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CITY OF PITTSFIELD

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

Special instructions for participating in the June 25, 2020 meeting of the Pittsfield Conservation Commission:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18, and state and federal orders and guidance imposing strict limits on the number of people that may gather in one place, this hearing of the Pittsfield Conservation Commission will be conducted exclusively via remote participation. For this hearing, members of the public who wish to watch the meeting may do so on PCTV. Public comment may be made prior to the meeting by calling 413-499-9359 or by emailing rvanderkar@cityofpittsfield.org. Live public access via telephone will also be provided through the dial-in information listed below. In the event that we are unable to do so, we will post an audio or video recording, transcript, or other comprehensive record on the City's website as soon as possible after the meeting.

Dial: 312 626 6799

Enter the Meeting ID: 913 2758 0979 and press #

Press # again

MINUTES CONSERVATION COMMISSION Wetlands Protection Act Public Hearing Remote Meeting Via Zoom Thursday, June 25, 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

Elizabeth Bocchino

Stephanie Dick

Members Not Present:

Jonathan Lothrop
Nick Caccamo

A quorum was present.

Also Present:

Robert Van Der Kar, Conservation Agent
Ted Kozlowski, Clerk

2. New Business:

- A. Continued: Mass DEP File # 263-1141: Notice of Intent application for the removal of vegetation and earth grading on property located at 19 Roselyn Drive (Map F8, Block 5, Lot 35). Such actions are proposed to occur within Bordering Vegetated Wetlands and their associated buffer zone. The applicant is Allen Scaccia.

Mr. Van Der Kar gave his review of the application. There was an error in one of the forms. They have been corrected and everything looks fine. The commission can issue an Order of Conditions.

No one came forward to speak on the application.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue Order of Conditions 1-32; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

- B. Continued: Mass DEP File # 263-1142: Notice of Intent application for the removal and replacement of 17 trees on property located at 222 Pecks Road (St. Joseph's Cemetery: Map G13, Block 2, Lot 3). Such actions are proposed to occur within the Riverfront Area associated with Onota Brook. The applicant is the RC Bishop of Springfield.

Mr. Van Der Kar gave his review of the application. Outstanding were explanations of the performance standards; the commission now has them. This is a good project and the commission can issue an Order of Conditions.

No one came forward to speak on the application.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue an Order of Conditions 1-32; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

- C. Mass DEP File #263-1143: Notice of Intent application for the installation of three drive point wells on property located at 1843 West Housatonic Street (Map A3, Block 1, Lot 1). Such actions are proposed to occur within Inland Bank and Land under Waterways associated with an intermittent stream. The applicant is Jennifer Thompson of Shaker Community, Inc.

Mr. Van Der Kar gave his review of the application. These wells are used in wetland environments with shallow ground wells. This application was put together very well. While the explanation of the performance standards was not thorough, the data forms and narrative was done very well. An Order of Conditions could be issued.

No one came forward to speak on the application.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue Order of Conditions 1-31; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

D. Mass DEP File #263-1005: Request to amend the Order of Conditions pertaining to the construction of a new single-family home and associated site work on property located at 184 Blythewood Drive (Map D12, Block 3, Lot 201). Such actions are proposed to occur within buffer zone associated with Bordering Vegetated Wetlands and Inland Bank (Onota Lake). The applicants are Craig and Tracy Crawford.

Mr. Van Der Kar gave his review of the application. The commission may remember this property, formerly known as 4 Appletree Point, the result of a subdivision. This involves minor changes to the Order. The commission can issue an Order of Conditions, just not tonight. They are waiting to hear from Natural Heritage before that can be done.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item to the July 16, 2020 meeting; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

E. File #20-07 - Request for Determination of Applicability for the demolition of an existing single-family home, remove contaminated soil, and restore site grades on property located at 160 Newell Street. (Map J9, Block 4, Lot 7). Such activities are proposed to occur within Bordering Land Subject to Flooding. The applicant is Fannie Mae c/o Transparent Realty and Investments.

Mr. Van Der Kar gave his review of the application. This is a bordering land subject to flooding. The applicant wants to allocate the volume of flood storage that a building on the property currently takes up. They want to retain the ability to develop the parcel by having that 200cyd to allocate to a future project.

