

**TOWN OF SHEFFIELD  
CONSERVATION COMMISSION  
October 19, 2020  
VIRTUAL MEETING  
5:00 PM**

Commission Members Present:    Ted Pitman, Chairman  
   Don Ward, III, Vice Chairman  
   Cheryl Blackburn  
   Martin Mitsoff  
   Art Batacchi

Others Present:                        Brian Butler, Elizabeth Goodman, Emily Stockman,  
   Peter Ligas, Shep Evans, Sarah Williams

Chairman T. Pitman called the meeting to order at 5:00 PM. Commission heard update on the Enforcement Order for 1448 S. Undermountain Road. B. Butler of Oxbow Associates, for the owner, discussed berm and restoration plans for the wetlands / bordering vegetated wetlands violations, including removal of berm from impact wetlands to form new berm area, fauna-friendly applications to reduce erosion, and plantings to be undertaken in Spring 2021, with E. Stockman for the Commission indicating general approval of the plans. E. Stockman will review Oxbow's submission to NHESP. M. Mitsoff made a motion to approve B. Butler as wetlands scientist for the restoration work, seconded by T. Pitman, with five votes in favor. M. Mitsoff made a motion to approve the October 15, 2020 Oxbow letter detailing the restoration work, subject to the Commission's ability to impose additional obligations and monitoring requirements pursuant to its Enforcement Order, seconded by A. Batacchi with five votes in favor. No further action on this matter was taken.

S. Williams, for the Mill Pond Association, requested a continuation on its pending Notice of Intent (NOI; DEP No. 281-0257) to the November 9, 2020 meeting. M. Mitsoff so motioned, seconded by C. Blackburn, with five votes in favor.

Shep Evans addressed the Commission regarding the Commission's work on Scenic Mountain Act legislation for Sheffield, particularly as it relates to his experience in mapping areas that could fall under the purview of such legislation. He noted that if the Commission hired him, it would take several months to complete the mapping. Discussion ensued, wherein D. Ward suggested that Commission schedule a visit to S. Evans' office to review similar work he has completed for Stockbridge and Great Barrington.

Commission then discussed the request for renewal of the treatment permit for Perlman Pond (DEP File 281-0166). Since Commission members did not have information on when the original permit had been granted, M. Mitsoff motioned to continue this matter to the next meeting, seconded by A. Batacchi; the motion passed with five votes.

The Commission discussed the riverfront encroachment by, and the associated Enforcement Order issued by the Commission to, owners of 854 and 864 S. Undermountain Road and associated parcels. The Commission letter addressing additional violations, for the purposes of noting them on the violations plan submitted for the owner by A. Thorpe, had

been sent to owner, but E. Goodman for the owner stated she had not seen the letter and requested that the Commission continue the matter to the next meeting. T. Pitman made the motion to continue the matter to the next Commission meeting, seconded by A. Batacchi, with five votes in favor. No further action was taken.

Minutes from the Commission's meeting held October 13, 2020: T. Pitman motioned to approve the minutes, seconded by D. Ward. There were three votes in favor, with A. Batacchi and C. Blackburn abstaining.

A forest cutting plan for 1558 County Road was reviewed. Since the plan has not been signed off by the service forester, the Commission took no action on the plan.

Next meeting set for November 9, 2020 and the possibility of a physical/virtual meeting was discussed. Motion to adjourn made at 6:42 pm by M. Mitsoff, seconded by C. Blackburn, with five votes in favor.

Documents reviewed at meeting: Request for Extension Permit, Perlman Pond; Forest cutting plan for 1558 County Road; Draft meeting minutes from October 13, 2020.

Respectfully submitted by Martin C. Mitsoff

