

STOCKBRIDGE CONSERVATION COMMISSION MINUTES
TUESDAY, 13 June 2017
Town Offices Meeting Room, 7pm, Stockbridge, MA

Present: John Hart [presiding], Jay Rhind, George Shippey, Joe DeGiorgis, Sally Underwood-Miller.

Jay Rhind made a motion to approve minutes from Tuesday, 23 May 2017. George Shippey seconded. Unanimous.

Brent White of White Engineering presented the Request for Determination of Applicability for David Shack, 9 Mahkeenac Road. Map 102, Lot 3. Mr. Shack proposes a seasonal dock with boat lift and a garage apron. Commissioners have significant concerns regarding the precedent this activity will set. Citing the Town's Wetland Bylaw << *activities deemed to have a significant or cumulative effect upon resource area values. These resource areas include, but are not limited to, the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention including, water pollution, fisheries, wildlife habitat, rare species habitat, including rare plant species, agriculture, aquaculture, recreation and aesthetics.*>>

<<*No person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter any bank, wetland, marsh, meadow, bog, swamp, creek, river, stream, pond, reservoir, vernal pool or lake, or any lands bordering thereon, or any land under said waters or any land subject to flooding...without filing written notice of that person's intention so to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter and without receiving and complying with an Order of Conditions and provided all appeal periods have elapsed. Such notice shall be given to the Stockbridge Conservation Commission, including such plans as may be necessary to describe such proposed activity and its effect on the environment. The same notice, plans and specifications required to be filed by an applicant under Massachusetts General Laws, Chapter 131, Section 40, will be accepted as fulfilling the requirements of this Article. The said Commission, in its discretion, may hear any oral presentation under this Article at the same public hearing required to be held under the provisions of said Massachusetts General Laws, Chapter 131, Section 40. Definitions set forth in said section, and in the regulations made pursuant thereto, are hereby made a part of this Article.*>> the Commission will contact Town Counsel for advice. Brent will provide the ruling from the Zoning Board of Appeals regarding the previous dock application, along with a profile rendition. Jay Rhind made a motion to continue pending advice from Counsel and a site visit. George Shippey seconded. Unanimous.

Mike Kulig of Berkshire Engineering presented the Notice of Intent for Raynor & Ranne Warner 19 Birch Lane. (Map 101, Lot 41) The property is under contract for sale by Haldor Reinholt. The open Order of Conditions provided for the removal of @ 40 trees. That work has been done. The Order was never recorded. The Warners would like to construct a single family house. DEP # 296-0459 The will need a Chapter 91 permit, along with permission to demolish the current structure from the Historic Commission. Attorney Lori Robbins will take steps to get the Orders recorded and submit a request for a Partial Certificate of Compliance. Craig Okerstrom-Lang also represented the applicant. They will revise the plans so that no part of the new structure will be closer to the resource area. Mr. Reinholt was reminded that he must comply with the requirements of the WPA and the Town's Wetland Bylaws. Jay Rhind made a motion to continue the hearing. Joe DeGiorgis seconded. Unanimous.

Mike Kulig also presented the Request for Determination of Applicability for Jessica Prince, 7 Beachwood Drive. (Map 103, Lot 5) The proposal is to rebuild the existing screen porch and repair piers. They would like to add a new deck and replace the water line in order to winterize. They will use a small trencher or excavator. The house is on Town sewer. George Shippey made a motion to accept the proposal as presented and close the hearing. Joe DeGiorgis seconded. Unanimous.

Mike Kulig presented the Notice of Intent for the Town of Stockbridge, South Hill Road. (Map 216, Lot 6) The proposal is to replace a failing existing culvert and stone headwalls. Water courses have changed over time and the culvert cannot handle the increased flow. It blows out in the ever-increasing severe storms. The Highway Superintendent has applied for a grant to help with the funding, as this will be a \$250,000 project. George Shippey made a motion to approve the proposal as presented and close the hearing. Jay Rhind seconded. John Hart abstained. 4-1-0 The motion passed.

Brent White made the Request for Extension on behalf of the Vivian Kilner Trust, 7 North Church Street. DEP #296-0426 George Shippey made a motion to grant the extension for three years. Jay Rhind seconded. Unanimous.

The secretary will contact the owners of the brick house at the intersection of Interlaken Crossroad and Rte. 183 regarding tree cutting and work on the river bank.

We will also make sure Fred Wallhauser understands that he must submit a Notice of Intent prior to beginning any work.

George Shippey made a motion to adjourn the hearing at 9:12pm. Joe DeGiorgis seconded. Unanimous.

Respectfully submitted,
Sally Underwood-Miller, Secretary