

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
NOVEMBER 14, 2016
DOWNSTAIRS MEETING ROOM
7:00 PM**

Commission Members Present: Donald Ward, III, Chairman
Arthur Batacchi, Jr.
Cheryl Blackburn
Jeffrey Collingwood
Theodore Pitman

Others Present: Jill Hughes, Clerk
Members of the public (see sign in sheet)

Chairman Ward called the meeting to order at 7:00 pm.

Tom Gage who owns property on North Main Street was present and spoke to the Commission about an issue with George Soudant working on his property next door. Jeffrey Collingwood, who is Mr. Soudant's engineer on the project and Arthur Batacchi, Jr. who is an abutter of the property, recused themselves from the discussion. Mr. Gage showed the Commission a survey map dated June 2016 and explained that Mr. Soudant's survey shows a different property line. Mr. Gage further explained that this matter is currently in court because Mr. Soudant is claiming adverse possession of a portion of land. Mr. Gage would like Mr. Soudant to stop working on the property. Chairman Ward stated that the Commission was not aware of the dispute at the time they reviewed the Notice of Intent application. Jeffrey Collingwood stated that his understanding of the adverse possession was in regards to the curb cut and that Mr. Soudant's survey shows a different north line in the plans that were submitted with the Notice of Intent application. A discussion ensued. Chairman Ward stated that he would speak to Mark Stinson at MassDEP for guidance.

Approval of Minutes: The Commission reviewed draft minutes from October 17, 2016. **T. Pitman motioned, with s second from C. Blackburn to approve the October 17, 2016 minutes as written. The motion passed 5-0.**

Bills Pending: The Commission reviewed and signed a bill.

Review of Forest Cutting Plans: There were no forests cutting plans to review.

Upcoming Conferences and Mail: Chairman Ward stated that the sign was ready to be put up for the Town Park trail.

Chairman Ward has received several calls from residents. The Commission discussed the following:

- A farmer who tore out a beaver dam in Ashley Falls. There is a farming exemption regarding this.

- Someone is interested in the Sunrise Diner property and was inquiring about wetlands. Chairman Ward suggested they hire a wetlands consultant.
- Complaint on South Undermountain Road about clearing land. Chairman Ward spoke to the owner who has since hired Berkshire Engineering.
- Chairman Ward and Cheryl Blackburn attended a seminar regarding forest management plans.

Discussion on the Scenic Mountain Act: Chairman Ward briefly spoke about the recommendations in the Town Master Plan. Lauren Gaherty from Berkshire Regional Planning Commission gave a presentation and talked about the steps that are involved. She further stated that the purpose of the Act is to protect watershed resources and preserve the natural scenic qualities of the environment in mountainous regions. She handed out copies of model regulations and maps from Great Barrington, Lee and Monterey. A discussion ensued. David Rothstein who owns Race Brook Lodge was present and stated that there are only a few properties that are affected by the 1500 feet or higher elevation. His property is in that elevation. Selectman Nadine Hawver asked about the costs associated with this and if it would be a benefit since it affects only a few properties. Ms. Gaherty stated that there is a grant that may be available that could provide financial assistance to the Town. David Rothstein spoke about the future of his business and a discussion ensued. Jeffrey Collingwood suggested that the Commission look at the maps on Mass GIS and look into the matter further. Nadine Hawver asked the Commission to please include the Board of Selectmen in their discussions and planning and to also involve the Planning Board. The Commission agreed.

Chairman Ward thanked Lauren Gaherty for coming to talk to the Commission and everyone for attending the discussion. A discussion ensued about creating a sub-committee to research this further and about meetings. Martin Mitsoff offered his services if needed. The Commission decided they will discuss this further at their December 12th meeting.

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 8:35 pm.

The following documents were reviewed during the Board's meeting and have been retained as required by the Massachusetts Public Retention Policy: Meeting Agenda, Sign in sheet, Draft meeting minutes 10/17/16, Information on the Scenic Mountain Act.

Respectfully submitted by:


Jill Hughes
Recording Secretary

Sheffield Conservation Commission

Date: November 14, 2016

Name – PLEASE PRINT	Street, Town
1. <u>Thomas Gage</u>	<u>528-0076</u> <u>1319 N Main</u>
2. <u>Nadine A Hawver</u>	<u>400 S Undermountain Rd</u>
3. <u>Donald Rathbun</u>	<u>864 S. Undermountain Rd</u>
4. <u>MARTIN C. MITSOFT</u>	<u>960 S. UNDERMOUNTAIN ROAD</u> <u>229-2874</u>
5. <u>Lauren Gaherty</u>	<u>BRPC</u>
6. _____	
7. _____	
8. _____	
9. _____	
10. _____	
11. _____	
12. _____	
13. _____	
14. _____	