

GREAT BARRINGTON CONSERVATION COMMISSION  
Wednesday, August 24, 2022

**Call to Order:** Chairwoman Van Olst opened the meeting at 6:34pm. Those present via zoom: Andy Didio, “aye,” Tom Ferris, “aye,” Michael Lanoue, “aye,” Andrew Mankin, “aye,” David Shanahan, “aye,” Kate Van Olst, “aye.”

Also present: Conservation Agent, Shep Evans

**Public Meeting:** The Commission is holding this public meeting to consider a Restoration Plan submitted by Stockman Associates, LLC on behalf of Toni Bergins, dba Xicoh Ten Catl restaurant, property located at 50 Stockbridge Road. The Restoration Plan is presented in response to an Enforcement Order issued by the Conservation Commission on May 9, 2022 wherein the property owner was ordered to have the area of the regraded parking lot within the Riverfront Resource Area of Thomas & Palmer Brook assessed by a wetland professional and to present and implement a plan to restore the impacted Riverfront Area.

Emily Stockman, Stockman Associates, presented the restoration plan for 50 Stockbridge Road noting the area of violation/unpermitted activity is within a protected resource area/riverfront in the rear behind the restaurant and parking area. The assessment revealed an area of exposed/scraped soil, stockpiled materials and dominant Japanese knotweed. She outlined the proposed restoration plan which would involve machinery/excavator in the disturbed area to remove all stockpiled, scraped soil and root/rhizomes of invasive plant materials to be disposed of off-site. She stated the area will be returned to preexisting grades - clean subsoils will be brought in and subgrades graded out to encourage sheet flow – topsoil, native seed mix and straw mulch will then be added. She also noted the use of biodegradable straw wattles for erosion control.

- It was confirmed that the straw wattles are usually removed, but will stay in place until the site is stabilized/vegetated and inspected. Didio asked that erosion controls be maintained and replaced if they decay or move out of place prior to 85% vegetative cover in disturbed areas.
- It was noted that knotweed is difficult to control/eliminate, but best efforts are being made in order to allow for new vegetation to establish.
- Shanahan raised, and the Commissioners discussed, how invasives are disposed of – stressing the importance of specifying how/where this will happen. It was noted that go forward, providing disposal information can be a regular condition.
- Mankin asked about survivability of vegetation – it was clarified that coordinated monitoring would occur and that a month after completion, a report and photo would be submitted to show establishment and percent coverage. In addition, the area would be reviewed by May 2023 to document vegetation following winter months. It was noted that any bare spots would be reseeded.

**Didio made a motion** to approve the restoration plan with the following amendments to be submitted to the Conservation Agent prior to the start of work – erosion control measures remain in place and be reestablished until 85% vegetative cover of the restoration area is achieved and – a designated invasive species disposal area be identified as part of the corrective action plan; **Mankin seconded.** Van Olst asked if any additional discussion – there was none. Roll call vote: Didio, “aye,” Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 6-0.

- It was agreed that Stockman should update the restoration plan with the amendments, so a certificate of acceptance can be issued and Stockman confirmed the revised plan would be submitted Friday.

**Citizen Speak Time / Commission Speak Time**

- Mankin asked about the Department of Health's requirement regarding glyphosate – Evans stated it applies to Town-owned property and requires the use of glyphosate be limited to application by licensed applicators. It was confirmed that for all Conservation Commission decisions within its jurisdictional area, a licensed applicator is required.
- Ferris asked for clarification on the violation and invasive management at 50 Stockbridge Road - it was discussed that soil disturbance invites invasives and it is important to give vegetation a chance to establish or invasives will take over.
- Mankin proposed an informal gathering of the Commissioners at the Brewery – date TBD.

**Adjourn** – Shanahan made a motion to adjourn; **Mankin** seconded. The meeting was adjourned by unanimous consent at 7:14pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk