

**TOWN OF SHEFFIELD  
CONSERVATION COMMISSION  
May 22, 2023  
TOWN HALL FIRST FLOOR MEETING ROOM  
7:00 PM  
MEETING MINUTES**

Commissioners present: Don Ward, Chairman  
Ted Pitman, Vice Chair  
Rene Wood  
Anya Rosoff  
Don Roeder

Others Present: Josh Risen, Board Administrator  
Members of the public

Chairman Ward opened the Public Hearing on this matter at 7:00 PM.

**Discussion/Possible Action Regarding NOI filed by Berkshire School (DEP File # 281-0274).**

At 5:00 PM on May 22, 2023 the Conservation Commission conducted a site visit at 245 N. Undermountain Road to view and discuss the above referenced project.

Chris Chamberland, of Berkshire Design Group, was present to represent the applicant. The project is intended to resurface several paved roads and walkways, and to pave an additional terrace space. The increase in impervious surfaces is to be mitigated by re-naturalizing a portion of a perennial stream bank adjacent to the project site.

D. Roeder identified a concern about the map's accuracy in representing the affected area. After discussion the Commission determined that the map was acceptable for use. The NOI describes planting of several trees as part of the project as well as providing a planting plan for the mitigation area. Berkshire School has agreed to use native plants, shrubs and trees for two growing seasons prior to requesting a Certificate of Compliance.

The mitigation plan is designed to improve 970 square feet of stream bank while the newly paved area is 485 square feet. D. Roeder stated that he wanted assurance that the landscapers would be advised not mow in the mitigation area. He also requested that the sod be removed and disposed of in an environmentally sound manner.

R. Wood inquired about the "Insert Plan" which showed a Berkshire School option they wished to present to the Commission. It is to repave, or alternatively install a hardscape event space. C. Chamberland explained that they were not certain about installing the hardscape event space and wanted flexibility.

D. Roeder identified an error where Berkshire School had checked the wrong box regarding whether the project was subject to Storm Water Provisions. R. Wood requested that C. Chamberland write a letter to the file clarifying this matter and C. Chamberland agreed to do so.

Chairman Ward stated that typically the Commission receives a letter declaring that the proposed NOI project is outside of the priority habitat. A discussion ensued regarding if obtaining this kind of letter was necessary. C. Chamberland told the Commission that he thought that getting a letter was not required in this instance because the map he used to delineate the protected areas was accurate to within a few feet. A discussion on how the work area was delineated ensued. The Public Hearing was closed at 8:05 PM and the Commission deliberated.

*R. Wood made a motion to approve an Order of Conditions for the Notice of Intent filed by Berkshire School Inc. at 245 North Undermountain Road, DEP File # 281-0274, for the replacement of existing paved drive with a hardscape event space with the following special conditions added:*

- 1) Straw waddles and other protective measures shall be placed and maintained around the project perimeter, as shown in submitted plans dated 4/28/23 sheets C.5.0 and CO.1;*
- 2) Contractor shall notify the Conservation Commission a minimum of four (4) business days prior to the start of construction to allow the Commission or its members to view and approve the measures cited in (1);*
- 3) No materials shall be stockpiled within the River Front Area delineations;*
- 4) All excavated materials shall be removed from the River Front Area delineations on the same day;*
- 5) All submitted plans and documents must be adhered to;*
- 6) Trees to be planted in any River Front Area delineation shall be native species and must have successfully gone through at least two (2) growing seasons before a Certificate of Compliance may be requested;*
- 7) Berkshire School or its agent shall submit final planting plans for the River Front mitigation area to the Conservation Commission for approval prior to any work in this area commencing and must have successfully gone through at least two (2) growing seasons before a Certificate of Compliance may be requested;*
- 8) Berkshire School or its agent shall file a letter of correction with the Conservation Commission to correct the error in their submitted NOI, page 5, C.6;*
- 9) A continuing condition shall be included (as it is in this approval) in the Certificate of Compliance for this project prohibiting further alteration within the required mitigation area, except as may be required to maintain the area in its mitigated condition, such as the removal of invasive species. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate that the mitigation has been successfully completed for at least two growing seasons; and*
- 10) Berkshire School may elect to repave, rather than install a hardscape event space, as shown on C1.0 labelled as the "Insert Plan".*

*The motion was seconded by D. Roeder and passed unanimously.*

#### **Discussion/Possible Action Regarding Complaint – 142 Main Street.**

R. Wood inquired how much of the property was viewed during the site visit at 142 Main Street and whether the piles of wood chips in the complaint were observed. Chairman Ward stated that from his observations there was no standing for a violation order and that he had never been given a written complaint stating that there was a violation of that type. A discussion on how the Commission intends to handle complaints like this ensued.

