

Conservation Commission – November 18, 2021 in Zoom/Conference Call Meeting

Members present were Dr. John Schreiber, Co-Chair Chair, Mr. Freddy Friedman, Co-Chair, Mrs. Nanci Worthington, and Mr. Doug Hyde. Others present were Ms. Stockman, Mr. Mike Kulig, Mr. Mike Parsons, and Mr. & Mrs. Charlies Leone, Mr. Jonah Harshbarger, Mr. Allen Isaacson, Ms. Shannon Boomsma, Ms. Tara White, & Ms. Martha Bryan.

Meeting was called to order at 5 PM.

Meeting minutes of October 21st, 2021 were accepted as amended.

Wilkinson: Present for this continued hearing was Mr. Mike Kulig, Berkshire Engineering, Inc. Applicant submitted a NOI for the purpose of construction of a single family house. Property location is 15 Konkapot Road. Mr. Kulig mentioned that they pulled the silt fence in more from the tree line and would like to remove bittersweet. Mr. Kulig also stated that they have increased the erosion control. Mr. Kulig also mentioned that they have added three culverts for the driveway. 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 the following condition of a site visit by the Commission members when work is completed.

New Business:

Klimosky (Berkshire Springs): Present for this hearing was Mr. Mike Kulig, Berkshire Engineering, Inc. Applicant submitted an RDA for the purpose of upgrading the septic system. Property location is 772 Norfolk Road. Mr. Kulig mentioned that the new system would allow up to thirty employees, and footbridge is some in the buffer zone, partially within 100 feet from wetlands. Mr. Kulig also mentioned that erosion will be controlled with silt fence, using bales. Dr. Schreiber said that Mr. Scott McFarland, Board of Health Agent comments recommending that this upgrade is needed since old system has failed recommending that a pump not to be used. Lines under the driveway have the potential of being wrecked with vehicles traveling over. Mrs. Worthington inquired if Mr. Kulig knew how many employees were working now. Mr. Kulig stated no he didn't know. Mrs. Worthington also inquired if the system would freeze. Mr. Kulig stated that he hasn't seen that happen since tanks are insulated. 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 a negative #3 with the following conditions: 1 to 1 native replacement plantings, and use wattle/bales with the silt fence.

Levi: Present for this hearing was Mr. Mike Parsons, Kelly, Granger, Parsons, & Associates Inc. Applicant submitted a RDA for the purpose of replacing a failed septic system. Property location is 170 Adsit Crosby Road. Mr. Parsons mentioned that the current system is under the garage and new system would be by the barn, and the existing tank will be pumped and filled with dirt and the lines removed. Mr. Parsons also mentioned that no work will be done in the riverfront. 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.

Town of New Marlborough: Present for this hearing was Ms. Shannon Boomsma, White Engineering Inc. representing the New Marlborough Highway Department. Applicant submitted a NOI for the purpose of stormwater improvements. Property location is Campbell Falls Road. It was noted that Dr. Schreiber will recuse himself from voting this hearing since he represents the Historical Society which is the co-sponsor. Dr. Schreiber mentioned that the restoration of the 1820-30 era Campbell Falls Rd stone bridge is due to the deteriorated condition that has occurred on both sides of the bridge due to storm water runoff. The State in an inspections in 2017 which passed the bridge but noted significant deficiencies that required urgent attention. Also a recent site visit from Mr. Mark Stinson, DEP Regional Circuit Rider resulted in comments and suggestions from DEP as to how to best improve water quality going into the river and prevent water damage to the bridge. Dr. Schreiber also mentioned that the Historical Society is raising funds to restore the bridge to donate to the Town Campbell Falls Bridge repair fund. Ms. Boomsma mentioned that water is collecting on the bridge as well and with the catch basins to be installed with a perforated pipe running along the inside of the bridge roadway will remove this standing water and prevent further deterioration of stones of the bridge underneath. Storm water runoff will be improved with the catch basins installed so water won't be running directly into the river. Ms. Boomsma also mentioned that straw wattles will be used and two trees are partly dead. Ms. Boomsma went over DEP comments with the Commission. It was noted that no live trees will be removed from along the river and two dead tree roots that are being disturbed will be stabilized. A question from the public asked if there was another way in which the bridge damage and storm water could be controlled instead of catch basins. Dr. Schreiber mentioned that the catch basins were recommended by a nationally recognized stone bridge engineer in a detailed report on bridge restoration and this project will prevent further damage to the bridge as well as improve water quality running into the river since the catch basins will catch sand, dirt, silt, etc. 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 the following conditions: maintenance done for culverts/catch basins and for the Commission to site visit when work is completed.

