

## Conservation Commission – February 20, 2021 Conference Call Meeting

Members present were Mr. Freddy Friedman, Chair, Dr. John Schreiber, Vice Chair, Mrs. Nanci Worthington and Mr. Doug Hyde. Others on the conference call were Ms. Nellie Wilson, Mr. Jackson Alberti, Ms. Martha Bryan, Mr. Mick Hilleary and Mr. Mark Carson, Planning Board Chair.

Meeting was called to order at 9:36 AM.

Meeting minutes of January 16<sup>th</sup>, 2021 were accepted as amended.

The certificate of compliance received from White Engineering Inc. for Panitch -1143 Hartsville New Marlborough Rd was continued till April's meeting since the Commission couldn't view site due to all the snow.

Lenherr Hearing: Contractor, Mr. Thomas Lipiczky emailed a request to continue this hearing since Mr. Mike Parsons hasn't be able to complete the BLSF assessment. A motion was made, seconded and so voted to continue this hearing till March meeting.

Carmona/Tatlock: Present for this continued hearing was Representative, Mr. Jackson Alberti, Foresight Land Services, Inc. Property location is 0 Brewer Hill Road. Proposed work is construction of a gravel driveway. Mr. Alberti mentioned that the property is 39 acres, mostly forest land, with 2 intermittent streams, will use silt fence with 12 swales bales, driveway will be 13" wide and 5" side clearing. Mr. Alberti also stated that they will use 1" deep crush gravel. The Commission reviewed the submitted construction plan with Mr. Alberti. After discussion a motion was made, second and so voted to close this hearing. A motion was made, seconded and so voted to approve NOI with the following conditions: engineer on site during construction of driveway, after the fact jurisdiction of house lot/site location as separate proposal, Cons. Comm. able to inspect driveway at any time during construction.

Butler Hearing: Present for this hearing was Ms. Nellie Wilson, Butternut Tree & Land Care Inc. Property location is 33 Mill River Great Barrington Rd. Applicate submitted a RDA for the purpose of removing two trees. Ms. Wilson mentioned that the trees are in poor condition and hanging over the house confirmed by a site visit of the location with Ms. Wilson. 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 with the determination of a negative #3 with the following condition: replanting with native vegetation near riverfront.

McLean/Endacott Hearing: Present for this hearing was Ms. Nellie Wilson, Butternut Tree & Land Care Inc. Property location is 37 Mill River Great Barrington Rd. Applicate submitted a RDA for the purpose of tree removal. Ms. Wilson mentioned that two trees are close to the house and there's one dead elm tree on the bank confirmed by a site visit of the location by the Commission with Ms. Wilson. Dr. Schreiber mentioned that currently the trees are providing canopy shade and if removed would need replanting to provide the shade. 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 with the determination of a negative #3 determination with the following condition: mitigation of canopy loss with replanting native vegetation that provides shade to the river.

McLean/Endacott: Property owners submitted two certificates of compliances for 37 Mill River Great Barrington Rd for prior NOI filed. One NOI filed was for a deck and the other NOI that was filed was for a barn/garage. The Commission completed a site visit for both projects submitted. After a very brief discussion a motion was made, seconded and so voted to approve both certificate of compliances.

Feldman Hearing: Present for this hearing was Mr. Mick Hilleary, Total Habitat. Applicate submitted a RDA for the purpose of a koi pond. Property location is 815 Hartsville New Marlborough Rd. Mr. Hilleary mentioned that no wetlands are close by and pond will not drain into anything. 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 with the determination of a negative #1.

The Commission reviewed the special permit for 53 Lawrence Ave – for a deck- determination (recommendation) is not in the Commission jurisdiction.

The Commission reviewed the special permit for 1093 Clayton Mill River Rd – accessory dwelling (us part of current garage for an apartment). The Commission decide after discussion to not make any recommendations on this special permit at this time till a site visit can occur, since there is concerns about the septic.

The Commission welcomed Mr. Mark Carson to discuss the Berkshire Scenic Mount Act (BMSA). Mrs. Worthington mentioned that the ridge line protection bylaw is developed through the Planning Board and the BMSA is developed through the Commission, which is focused on watershed protection, including town water sources, through erosion control. Mr. Carson mentioned that when developing bylaws you have to consider the property owners as well as time and money that has been invested. Mrs. Worthington will be the contact person for BMSA. Mr. Freddy Friedman mentioned that it would be helpful to hire a consultant to work with both the Planning Board and the Commission in developing the proposed bylaws.

Mr. Carson mentioned that the Planning Board is currently working on a driveway (curb cut) bylaw, with the Highway Superintendent. Once a draft is completed it will be forwarded to the Commission for review and comments. The Commission mentioned that drainage is an issue and causing erosion.

The Commission review FY22 budgets: Conservation Commission Expense & Conservation Commission Clerical. The Commission voted to increase the expense to include zoom costs, education, edoc sign, and consultant. The Commission also voted to increase the clerical salary due to more work needed to be accomplished.

The Commission reviewed the mail:

- Forest cutting plan - Woodburn Farm Preservation Trust – 9 acres – approved.
- Water quality 401 certification – for Lumbert Cross Rd - bridge project – amendment #1.
- Notice of a piece of land being sold with 92.72 acres on Route 57.

Next meeting is scheduled for March 20<sup>th</sup> at 9:30AM.

A motion was made, seconded and so voted to adjourn at 11:40AM.

Respectfully submitted,

Kathy Chretien  
Secretary