

Conservation Commission – July 17, 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 Ms. Lenherr, Ms. Boomsma, Mr. Bossi, Mr. & Mrs. Golub, and Ms. Stockman, Mr. & Mrs. Keith Wilkinson & family members of Jamipa Trust, Ms. Reynolds & Mr. Isaacson, by zoom.

Meeting was called to order at 8:31 AM.

Meeting minutes of June 26th, 2021 were accepted as amended.

New Business:

Koe/Noe: The Commission received a request for an extension for an order of conditions for property located at 226 Lake Rd since project work is not yet completed – still working on completing. After reviewing the request a motion was made, seconded and so voted to approve a three year extension for appicate per request.

Jamipa Trust: Applicant submitted a NOI for the purpose of stabilization of steep eroded slope and construction of stair and deck. Property location is 14 Norfolk Rd. Present for this hearing was Ms. Shannon Boomsma, White Engineering, Inc. along with family members of Jamipa Trust. Ms. Boomsma submitted revised plans to the Commission. Ms. Boomsma mentioned that the river has taken down trees due to erosion and that is why the bank needs to be stabilized. Ms. Boomsma also said that no equipment will be used – all work will be done by hand and including erosion control blanket and a complete vegetation of bank with native shrubs will be planted. Ms. Boomsma mentioned all work is above the bank, no work in or by stream, and project work will occur when water is low. The Commission reviewed DEP comments with Ms. Boomsma. After discussion a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted to approve an order of conditions with the following noted: no patio or stairs will be installed with this order of conditions.

Golub Hearing: Applicant submitted a NOI for the purpose of installation of culvert and surfacing of old logging road abutting a perennial stream that the applicant wishes to convert into a driveway for development of a single family house. Property location is 0 Rhoades & Bailey Rd. Present for this hearing was Ms. Boomsma, White Engineering Inc. and Mr. & Mrs. Golub & Mr. Isaacson abutter of the property via zoom. It was noted that there is a large beaver swamp and extensive wetlands across from this property and the old logging road that is within jurisdictional areas of the river front. Dr. Schreiber mentioned that there's an existing driveway that would be better choice for access to the property and it appears to go next to an old foundation suggesting it was the original road into the property. Ms. Boomsma mentioned she didn't see or know that there was another access road to the property. It was noted that there's an old foundation on the property. The Commission suggested that this alternative access road be used to access the property instead of the old logging road that is within 200

feet of perennial stream river front as well as close to other wetlands per Massachusetts Wetland Protection Act regulations 310.53(e). Mr. Golub requested that the Commission reconsider findings. Ms. Boomsma from White Engineering who represented the owner requests the Commission to continue this hearing till the next month meeting to show the Commission the alternative access Road and the location of any other wetland near it. A motion was made, seconded and so voted to continue this hearing till their meeting in August. (Note: that the previous meeting a RDA was submitted and the determination was a positive #1 – that required a NOI to be filed.)

Reynolds Hearing: Applicant submitted a RDA for the purpose of removing a dying tree. Property location is 1093 Clayton Mill River Rd. Present for this hearing was property owner, Ms. Reynolds via zoom. It was noted that a site visit was completed by the Commission. Ms. Reynolds stated that the tree is threatening her garage. The Commission inquired if the stump would be left or removed. Ms. Reynolds mentioned that she wasn't yet sure what was going to occur yet with the stump. 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 determination with the following condition: replanting a native tree with minimum height of 6 feet or more and stump to be left in place.

Wigmore Forest Resource Management Hearing: Applicant submitted a RDA for the purpose of forest harvesting. Property location is 0 Mill River Great Barrington Rd. Present for this hearing was Ms. Mary Wigmore & Mr. Walter Cudnuhosky. Ms. Wigmore mentioned that the proposed work is to harvest 30 plus trees on .6 acres of land. Dr. Schreiber mentioned that tree cutting, gravel being brought in and a new surface being made on the ground being proposed on a portion of the area (approximately half) that jurisdictional since it is within 200 feet of the river front areas. The Commission reviewed the regulations with both representatives. After discussion a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted a determination of a positive #1 – that requires the filing of a NOI since BVW and river front resource area will be altered.

Bossi Hearing: Applicant submitted a RDA for the purpose of renovations of an existing home, remove said garage. Property location is 293 Brewer Hill Rd. Present for this hearing was applicant, Mr. Bossi. Mr. Bossi mentioned that no disturbance will be alter in the 1st 100 feet, removing garage to install 25 x 40 addition and new foundation. After a brief discussion a motion was made, seconded and so voted to close this hearing. A motion was made, seconded and so voted a determination of a positive #1 – that requires the filing of a NOI since BVW resource area will be altered.

Lenherr Hearing: Applicant submitted a NOI for the purpose of redevelop the existing single family home. Property location is 167 Hartsville Mill River Road. Present for this hearing was Ms. Lenherr property owner and Ms. Stockman, Stockman Associates LLC. Ms. Stockman mentioned that since 1996 that what is needed is to show improvement and degraded of 21/2 acres of property. Ms. Stockman also mentioned that some bank erosion has occurred and has plans to use native shrubs and saplings for replanting, and that they are currently 6 inches

under the bank from all of the current rain storms. 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 submitted.

Other Business:

Mr. & Mrs. Keith Wilkinson appeared before the Commission to state they purchased a piece of land on 0 Konkapot Rd that was formerly owned by Feinberg. The Wilkinson's know that the previous owner had a NOI filed and were inquiring if they could use prior plans that were submitted for their submission. The Commission suggest they reach out to Berkshire Engineering Inc. who submitted the prior NOI to make sure the information is still accurate.

The Commission noted that they would like find someone to attend one of their meetings who has experience with GIS to present a primer on its' use.

Old Business:

The Commission received an email from attorney, Mr. Purciloski requesting 21 days to retain a consultant to address matters described in letter sent with the enforcement order issued to Grass Market LLC – 0 Konkapot Rd. The Commission reviewed the email letter and so voted to Approve the 21 day extension and to have a representative attend the next meeting.

The Commission received an email from Mr. & Mrs. Shawn Fields requesting to formally withdrawal the RDA which was submitted at the last meeting. The Commission voted to accept the withdrawal request.

No one was present for Harshbarger enforcement order discussion. A motion was made, seconded and so voted to continue to August meeting

The Commission reviewed the mail:

- MA Audubon - Forest Carbon Market Solution booklet.

Next meeting is scheduled for August 28th at 8AM.

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

Respectfully submitted,

Kathy Chretien
Secretary