

**TOWN OF GREAT BARRINGTON
CONSERVATION COMMISSION MEETING
MINUTES
WEDNESDAY May, 22, 2019
6:30 P.M. – TOWN HALL
334 MAIN STREET**

TOWN CLERK
GREAT BARRINGTON
JUL 5 2019 PM 12:51

Members Present: JEFF COHEN, CHAIR; BILL BOYER, VICE CHAIR; LISA BOZZUTO; ANDREW MANKIN; ANDY DIDIO; KATE VAN OLST & Conservation Agent SHEP EVANS

Members Absent: DAVID SHANAHAN

Discussion and recommendation(s) to the Selectboard regarding a Special Permit Application of Terrence and Terri Coughlin for establishing a B&B on the residential property at 98 Division Street. There is no work being proposed at this time. The building has gone from B&B to residential and is now being returned to Bed and Breakfast. The property falls under the jurisdiction of the commission. **Bill Boyer motioned, Lisa Bozzuto seconded to advise to the Selectboard although the property does have elements within jurisdiction, we do not have objection to the special permit.**

Abbreviated Notice of Resource Area Delineation (ANRAD)(DEP File # 167-0424) from GEI Consultants, Inc. property at 685 South Egremont Road, Map 30 Lot 102. **Continued from 1/23/2019 to 6/26/2019.**

Notice of Intent (DEP File # 167-0427) from the Community Development Corporation of South Berkshire, property located at 100 Bridge Street, Great Barrington. The proposed project includes the redevelopment of the 8 acre former site of the New England Log Homes. Continued from 3/27/2019. **Andrew Mankin motioned, Lisa Bozzuto seconded to close the public hearing. Unanimous Approval. Andrew Mankin motioned, Lisa Bozzuto seconded the application as proposed with the list of conditions that have been drawn up; Unanimous Approval. (Note: Copies of these conditions are available from the Commission.)**

Request for Determination of Applicability under the Berkshire Scenic Mountain Act from Diego Gutierrez of Housatonic Architectural Services for Margaret Brownell, property at 21 Knob Hill Extension, Map 10 Lot 32. The applicant seeks to add a second floor onto an existing building. The architectural drawings were presented, as well as a map of existing trees within 10 feet of the construction site. The elevation of the addition on the garage is 25 feet and the square footage of the accessory dwelling unit is 650 square feet. The Scenic Mountain Act states, "Construction of any building or structure with a footprint in excess of 500 square feet or a height in excess of 20 feet above maximum existing ground elevation... that is an

alteration." The commission acknowledges that a NOI is necessary. The applicant chose to withdraw the Request for Determination and will return with a Notice of Intent.

Notice of Intent under The Berkshire Scenic Mountain Act from Berkshire Engineering on behalf of Len Sitomer & Nancy Yahanda, property off Knob Lane Extension, Map 10 Lot 25. The applicant seeks to construct a single family residential house on an existing unforested site within a mapped Scenic Mountain Region. Continued from April 24, 2019. Berkshire Engineering returned with an extensive planting plan to screen the proposed house and to hide some of the buildings up slope of the property. The removal of apple trees on the site is required to build the single family home. The Commission recommended not to plant Striped Maples. **Andrew Mankin motioned, Lisa Bozzuto seconded to close the public hearing. Unanimous Approval.** **Andrew Mankin motioned, Lisa Bozzuto seconded to approve the plans for NOI as presented with the following conditions, Berkshire Engineering will come back with a plan that has plantings in areas marked A and B, they will have trees that grow to 70 feet in area A and approximately 40 feet for area B, 90% survivability of trees and 75% of survivability of shrubs in 5 years, plan is to be submitted to the satisfaction of the Commission, and standard conditions; Unanimous Approval.**

Review and final acceptance of the Restoration Plan per the Larkin Enforcement Order of 3/04/2016, Mike Parsons of Kelly Granger Parsons & Associates to provide proposed implementation schedule with standard conditions, 5 year monitoring, 75% survival rate of trees planted, 30 day starting date and two growing season implementation schedule. Continued from 11/28/2018. Fence posts will mark the protected wetland area and commences the work on the Restoration Plan. **Andrew Mankin motioned, Lisa Bozzuto seconded to approve the restoration plan presented by Mike Parsons and the project will commence within 30 days and be completed by May 22, 2021 with standard conditions, 5 year monitoring and 75% survival rate of trees, exactly as proposed on the plan dated May 22, 2019; Unanimous Approval.**

Request for Certificate of Compliance from Foresight Land Services on behalf of owner, Stephen Bennett. Mass DEP File 167-0364. Property at 317 Long Pond Road, Map 34 Lot 11A. The Order of Conditions, not yet expired, permitted the installation of a seasonal dock and construction of an adjacent pavilion. **Andrew Mankin motioned, Lisa Bozzuto seconded to approve the Certificate of Compliance without the pavilion; Unanimous Approval.**

Signing Extension Permit for Order of Conditions DEP #167-399 at 79 Bridge Street subject to protection of a large Oak tree, and satisfying Mass NHESP. **Signed MAY/22/2019.**

Review of Restoration Planting Plan from Hannah White of Creative Building Solutions and Mike Parsons of Kelly Granger Parsons & Associates for David McDonald and Nina Echegaray , property at 166 Castle Hill Avenue, Map 32 Lot 84. The original restoration plan by Bridghe McCracken dated 2014 was begun but never completed. Planting was never done. The new plantings will be done within the next 6 months. **Andy motioned, Lisa Bozzuto seconded to approve the restoration plan as developed by Hannah White of Creative Building Solutions on behalf of David McDonald and Nina Echegaray to supersede the previously approved restoration plan to be implemented within 6 months of the date of approval with Standard Conditions, 75% survival rate, and 5 year monitoring period; Unanimous Approval.** The Commission will send a letter to the Planning Board to the effect that 'the applicants have appeared before the commission and submitted a Restoration Plan that has been accepted by the Commission and which is expected to be completed by 6 months. Contingent on completion, the Commission has no objection to the issuance of a Special Permit on the property.'

Discussion of Commission follow-up on Orders of Condition and Enforcement Orders.

Andrew Mankin motioned and Bill Boyer seconded to continue the public hearing until May 9, 2019 @ 4; Unanimous Approval

Citizen Speak: None

Commissioners Speak:

- Kate VanOlst suggested that the applicant and the presenter to the commission have a form that references their professional arrangement.
- Shep Evans will work on putting together a list of all outstanding Orders of Conditions and Enforcement Orders from the last 5 years with priority on Enforcement Orders.

Approval of Minutes: April 24, 2019 continued to June 26, 2019 meeting.

Adjournment: Jeff Cohen called for a motion to adjourn, Andrew motioned and Lisa Bozzuto seconded to adjourn; Unanimous Approval.

Respectfully submitted,
Chris Wiltshire

Recording Secretary



page 3 of 3