

## GREAT BARRINGTON CONSERVATION COMMISSION

Wednesday, July 13, 2022

**Call to Order:** Chairwoman Van Olst opened the meeting via Zoom at 6:42pm. Roll call: Andy Didio, “aye,” Tom Ferris, “aye,” Michael Lanoue, “aye,” Andrew Mankin, “aye,” Kate Van Olst, “aye.”

Absent: David Shanahan.

Also present: Conservation Agent, Shep Evans.

**Public Meeting: The Commission is holding this public meeting to consider Requests for Determination of Applicability (RDAs) under the Mass Wetlands Protection Act, the Great Barrington Wetland Bylaw or the Berkshire Scenic Mountains Act as follows:**

An RDA under Scenic Mountain Act Regulations from Kelly Granger Parsons & Associates on behalf of Steven Yang, property located at #15 & #17 East Mountain Road. The proposed work includes conversion of a pre-existing +/- 1,000 ft. woods road into a standard driveway and constructing a home with associated clearing, and well, septic and utility installation.

Evans stated he spoke to Mike Parson’s office and presenting tonight was optional – as this would be continued subject to a site visit. He noted this is under the Scenic Mountain Act and for the Commissioners to decide if there should be an NOI or just an RDA. The Commissioners discussed the need for an NOI, architectural drawings and perhaps a balloon study depending on what can be seen. They discussed the importance of seeing the tree clearing area and noted the standard under the regulations on visual impact is substantial alteration and visibility from public surroundings. They agreed extensive plans will need to be provided. It was stated the areas of clearing cannot be flagged yet – as there is no plan since it is related to the question about the NOI. The matter was continued to July 27, 2022 at 6:30pm. The site visit was scheduled for July 21 at 4:30pm.

**Public Hearings: The Great Barrington Conservation Commission is holding these public hearings to consider Notices of Intent (NOIs) under the Mass Wetlands Protection Act, the Great Barrington Wetland Bylaw or the Berkshire Scenic Mountains Act as follows:**

- 1) An NOI, DEP File# 167-0448, from DPC Engineering , LLC on behalf of the Town of Great Barrington, property off Main Street; Conversion of one wet-pit / dry-pit pump station into a submersible pump station and establishment of compensatory flood storage. Continued from May 25, 2022.

**Mankin made a motion** to open the public hearing; **Lanoue seconded**. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0  
Jeremy Bourque, DPC Engineering, stated he was still awaiting a determination from Natural Heritage on the compensatory storage area. He stated a botanist surveyed the area and found no threatened species. Bourque described shrubs/native plantings planned for two areas near the elevated compensatory storage site. It was confirmed there would be erosion controls for the riverbank and it would be restabilized/revegetated after construction. The Commissioners requested a planting plan and methods of invasive species control be provided with the expectation of a five-year success rate for plantings and multiple year invasive control. The Commissioners expressed concern about sensitive areas along the riverbank and proper erosion controls prior, during and after construction. It was further required that stockpiling of materials be outside of the flood plain and to have erosion controls at that location. Bourque stated there would be an erosion control plan for the entire project to guide the contractor.

**Mankin made a motion** to continue the public hearing to the July 27, 2022 at 6:30pm; **Lanoue seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0

- 2) An NOI, DEP File # 167-044X, from Stockman Associates on behalf of Tina & Danielle Emlaw, property at 329 State Road. The proposed project is for the renovation of a single family residence, inside and out, while protecting and enhancing valuable inland wetland resource areas.

**Mankin made a motion** to open the public hearing; **Lanoue seconded**. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0.

Emily Stockman, Stockman Associates, presented and applicant Tina Emlaw was in attendance. Stockman stated this property is two acres comprised of all five protected inland resource areas. She shared a plan depicting the footprint and areas to be restored - and reviewed an improvement plan for the riverfront and BVW including scaling back encroachment on the BVW and reducing mowing/backyard area. Stockman noted work in the BVW/riverfront would have erosion controls, add plantings and not alter natural vegetation. She stated any stockpiling and new construction would be close to State Road and the paved/garage area. It was confirmed there is a planting plan for the brook/no mow area and that the no mow area would be monitored for invasives and appropriately controlled. The Commissioners agreed the plan was comprehensive and improved resource protection. It was noted there is a damaged drainage pipe that is the responsibility of MassDOT.

**Mankin made a motion** to close the public hearing; **Didio seconded**. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0.

**Mankin made a motion** to approve the NOI as presented with standard conditions and one special condition to manually remove invasive plant species that may appear in the fenced lawn area behind the house; **Didio seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0.

**Discussion: The Commission will discuss various items of interest or concern:**

1. A draft letter summarizing the Commission’s November 29, 2021 site visit to several properties within the mapped Scenic Mountain Area along Castle Hill Ave. Continued from May 25, 2022. Mankin recused from the discussion.  
The Commissioners unanimously approved the letter as written with no revisions and Evans will mail it.

**Approval of minutes: Mankin made a motion** to approve the minutes of June 23, 2021; Sept 22, 2021; Oct 27, 2021; Nov 17, 2021; Jan 26, 2022; Feb 23 2022; March 23, 2022; April 27, 2022 and May 25, 2022 ; **Didio seconded**. Van Olst asked if any discussion – there was none. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Van Olst, “aye.” All in favor: 5-0.

**Citizen Speak Time / Commission Speak Time – None**

Evans stated there would be four site visits on July 21 and he would send details to the Commissioners.

**ADJOURN** – Mankin made a motion to adjourn; Ferris seconded. The meeting was adjourned by unanimous consent at 7:45pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk