



RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2020 JUN -1 AM 9:01

## CITY OF PITTSFIELD

PITTSFIELD CONSERVATION COMMISSION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201  
413-499-9359

# MINUTES CONSERVATION COMMISSION Wetlands Protection Act Public Hearing Pittsfield City Hall, City Council Chambers Thursday, February 6, 2020 at 6pm

Chair Conant called the meeting to order at 6:00 p.m. Those in attendance are noted below.

Chair Conant informed all in attendance that in accordance with MGL Chapter 30A, Section 20, voices are being recorded and pictures are being taken of all in attendance.

## 1. Roll Call

### Members Present:

James Conant, Chair  
Thomas Sakshaug, Vice Chair  
Franz Forster  
Jonathan Lothrop  
Nick Caccamo  
Elizabeth Bocchino

### Members Not Present:

Stephanie Dick

A quorum was present.

### Also Present:

Robert Van Der Kar, Conservation Agent  
Ted Kozlowski, Clerk

## 2. New Business:

- A. Mass DEP File #263-1137: Notice of Intent application for the construction of a single-family residence and associated site work on property located at 610 Churchill Street (Map E13, Block 1, Lot 204). Such actions are proposed to occur within buffer zone associated with the Inland Banks of Onota Lake. The applicant is Onota Lake Front Properties, LLC.

**Matthew Puntin, SK Design Group** came forward to speak on the application. This project goes back about seven years ago. An OOC was received to construct five single-family homes. That order has expired. This NOI is for a house on a single lot on the south side of the project. There is a common shared driveway, providing access to the camp to the south and leads to the lots. All utilities have been installed. The work is focused on the house construction. As part of the previous approval, they were very clear on vegetation clearing by the Natural Heritage Program. This is mimicking that same clearing, spelled out on the plans. There are some plantings specified. The lawn area will be typical lawn. The dock has been licensed and will be installed in the summertime. There is no work proposed in the riverfront; all work is Buffer Zone work. Well and sewer will be installed.

Chair Conant asked about ownership of lots. Lot 204 is still owned by Onota Lakefront Properties. He's sold two out of the five. All owners are aware the OOC had expired.

Mr. Sakshaug asked about the required deed restriction. As part of the DEP review process, there was a question about a 401 Water Quality Certificate. They are technically affecting land underwater with the dock. The deed restriction will prevent segmentation. To date, they have not filed a deed restriction; they are waiting to hear from DEP to make sure they have all the details correct.

Mr. Lothrop asked about the degree of change to the existing grading. The site grade should remain.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the application to the March 5, 2020; it was seconded by Ms. Bocchino and was approved unanimously.

- B. Mass DEP File #263-1138: Notice of Intent application for the construction of two single-family residences, associated site work, and residential docks on properties located at 630 and 640 Churchill Street (Map E13, Block 1, Lot 202). Such actions are proposed to occur within the Inland Bank of Onota Lake and its associated buffer. The applicant is Onota Lake Front Properties, LLC.

**Matthew Puntin, SK Design Group** came forward to speak on the application. This NOI is for two houses on a single lot. It is large enough to accommodate two house and has not been divided yet. The application is similar to the previous with selective clearing, etc. In this case, the docks have not been installed and are included in this application. If approved, it will eventually be subdivided.

Ms. Bocchino confirmed that, if approved, the OOC would be attached to both deeds when the lot is divided.

Mr. Lothrop noted the location of the wells. They are just outside 50ft from the lake. His concern is about the post-drilling grading. Will the spoils be taken away? They show erosion control but will entertain any suggestions the commission may condition. There is a 100ft setback from the sewer to the well. The sewer pump is in the front and the well in the back. Two other wells have been installed that mimic this installation. The closest city water is down on Blythewood. They tied into city sewer through a private connection. He does not know why they didn't do city water.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item to the March 5, 2020 meeting; it was seconded by Ms. Bocchino and was approved unanimously.

- C. Mass DEP File #263-988: Request for Certificate of Compliance for properties located at 610, 620, 630, 640, and 650 Churchill Street (Map E13, Block 1, Lots 201-204). The request is being made by Onota Lake Front Properties, LLC.

**Matthew Puntin, SK Design Group** came forward to speak on the application. This is an attempt to clean up the paperwork. The OOC has expired. Some work has been done and some has not yet. They have received a number of partial certificates. He reviewed the work that has been completed and not completed.

Mr. Sakshaug noted the stockpile of soil on one of the lots. The piles are from a driveway that was installed that needed to be redone. The contractor plans on using the material as a sub base for the new drive. It is about 105ft from the edge of the lake. He suggested to the client to cover it up or install straw waddles around it.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a complete Certificate of Compliance; it was seconded by Ms. Bocchino and was approved unanimously.

- D. Mass DEP File #263-1066: Request for a three-year extension to the Order of Conditions associated with property located at 587 Pecks Road (Map E14, Block 2, Lot 14). The request is being made by Alan and Tracey Lussier.

No one came forward to speak on the application.

Mr. Van Der Kar gave his review of the application. They have not done any work on the site yet and have indicated they will start this summer.

Mr. Sakshaug confirmed this was their first extension.

Mr. Lothrop asked if they gave them a 2-year extension, they can come back if they are not complete.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a three-year extension, expiring March 16, 2023; it was seconded by Mr. Bocchino and was approved unanimously.

- E. Mass DEP File #263-1068: Request for a three-year extension to the Order of Conditions associated with property located at 25 Downing Parkway (Map M12, Block 1, Lot 5). The request is being made by Mirabito Holdings, Inc.

**Matthew Puntin, SK Design Group** came forward to speak on the application. This was permitted in 2017 with an amended OOC a few months later. Most of the work has been complete. The one final piece is two of the above-ground tanks have not been installed. The cradles have been set and are waiting for the tanks to be installed.

Mr. Sakshaug asked if they expect to be done in a year or less. He hopes so, but is not sure. There is not earthwork to be done. They asked for 3-years, he would be happy with 2.

Mr. Lothrop asked Mr. Van Der Kar if he's inspected the site; he has and it looks great. He was impressed with how it turned out.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to two-year extension, expiring March 31, 2022; it was seconded by Ms. Bocchino and was approved unanimously.

**3. Other Business:**

A. Minutes from the January 9, 2020 meeting

Mr. Sakshaug made a motion to accept the minutes as presented; it was seconded by Ms. Bocchino and was approved unanimously.

B. Minutes from the December 5, 2019 meeting

Mr. Sakshaug made a motion to accept the minutes as presented; it was seconded by Ms. Bocchino and was approved unanimously.

**4. Adjournment:**

Mr. Sakshaug made a motion to adjourn at 6:35pm; it was seconded by Ms. Bocchino and was approved unanimously.

Submitted by Ted Kozlowski, Clerk