Mr. Sakshaug noted his concern is typically when this is done, volumes are matched foot by foot.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a Negative 2 & 3 Determination with the condition noted below; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

- This Determination reserves 200 cubic yards of fill material until this permit has expired, or another Request is made and approved by the commission prior to the expiration of this permit. Any fill must match or be less than previous volumes per foot elevation to a maximum total of 200 cubic yards.

F. File #20-09 - Request for Determination of Applicability for the removal of accumulated woody debris within the West Branch of the Housatonic River and on property located at 185 Dewey Avenue (Map G10, Block 9, Lots 2-12). Such activities are proposed to occur within Inland Bank and Land under Waterways. The applicant is the City of Pittsfield.

Mr. Van Der Kar gave his review of the application. This is part of the Westside Riverway project. They are removing woody debris that has accumulated. It's pretty minor. The Commission can issue a negative determination.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a Negative 2 Determination; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

G. Mass DEP File #263-1005: Request for a three year extension Conditions pertaining to the construction of a new single-family home and associated site work on property located at 184 Blythewood Drive (Map D12, Block 3, Lot 201. The request is being made by Craig and Tracy Crawford.

Mr. Van Der Kar gave his review of the application. This is on the heels of the amendment request. They will need to extend the permit, set to expire in the fall of this year. This is the 3rd extension and they hope to extend to 2023.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue an extension of the Order of Condition until November 4, 2023; it was seconded by Ms. Bocchino and was approved by a Roll Call vote, with Chair Conant voting No.

H. File #20-08 - Request for Determination of Applicability for the demolition of an existing commercial garage building on property located at 111 West Housatonic Street. (Map H8, Block 1, Lot 23). Such activities are proposed to occur within Riverfront Area associated with the West Branch of the Housatonic River. The applicant is Judith J. Zradi.

Mr. Van Der Kar gave his review of the application. This is another allocation request. There is no other resource area affected. They want to demolish a commercial building and keep the footprint for future development. Special conditions are not required here. They plan on putting down gravel to keep it “degraded.” This site has a history of illicit discharge into the storm sewer. This is a chance to address that.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to issue a Negative 2 & 3 Determination with the condition noted below; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

- It is the responsibility of the property owner to disconnect all stormwater and wastewater connections that discharge into municipal stormwater and/or wastewater utilities prior to (or immediately following if making the disconnect before demolition is not practicable), the demolition of the building. The decommissioning method of these connections are to be approved by the Department of Public Services and must be performed in a way where no stormwater, wastewater, or any other illicit discharge makes its way into municipal conveyances (i.e. sealed water tight). The property owner, or their representative, is to have the disconnections inspected by the Department of Public Services prior to backfilling.

I. Continued: Mass DEP File # 263-1077 – Request for Certificate of Compliance for an Order of Conditions issued to property located at 133 Seymour Street (Map H11, Block 1, Lot 9). The request is being made by David Carver.

Mr. Sakshaug made a motion to continue the item to the July 16, 2020; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

J. Mass DEP File # 263-1031 – Request for Certificate of Compliance for an Order of Conditions issued to property located at on Churchill Street (Map D17, Block 2, Lot 503). The request is being made by BVD Solar, LLC.

Mr. Sakshaug asked if a site visit was preferred. The applicant will be notified of a date to be determined.

Seeing no further debate or discussion, Mr. Sakshaug made a motion to continue the item July 16, 2020, pending a site visit; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

K. Mass DEP File # 263-1078 – Request for Certificate of Compliance for an Order of Conditions issued to property located at 136 Blythewood Drive (Map D17, Block 2, Lot 201). The request is being made by Ken and Margaret Wiles.

Mr. Sakshaug made a motion to issue a complete Certificate of Compliance; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

3. Other Business:

A. Discussion regarding electronic signatures for recording at the Middle Berkshire Registry of Deeds.

Mr. Sakshaug made a motion that the commission accepts the provision of MGL chapter 110g regarding electronic signatures; it was seconded by Ms. Bocchino and was approved unanimously by a Roll Call vote.

B. Approval of funds to pay for Commission apparel.

A discussion was had regarding the cost of embroidered jackets and hats for the Commissioners and the Agent.

Mr. Sakshaug made a motion to approve funding the apparel; it was seconded by Ms. Bocchino and was approved unanimously by Roll Call vote.

C. Minutes from the June 4, 2020 meeting

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

4. Adjournment:

Mr. Sakshaug made a motion to adjourn at 7:45pm; it was seconded by Ms. Bocchino and was approved unanimously by Roll Call vote.

Submitted by Ted Kozlowski, Clerk

