

**TOWN OF SHEFFIELD  
CONSERVATION COMMISSION  
AUGUST 26, 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, Conservation Commission Clerk  
Members of the public (see sign in sheet)

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

Arthur Batacchi, Jr entered the room at 7:05pm

**Request for Determination of Applicability: filed by James Waldman and Sarah Williams for property on 340 Bow Wow Road, 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 dig around one corner house in order to repair foundation drains.** Chairman Pitman stated that the Commission visited the site today and that as long as the work stays close to the roadside he feels that there will be no problems. A discussion ensued. **M. Mitsoff motioned, with a second from C. Blackburn that we have a negative finding on the request for determination of applicability for 340 Bow Wow Road foundation improvements. The motion passed 5-0.**

**Request for Determination of Applicability: filed by White Engineering Inc. for property on Rannapo 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: Construction of a garage on north side of house. Garage will be constructed greater than 50 ft. from the Bordering Vegetated Wetland. Driveway surface will be gravel. Silt fence will serve as the limit of work area and tree removal.** A discussion ensued. **T. Pitman motioned, with a second from M. Mitsoff to continue this hearing until the September 9, 2019 meeting. The motion passed 5-0.**

**Discussion and possible action regarding enforcement order for property at 1448 South Undermountain Road:** Benjamin Naylor reviewed the recently revised Resource Area Restoration Plan and Planting Plan with the Commission. Both plans have been prepared by Benjamin's company Berkshire Engineering, Inc. and are dated 7/19/2019. A discussion ensued. Emily Stockman of Stockman Associates LLC, the Commissions hired consultant, stated that she thought it would be most beneficial for Berkshire Engineering to submit the final revised plans to the Commission and Natural Heritage & Endangered Species Program prior to the Commissions next September 9, 2019 meeting. After approval of the Commission and the involved state entities implementation of the restoration work could begin this fall. Emily stated that timing is strongly governed by what NHESP has to say about the plans. Benjamin stated that he would be happy to revise the plans based off of Emily's and the Commissions further discussion today. D. Ward asked if this would be realistic. Benjamin stated that it wouldn't take too long to make the revisions on the plans. D. Ward summarized where the discussion was at this point for the

public. A discussion ensued. Emily reviewed her submitted comments dated August 24, 2019 regarding the Enforcement Order with the Commission one by one. A discussion ensued. It was decided that Benjamin would submit his revised plans to the state entities involved along with the Commission before the September 9, 2019 meeting in hopes that everyone involved would have time to review. **M. Mitsoff motioned, with a second from C. Blackburn that we table this discussion between our consultant and Berkshire Engineering with the prospect of the submission of Berkshire Engineering's revised plans to NHESP & ACEC. The motion passed 5-0.**

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

**Approval of Minutes:** The Commission reviewed the draft meeting minutes from July 8, 22, August 12, 2019. **D. Ward motioned with a second from T.Pitman to accept the July 8, 2019 minutes as written. The motion passed 4-0 A.Batacchi, abstained from the vote.**

**M. Mitsoff motioned with a second from T.Pitman to accept the July 22, 2019 minutes as written. The motion passed 3 -0. C.Blackburn and D. Ward abstained from the vote.**

**M. Mitsoff motioned with a second from C.Blackburn to accept the August 12, 2019 minutes as written. The motion passed 5-0.**

**Upcoming Conferences and Mail:** Chairman Pitman stated that he will be going to a tour of the forest conference on the 28<sup>th</sup> at the Harvard School for forestry.

Sheffield Zoning Board of Appeals Notice of Public Hearing for Jeremiah Cronin for an Administrative Appeal, to Appeal the Decision of the Building Inspector issued on July 25, 2019 to deny a building permit for a property located at 6 Redwood Lane, Berkshire Lake Estates.

Sheffield Zoning Board of Appeals Notice of Public Hearing Concerning the application of Berkshire Welco, LLC for a Variance for relief of Section 3.1.3-D-32 & 9.2.2-2 of the Town's Zoning Bylaws to expand commercial uses; principal use #32 Retail store, provided all items for sale are manufactured on site un a general business district by-right use, to include a retail store, no exceptions.

**Public Inquiries:** A resident and business owner of Sheffield asked the commission about a stream that is on their property. The resident asked how they would go about determining if the stream on their property is intermittent or perennial. A discussion ensued.

D. Ward mentioned that Rene Wendell a Land Steward from the Nature Conservancy had offered some help getting going on writing up some Bylaws for the Scenic Mountains Act in Sheffield.

D.Ward asked the clerk about the Beaver Permit form for the Town that they had been discussing via email. The clerk stated she would bring the form to the next meeting for discussion.

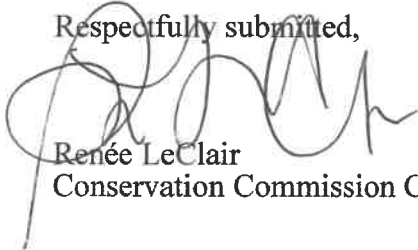
T. Pitman mentioned that he left a voicemail for Nancy Putman from ACEC. A discussion ensued.

**Adjournment:** There being no further business before the Commission this evening.  
**C. Blackburn motioned, with a second from A. Batacchi Jr. to adjourn the meeting. The motion passed 5-0.**

The meeting adjourned at 8:39 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, Sign in sheet, Meeting Minutes, Notices from the Sheffield Zoning Board, Resource Area Restoration Plan and Planting Plan Berkshire Engineering, Inc. dated 7/19/2019, Emily Stockman of Stockman Associates LLC comments dated 8/24/2019.

Respectfully submitted,



Renée LeClair  
Conservation Commission Clerk

## Sheffield Conservation Commission

Date: August 26, 2019

PLEASE PRINT: Your Name

Street, Town

1. Sarah Williams 340 BowWow
2. Jim Waldman 340 BowWow
3. Benjamin Naylor / Berkshire Engineering 1448 S Undermountain Rd
4. Glenn Garret For Barron St St. Peter
5. Michael Rothstein 864 S. Undermta. Rd.
6. David Boho tem 21
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