T. Pitman stated that a complaint should be made in writing and presented to the entire Commission so that they can act on it as a group. It was decided that Chairman Ward would write a follow up letter to the property owners at 142 Main Street detailing their discussions, concerns and actions that they may have to take. Chairman Ward said he would write the letter.

#### **Approval of Minutes.**

The Commission reviewed minutes from May 8, 2023. A. Rosoff requested that a sentence about the shape check boxes on the forms be included.

*R. Wood made a motion to approve the minutes of May 8, 2023 as amended, seconded by T. Pitman. The motion passed unanimously.*

**Discussion/Possible Action Regarding Forest Cutting Plan Located at Silver St. and Bull Hill Rd.**

Chairman Ward presented the Forest Cutting plan and explained some of the abbreviated terms used. He gave an overview of the purpose of Forest Cutting plans, specifically, detailing that they allow for up to 40 % of harvesting of trees located within wetlands depending on the habitat. This Forest Cutting plan was approved for a second extension through June 4, 2024. A discussion of when a Forest Cutting plan is required ensued.

**Discussion/Possible Action Regarding Remote Meetings with Consultant David Cameron.**

Chairman Ward updated the Commission as to D. Cameron's availability. D. Cameron intends to begin his training sessions as soon as possible. A discussion on how to use D. Cameron's time ensued. The Commission determined that D. Cameron should only be brought into consult on NOIs that pose a difficulty for the Commission, and that the difficulty would be evaluated by Chairman Ward on a case by case basis.

**Commission Member Items.**

T. Pitman stressed that he felt that situations that may require an enforcement order should be documented in writing so that if the parties ever end up in court the Commission has documentation supporting their conduct.

R. Wood informed the Commission that she had spoken with R. Cunningham (a new resident to Sheffield) about updating the Conservation Commission's section of the Town's website to make it more informative and user friendly for the public. R. Cunningham wants the website to include a flow chart explaining what steps should be made when residents have questions about their property that involve the Commissions jurisdictional authority.

D. Roeder asked the Commission where it stands with the Scenic Mountain Act (SMA). R. Wood gave him an overview of the work done to date on the SMA and what the next steps would entail, which included getting his feedback on the SMA. She gave specific attention to the overlapping regulations concern.

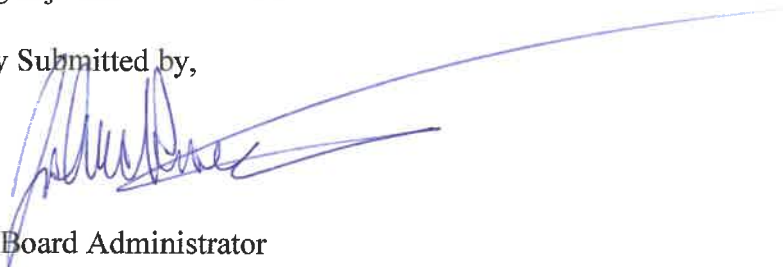
**Review Mail.**

The Commission reviewed the mail.

*D. Roeder made a motion to adjourn the meeting, seconded by T. Pitman. The motion passed unanimously.*

The meeting adjourned at 9:15 PM.

Respectfully Submitted by,



Josh Risen, Board Administrator

**Documents reviewed at this meeting:**

- Draft minutes of the 5/8/2023 Conservation Commission meeting.
- NOI filed by Berkshire School (DEP File # 281-0274) and accompanying maps.
- Forest Cutting Plan for Property Located at Silver St. and Bull Hill Rd.

## Sheffield Conservation Commission

Date: May 22, 2023

**PLEASE PRINT: Your Name**

**Street, Town**

1. CHRIS CHAMBERLAND

4 ALLEN PL  
NORTHAMPTON, MA

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