Leone: Present for this hearing was property owners Mr. & Mrs. Charles Leone. Applicant submitted a RDA for the purpose of removal of six large white pine trees and one dead black birch. Property location is 111 Hillside Avenue. Mr. Leone mentioned that due to recent storms trees are rotten and threaten their home. After a brief 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 conditions: replanting of native trees at least 10 feet tall, Commission to site visit when work is completed, and not to remove tree by dock.

Grassmarket LLC: Present for this continued enforcement was Ms. Emily Stockman, Stockman Associates, Inc. Property location is 0 Konkapot Road. Ms. Stockman stated that three native trees were planted and boulders were placed so that no vehicles can travel on the agricultural road per the Commission request. Ms. Stockman also mentioned that work was also completed

in the buffer zone to stabilize the road. After discussion a motion was made, seconded and so voted to close the enforcement order since all the requirements have been completed.

Harshbarger: Present for this continued enforcement was property owner, Mr. Jonah Harshbarger. Property location is 26/28/30 Mill River Great Barrington Road. Mr. Harshbarger submitted pictures of completed work/plantings for the Commission to review. After a brief discussion a motion was made, seconded and so voted to close this enforcement order since all the requirements have been completed.

Martin: Present for this continued enforcement was Ms. Emily Stockman, Stockman Associates, Inc. Property location is Canaan Valley Cross Rd. Ms. Stockman mentioned that this piece of property is adjacent to Grassmarket that three wells were drilled and not capped which made slurry run off into Grassmarket property. Ms. Stockman also stated that she has been hired by Eastern States Well & Pump to mediate this issue. Ms. Stockman submitted a narrative to the Commission for review and would like the Commission approval for work to begin in which should be completed within two weeks. Ms. Stockman stated all parties have reviewed the narrative - Martin & Grassmarket, and Eastern State. Ms. Stockman mentioned that the slurry is maximum of five inches, and recommends that work be done by hands tools only, the process will be 1st to hand rake, take photos, use hand shovels/trowels to remove slurry in buckets which then will be removed properly from the site. The next step is to cover with native leaves in areas and take photos. When finished the Commission will be contacted for a site visit and to notify Grassmaket. After discussion a motion was made, seconded and so voted to accept the narrative plan with the condition being the Commission visit site while work is occurring and when work is completed.

Ms. Rona Easton was going to appear before the Commission to discuss the FEMA mapping regarding her property but wasn't able to attend the meeting.

The Commission noticed that work had occurred at 234 S. Sandisfield Road that wasn't permitted. Dr. Schreiber & Mr. Friedman spoke with owner and mentioned that any work that occurs within the 200 foot of the river needs to be filed with the Commission and if doing any more work to file a RDA.

Old Business:

Dr. Schreiber and Mr. Hyde attend the DCR (logging) hearing for Petersen – 0 Mill River Great Barrington Road. Dr. Schreiber mentioned that the property owners want to change the use of the property to camping land. It was noted that a RDA needs to be submitted.

The Commission reviewed the mail:

- Forest Cutting Plan – Nolan – Old North Road – 18.69 acres.

Next meeting is scheduled for December 16th at 5PM.

A motion was made, seconded and so voted to adjourn at 6:45 PM.

Respectfully submitted,

Kathy Chretien
Secretary