Thomas Scheffer, applicant of Ravine Falls Trust mentioned that two NOI's have been filed in the past and there was an error completed on the 401 application, along with an error on the

order of conditions stated 100 cube yards, which should have been 80 cube yards. The Commission noted that an error was made they will complete an amended order of conditions. Mr. Scheffer mentioned that he would like to build a mound for the turtles. The Commission mentioned that the NOI filed in New Marlborough was only for maintenance the draw down wasn't included, a joint NOI will need to be submitted to Monterey and New Marlborough Commissions for approval. The Commission will act on the certificate of compliance for the dam repair at their next meeting in December.

Mr. Friedman mentioned that the request from Carpenter for certificate of compliance needs to submit the paperwork to the Commission.

The Commission reviewed the special permit that was submitted to the Board of Selectmen for 120 Hillside Ave. The Commission reached out prior to the meeting to DEP for guidance on this special permit and DEP comment was the project work isn't jurisdictional. The Commission will send a memo of its finding to the Board of Selectmen.

Cookson Enforcement: Mr. Gary Cookson, property owner and Mr. Thomas Ingersoll, contractor was on the call to discuss the order. Dr. Schreiber and Mr. Friedman completed a site visit with both Mr. Cookson and Mr. Ingersoll. Mr. Ingersoll submitted a mitigation plan to replant native vegetation where brush has been removed. Mr. Ingersoll mentioned that a contractor has taken a lot of debris away and used a brush mower machine. Mr. Ingersoll mentioned that maintenance needs to be considered no matter who owns the property. Dr. Schreiber mentioned that the restoration plan submitted was well done, but questioned whether the tree trunks being removed and are the few fallen trees being removed. Mr. Ingersoll mentioned that he feels it is best to leave the trunks and trees. Mr. Cookson mentioned that he is having a discussion with the New Marlborough Land Trust about giving the property to them so that the property can be a natural buffer and conserved. Mr. Ingersoll would like to complete the restoration in the spring since it is getting late in the season. After discussion a motion was made, seconded and so voted to approve the restoration plan with work being done in the spring. The Commission thanked both Mr. Cookson and Mr. Ingersoll for their quick response to the enforcement order.

Next meeting is scheduled for December 12th at 9:30AM.

A motion was made, seconded and so voted to adjourn at 10:35AM.

Respectfully submitted,

Kathy Chretien
Secretary