

GREAT BARRINGTON CONSERVATION COMMISSION
Wednesday, September 28, 2022

Call to Order: Chairwoman Van Olst opened the meeting at 6:32pm. Those present via Zoom: Tom Ferris, “aye,” Michael Lanoue, “aye,” Andrew Mankin, “aye,” David Shanahan, “aye,” Kate Van Olst, “aye.”
Absent: Andy Didio
Also present: Conservation Agent, Shep Evans

Public Meeting: The Commission is holding this public meeting to consider a Request for Determination of Applicability from Conor Clark on behalf of Andrew and Margaret Morse, property located at 1 Butternut Lane. The proposed work includes regrading, spreading new topsoil and planting new lawn within an existing fenced area.

Mankin stated this involves an intermittent stream with a steep slope – the property owner is requesting to scrape off the bank and plant grass seed. The area requires a planting plan to reestablish/stabilize the buffer zone with 20-25 feet of native bushes and potentially planting grass for the rest of the area. Mankin suggested the owners consult with an expert re: native plantings and come back to the Commission with a planting plan. It was confirmed the slope is very steep and covered with poison ivy and sumac. The Commissioners discussed mowing the area in the short-term vs leaving vegetation as is until there is a planting plan – and the expertise/controls that might be required to ensure the work is done properly. Evans stated he would explain the Commission’s concerns to the owners/horticultural consultants.

Mankin made a motion to continue the Request for Determination to October 28 and to present a planting plan; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Public Hearing: The Commission will hold a Public Hearing on a Notice of Intent DEP File # 167-0451 from Foresight Land Services on behalf of Berkshire Mountain Bakery. Property at 367 Park Street. The proposed work consists of a 30’ X 14’ expansion of the existing outdoor walk-in freezer to be mounted on steel piers above ground.

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

Marc Volk, Foresight Land Services, presented the request for a proposed freezer addition, part of which is in the riverfront area, which will be built on piers above an existing gravel driveway that was previously permitted in 2011 as a carport – though was not built. Volk noted straw bales and plastic fencing will be used for erosion control. Van Olst confirmed there will be helical piers with steel support 2.5-feet above the gravel surface, no heavy equipment is required and the work is not in a floodplain. Mankin stated there should not be any mowing in the riverfront area. Evans stated there should be a vote/close out on the Certificate of Compliance issued in 2011 for a sunroom, the existing freezer and a carport. There is a request for a Certificate of Compliance from Foresight that requires approval, signatures and recording before the new Order of Conditions for this project is recorded. Mankin asked for public comment – there was none

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

Mankin made a motion to approve the Certificate of Compliance for permit 356; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Mankin made a motion to approve the Order of Conditions for the Notice of Intent as presented with standard and special conditions for Berkshire Mountain Bakery; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Continuation of Public Hearing: The Commission will continue the Public Hearing on Notice of Intent DEP File # 167-0436 from Foresight Land Services on behalf of Leonard Felson & Julia Rosenblum, property located at 56 River Street. The hearing was continued from 12/9/2020 to 2/23/2022 while details of property boundaries and bank stabilization techniques were finalized to the satisfaction of the DFW Natural Heritage Program.

Evans stated this is a small house on a narrow, deep lot extending to the river on River Street. He stated it is a narrow, steep riverbank that has debris that the owner proposed to clean up, stabilize and plant – and a Notice of Intent was filed. Evans noted questions were raised by Natural Heritage and the DEP regarding property records, ownership, boundaries, etc. The Conservation Commission had continued the matter – these questions have now been resolved and there is a design/plan for planting and erosion control to clean up and revegetate the bank. The request is for the Commission to issue an Order of Conditions. Evans confirmed conditions on the property have not changed.

Mankin made a motion to approve the Order of Conditions for the Notice of Intent as presented with standard conditions for 56 River Street; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Jess Toro of Native Habitat Restoration will discuss project suggestions for the next round of CPA funding.

Toro provided background on successful invasive control efforts for the McAlister Wildlife Refuge property and an opportunity for additional grant funding. She asked for Commission input on two upcoming grant opportunities – DCR Forest Health application for work/improvements along the stream and adjacent areas and CPA funding for next year starting July 2023 to replant forest and stream areas adding 100 additional trees for shade and soil control to aid in maintaining long-term resilience/adaptation to climate change. The Commissioners were supportive of the work and requested a site visit – it was scheduled for Thursday, October 13 at 4:00pm.

Mankin made a motion to approve Jess Toro to proceed with the DCR FY23 grant application; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Mankin made a motion to approve Jess Toro to proceed with an application for a CPA FY24 grant; **Shanahan seconded**. Van Olst asked if any additional discussion – there was none. Roll call vote: Ferris, “aye,” Lanoue, “aye,” Mankin, “aye,” Shanahan, “aye,” Van Olst, “aye.” All in favor: 5-0.

Van Olst asked Toro about a request received by the Commission regarding removing dead ash trees from the property. Toro stated if they could cause damage to trails or people they should be taken down – and she stated it can depend on density. She suggested involving the Tree Warden, Michael Peretti and Peter Tucker who wrote the forest management plan. Evans stated he would reach out to Peretti and Tucker.

Citizen Speak Time / Commission Speak Time – there was none

The Commissioners confirmed they would have a get together at Barrington Brewery on October 19 at 5:00pm.

Adjourn – **Lanoue made a motion** to adjourn; **Ferris seconded**. The meeting was adjourned by unanimous consent at 7:35pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk