

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
NOVEMBER 19, 2018
FIRST FLOOR MEETING ROOM
7:00 PM**

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

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

Chairman Ward called the meeting to order at 7:05 p.m.

Public Hearing: Notice of Intent filed by Berkshire School for property at 245 N Undermountain Rd. The proposed project is for the construction of a sculpture garden area with native plantings and landscaping within the 200 ft. riverfront area of a perennial stream. D. Ward welcomed Steven Mack, the Principle Engineer from Foresight Land Services, Inc. and Tim Fulco the Director Facilities Management at Berkshire School to speak about their proposed bear sculpture garden project at Berkshire School. Tim explained where the bear sculpture would be and what the plans look like. He also shared photos of the location. A discussion ensued. Steven then reviewed the location of the stream and shared photos of evidence of the intermittence of the stream. Steven explained that the nature of the stream is intermittent and is asking the Commission to revise this project to Buffer Zone only. A discussion ensued. **D. Ward motioned to close the public hearing with a second from C. Blackburn. The motion passed 5-0.**

D. Ward summarized the project for clarification purposes and the proposed work area is in the 100 foot buffer zone of the stream. D. Ward referenced the site plan dated September 26, 2018 and stated that the end of the erosion buffer zone and the work is 20 feet. A discussion ensued. **D. Ward motioned that the Commission has determined that the stream should be recognized as an intermittent stream and to accept the Notice of Intent with the proposed revised plan with a second from M. Mitsoff. The motion passed 5-0.**

Public Hearing: Notice of Intent filed by Scott and Amy Margolis for property at 1296 Ashley Falls Rd. The proposed project is for the control of invasive plant species and restoration of native plant communities and rare species habitat:

D.Ward welcomed Emily Stockman from Stockman Associates LLC and Jess Toro from Native Habitat Restoration. Jess began the presentation by explaining the site, specifically the types of vegetation and the topography of the site. A discussion ensued. Emily then reviewed the description of the Invasive Species Control Sequence. Emily stated that this is a phased project. Phase 1 focuses on areas along the existing driveway and outside of the Bordering Vegetated Wetland. The applicant is seeking a five year Order of Conditions. Natural Habitat Restoration proposes three years of treatments to obtain successful control of the invasive species population. Successful control is defined as less than 5 percent cover. After the initial three year treatment period, Natural Habitat Restoration proposes an additional two year monitoring period to make sure that the treatment was successful. Towards the end of the monitoring period, prior to the expiration of the Order of Conditions, Natural Habitat Restoration will assess the treatment areas with a focus on the revegetation of native plant species. In the event that a community of native plants has not been successfully established, at least 75% cover. If the process is not successful an extension of the OOC would also be requested. A discussion ensued. **M. Mitsoff motioned to close the public hearing with a second from C. Blackburn. The motion passed 5-0.** A brief discussion ensued. **C. Blackburn motioned to approve the Notice of Intent for the property located at 1296 Ashley Falls Road for the five year Order of Condition requested, the three years treatment and the two year restoration and monitoring with the following special conditions: 48 hours of forestry mower notification of activity as well as the notification of phases with a second from M. Mitsoff. The motion passed 5-0.**

Request for a Certificate of Compliance for Order of Conditions, George Soudant property at 1375 N Main Street: John Boleng from Architectural Design explained that he is asking the Commission for a Certificate of Compliance to close out the current Order of Conditions. John stated that he is requesting a partial certification since portions of the site grading have not been fully completed. John stated that he will be submitting a new Notice of Intent this coming Monday to be on the next meeting's agenda for the proposed 7500 square foot greenhouse, septic upgrade, and site grading. A discussion ensued. Chairman Ward asked that John show key elevations with grade stakes for their next site visit. John ensured the grading stakes would be ready along with adding more trees to the plan. A discussion ensued. **T. Pitman motioned to issue a Certification of Compliance for a partial certification with a second from M. Mitsoff. The motion passed 4-0. A. Batacchi, Jr recused himself as an abutter.**

Continued Update on Enforcement Order for 1448 South Undermountain Road, Ligas: Chairman Ward welcomed DEP Circuit Rider Mark Stinson. Mark presented aerial photos to the Commission of the Ligas property over the past ten years. A discussion ensued. Mark expressed concern regarding the clearing that had been done and that there are wetlands on the property. A discussion ensued. Mark recommended that the Commission exercise the right to hire an outside consultant, wetland biologist, at the owner's expense. **C. Blackburn motioned to notify the land owners that the Commission will hire a wetland scientist to review resource area delineations and any possible restoration or mitigation and the owner will be responsible for any payment, with a second from A. Batacchi, Jr. The motion passed 5-0.**

Ratification of WPA Emergency Permit issued to remediation related to diesel fuel spill from traffic accident at the intersection of Route 7 & 7A. Chairman Ward explained that he has issued the Emergency Permit to J.H Maxymillian, Inc. hired by the Massachusetts Department of Environmental Protection so that the area could be cleaned up before further damage could be done. Chairman Ward asked that the Commission to sign and ratify the permit. **Chairman Ward motioned, with a second from C. Blackburn to ratify the emergency permit. The motion passed 5-0.**

Approval of Minutes: The Commission reviewed draft minutes from October 9, 2018. **C. Blackburn motioned, with a second from T. Pitman to approve the October 9, 2018 minutes as written. The motion passed 3-0. M. Mitsoff & Arthur Batacchi Jr. abstained from the vote.**

The Commission reviewed draft minutes from October 22, 2018. **Chairman Ward motioned, with a second from T. Pitman to approve the October 22, 2018 minutes as written. The motion passed 3-0. M. Mitsoff & C.Blackburn abstained from the vote.**

Discussion of Forest Cutting Plans: None at this time.

Upcoming Conferences and Mail: Notice of Public hearing 11/16/2018 from Sheffield Town Hall, Notice of Appointment 11/8/2018 for Martin Mitsoff, Email 11/5/2018 LAPA Symposium, Notice of Public hearing 10/26/2018 Park Ave Solar Solutions, Letter 11/1/2018 Dues for MACC, Email 11/5/2018 MSMCP Upcoming events, Email 11/14/2018 BEAT Newsletter, Email 11/15/2018 EPA GE Housatonic Site status, Photos of Ligas site and Copy of DEP CMR given to Commission by Mark Stinson

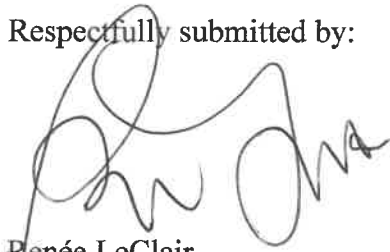
Public Inquiries: M. Mitsoff shared that the Racebrook Lodge has since withdrawn their application with the Town for a special event permit that was discussed at the previous meeting. He stated that there was no reason given as to why they made that decision to withdraw.

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

The meeting adjourned at 9:35 p.m.

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, Notice of Public hearing 11/16/2018 from Sheffield Town Hall, Notice of Appointment 11/8/2018 for Martin Mitsoff, Email 11/5/2018 LAPA Symposium, Notice of Public hearing 10/26/2018 Park Ave Solar Solutions, Letter 11/1/2018 Dues for MACC, Email 11/5/2018 MSMCP Upcoming events, Email 11/14/2018 BEAT Newsletter, Email 11/15/2018 EPA GE Housatonic Site status, Photos of Ligas site and Copy of DEP CMR given to Commission by Mark Stinson

Respectfully submitted by:

A handwritten signature in black ink, appearing to read 'Renée LeClair', written over a circular stamp.

Renée LeClair
Recording Secretary

Sheffield Conservation Commission

Date: November 19, 2018

Name – PLEASE PRINT

Street, Town

1. Tim Etko 118 Keeley Rd. SHEFFIELD, MA.
2. Steven Mach Foreignd Land Services
3. Mark Stinson mass dep
4. Ty Stockman Stockman Associates
5. Emily Stockman " "
6. Jess Toro Native Habitat Restoration
7. John Bolony 12 SAUMTOR RD / CAD
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____