

## Conservation Commission – June 26, 2021 in person/Zoom 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 Mr. Todd Wilkinson, Mr. Joe Wilkinson, and Mr. & Mrs. Shawn Fields, Ms. Lenherr, Ms. Boomsma, Mr. Lipiczky, & Mr. Harshbarger, by zoom.

Meeting was called to order at 8:33 AM.

Meeting minutes of May 15<sup>th</sup>, 2021 were accepted as amended.

### New Business:

Koerner Hearing: Ms. Emily Renshaw, of Morgan, Lewis & Bockius LLP, requested to continue hearing till wetlands engineer has completed findings. A motion was made, seconded and so voted to continue the hearing till July meeting.

Lenherr Hearing: Applicant submitted a RDA for the purpose of demolition and removing of wooden structure. Property location is 167 Hartsville Mill River Road. Ms. Lenherr property owner and Mr. Thom Lipiczky, builder was present for this hearing. Ms. Lenherr mentioned that the wooden structure is filled with mold and would like to build on same the same foot print only a bit smaller. Mr. Lipiczky mentioned that Ms. Stockman is preparing a NOI to be submitted, and no septic work will be completed, system has passed title 5, but will need a new well. The Commission mentioned that DEP likes improvements to septic systems near resource area. After discussion a motion was made, seconded to close this hearing. A motion was made, seconded and so vote a positive #1 determination – that requires a filing of a Notice of Intent.

Harshbarger: Mr. Jonah Harshbarger property owner of 26/28/30 Mill River Great Barrington Road was present via zoom to discuss the enforcement order issued for work being done within the 200 feet Riverfront area. The Commission thanked Mr. Harshbarger for hiring and working with an engineer on the plan that was submitted. The Commission reviewed the restoration plan submitted by the engineer. Dr. Schreiber mentioned that the plan submitted was good, and wondered if the driveway could have some improvements to prevent soil runoff. Mr. Harshbarger would like to pave the driveway to be more stable, but said the engineer though it might cause worse runoff and would need to be permitted. Dr. Schreiber recommended that the restoration plan be amended to include the driveway. Mr. Harshbarger mentioned that he is agreeable to amend the plan and add to add the stabilization of the driveway. The Commission inquired the on the area at top of hill by stone way, if the area with include more native vegetation. Mr. Harshbarger mentioned that he has no problem with planting shrubs or trees to assist with the stablization. A motion was made, seconded and so voted to continue this order to July meeting.

Fields Hearing: Applicant submitted a RDA for the purpose of creating a parking area. Property

location is 67 Clayton Mill River Road. Present for this hearing was Mr. & Mrs. Shawn Fields, property owners, and Mr. Joe Wilkinson. Mrs. Fields mentioned that they purchased 71 Clayton Mill River Road which needs an upgraded septic system since current system failed, so they need to the water line and create a parking area. Dr. Schreiber reviewed DEP regulations with the Fields and stated that riverfront area triggers a NOI, especially if the area will alter a resource area. If the redevelopment area has been in use prior to 1996 per CMR 310.5.8.5 A (A-G) sections. Mr. Joe Wilkinson mentioned that the tank is 1500 with chambers to be included. After discussion a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted a positive #1 determination that requires a filing of Notice of Intent.

Golub Hearing: Applicant submitted a RDA for the purpose to eliminate the abrupt drop along with a proposed new culvert. Property location is 0 Rhoades & Bailey Road. Present was Mr. Todd Wilkinson. Mr. Wilkinson mentioned that they are trying to reduce damage to the Mountain area. It was noted that there's a driveway that not jurisdictional, which wouldn't have to be permitted. The Commission reviewed the aerial maps and regulations with Mr. Wilkinson. After discussion a motion was made, seconded to continue this hearing till July meeting to have time for Mrs. Worthington to reach out to DEP for guidance.

Tatlock Hearing: Applicant submitted a NOI for the purpose of demolition portion of existing House and rebuild on same footprint. Property location is 1191 Canaan Southfield Road. Present for this hearing was Ms. Shannon Boomsma, White Engineering Inc. Ms. Boomsma Amend the plan according to DEP comment. After a brief discussion a motion was made, seconded and so voted to close this hearing. A motion was made, seconded to approve this application with White Engineering addendum.

The Commission hired White Engineering Inc., consultant Ms. Shannon Boomsma to assist them with determining if a new driveway installed at 0 Konkapot Road was in a jurisdictional. Ms. Boomsma mentioned that she meet with the abutter property owner and didn't access the property in question, just viewed from public domain (road) and maps. Ms. Boomsma also stated that she noticed a pipe placed, but doesn't know if it was permitted. Area used to be all woods, and the property is up for sale according to a realtor. It was noted that there's one farmer road which is allowed under agriculture, and that there's a vernal pond.

The Commission reviewed the mail:

- Forest Cutting Plan – 0 Mill River Great Barrington Rd – Petersen – unapproved by State Forester.
- NOI – for 14 Norfolk Rd
- RDA – 1093 Clayton Mill River Rd
- Letter form C. Turner in reference to 14 Norfolk Rd.

Next meeting is scheduled for July 17<sup>th</sup> at 8:30AM.

A motion was made, seconded and so voted to adjourn at 10:15AM.

Respectfully submitted,

Kathy Chretien  
Secretary