

GREAT BARRINGTON CONSERVATION COMMISSION

Wednesday, October 27, 2021

Call to Order: Chairwoman Van Olst opened the meeting at 6:31pm. Those present via zoom: Andrew Didio, Michael Lanoue, Andrew Mankin, David Shanahan, Kate Van Olst. Conservation Agent, Shep Evans.

1. **Notice of Intent (DEP File # 167-0440)** from S-K Design Group on behalf of Allegrone Construction Co. property is at 78 Christian Hill Road. The proposed work consists of construction of a single family house with garage, driveway and associated site work within the 100 ft. buffer zone of a Bordering Vegetated Wetland. Continued from July 28, 2021.
Jim Scalise and Haley Puntin of S-K Design Group presented on changes to the Notice of Intent requested by the Conservation Commission requiring a 15-foot non-disturbance zone and maintenance/restoration of the area.
Mankin made a motion to approve the Notice of Intent as presented with two conditions: 1) the work is to be conducted early spring/planting season/September; 2) Drainage is to be extended to the property line approximately 85 feet; **Lanoue seconded**. Roll call vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan, "aye," Van Olst, "aye." All in favor, 5-0.
2. **Notice of Intent (DEP File # 167-0436)** from Foresight Land Services on behalf of Leonard Felson & Julia Rosenblum. The property is at 56 River Street. The proposed work consists of stabilizing a section of Housatonic Riverbank and related site work including planting native species. At the applicants' request, continued to November (date tbd), 2021.
Evans reported this matter has been continued for months while Foresight replied to National Heritage about the property line and ownership of the river. Foresight has all the information and will submit it for the next meeting.
Mankin made a motion to continue the public hearing until the Conservation Commission's November meeting; **Lanoue seconded**. Roll call vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan, "aye," Van Olst, "aye." All in favor, 5-0.
3. **Request for Determination of Applicability** from Stockman Associates on behalf of Mark Smith Design, Inc. Property at #11 & #13 Laurel Street. The proposed work consists of constructing a 333 sq. ft. addition onto an existing single family house at #11 Laurel Street. The applicant is seeking a Negative Determination #1 (i.e. - that the site of the work is not jurisdictional).
Emily Stockman, Stockman Associates, presented the RDA on behalf of Mark Smith Design re: the wetland and streams complex on the property which under state regulations/criteria require protection. She requested a negative determination as not jurisdictional and confirmation of the northern boundary as accurate. It was confirmed the RDA was filed at the client's request.
Mankin made a motion for a negative #1 and a positive #2A for wetland delineation of flags 1-11; **Lanoue seconded**. Roll call vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan, "aye," Van Olst, "aye." All in favor, 5-0.

Added agenda item – Stockman provided an update on the Enforcement Order in response to the 518 Egremont Road restoration plan for Moses Clark LLC. She stated there has been significant progress on restoration, but additional time is needed due to weather. She requested an extension of the permit to June 30, 2022.

Van Olst stated her place of employment is an abutter, but it posed no conflicts.

The Commissioners discussed concerns about communication between property owners and agreed to extend the timeline just so there is cooperation and progress being made.

Mankin made a motion to issue an extension for the restoration enforcement order until the Conservation Commission's June 2022 meeting and an update on the progress made by the two landowners re: restoring violations on the properties must be submitted by the Commission's December 2021 meeting; **Lanoue seconded**. Roll call vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan, "aye," Van Olst, "aye." All in favor, 5-0.

4. **Request for Determination of Applicability** from Sean Van Deusen for the Town of Great Barrington., property at 45 Lake Mansfield Road. The proposed work consists of installing 5 new pieces of playground equipment in the buffer zone adjacent to Lake Mansfield.
Evans stated the Town would like to install five pieces of donated playground equipment in the playground area - which is close to the buffer zone and so requires an RDA. He noted there will be no excavation.
Mankin made a motion to approve the Town's application for the installation of five pieces of playground equipment; **Lanoue seconded**. Roll call vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan, "aye," Van Olst, "aye." All in favor, 5-0.

5. Citizen Speak Time / Commission Speak Time

Darra Happ, 154 Castle Hill Avenue asked about the site visit to 160 Castle Hill Avenue - Evans replied it did not occur due to another urgent situation, but will be rescheduled.

Evans reported that an Enforcement Order and a violation of wetland bylaws had occurred at 74 Stockbridge Road and a citation was issued/paid. He asked the commission members to sign the Enforcement Order. The Commissioners asked Evans to follow up with the building inspector re: whether a permit is necessary.

6. **Approval of minutes** of the June, July, August and September 2021 meetings.
Evans reported there is a new recording secretary and minutes for past meetings are being prepared for Commissioners' review/approval.

Van Olst confirmed meeting schedule for remainder of 2021 – November 17 and December 15.

8. **Adjournment - Mankin made a motion** to adjourn the meeting of the Conservation Commission; **Shanahan seconded**. Roll Call Vote: Didio, "aye," Lanoue, "aye," Mankin, "aye," Shanahan "aye," Van Olst, "aye." All in Favor, 5-0.
Chairwoman Van Olst adjourned the meeting by unanimous consent at 7:40pm.

Respectfully submitted,

Stacy Ostrow
Recording Clerk