

**TOWN OF SHEFFIELD  
CONSERVATION COMMISSION  
AUGUST 12, 2019  
FIRST FLOOR MEETING ROOM  
7:00 PM**

Commission Members Present: Theodore Pitman, Chairman  
Donald Ward, III, Vice Chairman  
Arthur Batacchi, Jr  
Cheryl Blackburn  
Martin Mitsoff

Others Present: Renee LeClair, Commission Clerk  
Members of the public (see sign in sheet)

Chairman Pitman called the meeting to Order at 7:00 p.m.

**Public Hearing: Request for Determination of Applicability, filed by Shirley Smithberg for property on S Undermountain Rd, Sheffield, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to gather information regarding the proposed project: A dock that has been in place since prior to 1988 (the time the applicant bought the property). On information and belief, the dock has been in place since the 1950's. The dock is approximately 16' x 5'. No work is occurring.** Chairman Pitman welcomed Michael Citrin who is representing Shirley Smithberg. Michael said that the buyer would like to confirm that this is a legally compliant dock. He said this application was the only way to confirm this. A discussion ensued. **M. Mitsoff motioned, with a second from A. Batacchi Jr. that we have a negative finding on the request for determination applicability for the dock at 204 South Undermountain Road that abuts the pond. The motion passed 5-0.**

**Public Hearing: Request for Determination of Applicability, filed by Donald Roeder for property on S Undermountain Rd , Sheffield, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to gather information regarding the proposed project: To install a 4' x 8' floating dock that will be used for access to the lake. There are two retractable posts, about 2-3 inches in diameter that are "augured" in at the beginning of the season, and can be removed before the ice-in in the winter, so the dock can be hauled out at that time. The dock floats on two large Styrofoam floats. The shore side will need to be secured to the bank by additional metal pipes.** Chairman Pitman briefly explained the site and that the only impact the dock may have on the area would be the removal of some invasive plants from the shore near the potential placement of the dock. M. Mitsoff listed the invasive plants from the request. A discussion ensued. **M. Mitsoff motioned, with a second from A. Batacchi Jr. that we have a negative finding on the request for determination applicability for the floating dock at 216 South Undermountain Road that abuts the pond. The motion passed 5-0.**

**Discussion and possible action on request for a driveway extension at 1296 Ashley Falls Road.** Chairman Pitman welcomed the Margolis's, owners of the property. Scott is here today to ask if he will need to do an amendment to his current project, a large invasive clearing alongside the KonKopot River in their wetlands. He said that his project is about sixty percent finished with the help of Emily Stockman of Stockman Associates. Scott explained that Emily advised him to ask the Commission whether an extension of the drive way could be or is permitted. Scott showed the Commission photos of the area and explained that he would landscape the area shown in exchange for the land he will use in

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order to extent the driveway. A discussion ensued. D. Ward suggested that Scott submit a Request for Determination of Applicability or revise the Notice of Intent that he already has in place to show this change. D. Ward suggested that Scott consult with his wetland scientist, Emily Stockman to get advice on how to revise the NOI to show this small change.

**Public Hearing: Request for Determination of Applicability, filed by Robert Cohen for property on 700 South Main St. Sheffield, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to gather information regarding the proposed project, to renovate and add a 4,000 square foot addition to the south side of the existing structure while maintaining the 50 ft. buffer from the designated wetlands. The intention of the applicant will be discussed in compliance with the Massachusetts Wetlands Protection Act. Robert Cohen and his associates explained their plan for the building. A discussion ensued. Robert Cohen told the Commission that the business is just manufacturing so there is no need for an abundance of parking. D. Ward said that as long as they do not move off the filled area as proposed there will be no wetland issues. D. Ward motioned, with a second from M. Mitsoff for a negative determination on this request for the project at 700 South Main Street with the conditions that there be construction control and they keep the Town informed of work being done. The motion passed 5-0.**

**Public Hearing: Request for Determination of Applicability, filed by BCWC LLC. for property on 136 Kellogg Rd , Sheffield, in accordance with the provisions of M.G.L. Chapter 131, sec. 40. The purpose of the hearing is to gather information regarding the proposed project: The removal of dying and dangerous trees located around the headland road of an actively farmed field. Trees along the woods edge are covered with invasive plants. This gave rise to a number of dangerous and dead trees. A crop protection fence was installed along the field's edge. Chairman Pitman and D. Ward explained the site of the project. A discussion ensued. Jon showed the Commission the site plan and explained that there is no erosion, no pollution, and no significant change in the wildlife habitat since the land has been historically farmed for decades. Jon concluded by stating the trees are very dangerous for people working in that area and the security equipment that is already in place. A discussion ensued. M. Mitsoff motioned, with a second from C. Blackburn that we have a negative finding on the request for determination applicability by BCWC LLC for property on 136 Kellogg Rd. The motion passed 5-0.**

**Review of Forest Cutting Plans:** No forest cutting plans to review.

**Approval of Minutes:** No minutes were presented from the clerk for review.

**Upcoming Conferences and Mail:** There was no mail to discuss.

Chairman Pitman explained to the Commission that he approved a beaver permit for a property that was having issues with their septic system due to flooding. A discussion ensued. The Commission members were all in agreement that this was a necessary action.

**Public Inquiries:** No public comment.

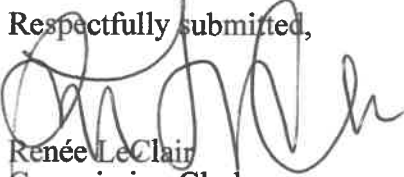
**Adjournment:** There being no further business before the Commission this evening.

*A. Batacchi Jr. motioned, with a second from M. Mitsoff to adjourn the meeting. The motion passed 5-0.*

The meeting adjourned at 7:49 p.m.

The following documents were reviewed during the Commission's meeting and have been retained as required by the Massachusetts Public Retention Policy: Meeting agenda and Sign in sheet.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Renée LeClair', written over the typed name.

Renée LeClair  
Commission Clerk

# Sheffield Conservation Commission

Date: August 12, 2019

PLEASE PRINT: Your Name

Street, Town

1. SCOTT MARLOW Ashley Falls Rd Ashley Falls
2. MICHAEL CITRIN, ESQ GREAT BARRINGTON
3. Sandra Preston Sheffield Plain, Sheffield
4. Maura Stanton Summer St, Lee MA
5. William Stanton Summer St, Lee MA
6. Jon Prosser Great Barrington Rd LEE
7. Robert Cohen County Rd, Sheffield
8. Donald Roeder Ashley Falls
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