

Egremont Conservation Commission meeting minutes of March 23, 2017. Town Hall, Egremont, Mass, 7:00 PM start time.

Commissioners present: Bill Tynan, Alina Hsu and Ben Barrett. Ted Rubsamen absent.

Guests: Lisa St. Pierre (potential new commissioner), David Seligman (potential new commissioner), Steve Mack (Foresight Engineering), Abigail Elwood (Webster Landscaping), Tom Gilbert (Catamount Development), Bob Stickles (Catamount Development), Alex Glover (Lawyer representing Hakim), Shep Evans (hired agent brought in to assist the commission).

Citizens' inquiries: None.

New business:

NOIs presented to us:

**Denise Cohn/Adam Blank 8 Lakeside Drive** Webster Landscape will be doing the work. Site visit scheduled for April 5, 2017 at 4 PM. The project includes moving trees, lakeshore work, plantings and invasives removal. Abigail Elwood here to deliver the NOI and gave us a brief summary. Hearing set for 7:30 PM 4/13/17.

**50 Prospect Lake Road North Egremont Recreation, Inc. James Palmatier** for dam repair. Natale Simonne and Mike Kulig of Berkshire Engineering in Lee, Mass are contact people, but were not present. The NOI application was in our mailbox.

Hearing:

Hearing continued for **Shemshack 13 Nicholson Road** at 7:30. Town counselor Jeremiah Pollard contacted Bill Tynan at 6:00 PM tonight on the phone, one hour before meeting, as well as submitted a letter dated today, March 23, 2017, regarding landowner/abutter permission. Bill Tynan read letter from Pollard aloud to be recorded. Bottom line for Pollard: It is of the opinion that the applicant *does* need permission from the abutter.

Much discussion ensued regarding easements, draft hydrant implementation. Catamount will not concede to granting permission for Hakim to proceed with the NOI without getting easements ironed out in totality first. The final engineering details will directly result in how the easements are to be drafted. We have a chicken and egg issue of sorts. And the easements are not in our purview.

Alex Glover took issue with Pollard's opinion and "respectfully disagreed" on his interpretation. Alex Glover voiced a concern that the engineering issues cannot simply keep going on and on, and that a line needs to be drawn to wrap this up. She suggested a month for all details to be hammered out by the lawyers and engineers. As it turns out, our next meeting is 3 weeks away, April 13. Shep Evans reiterated that the burden of moving forward is ultimately on Shemshack/Hakim. The easement has to reflect that Catamount's easements are still applicable to the newly created pond. After much back and forth about continuing the hearing, it was decided upon April 13<sup>th</sup> at 8:00 PM. All parties seemed genuinely convinced that the easements and engineering details can be finalized and submitted by that date.

Updates:

**Mt. Washington Bridge** reports from Stockman Associates. Snowstorm Stella dumped 24 inches of snow causing further delays. A letter dated March 23, 2017 was received from Marc Lavasseur stating that the contractor has not done work except to clear snow.

The Select Board has authorized 2 more site visits from Emily Stockman. Can Emily Stockman's last visit be a teachable visit for the commissioners?

Correspondence:

Planning board correspondences regarding Burdsall parcel, marijuana sale moratorium, and 64 Main Street. No action taken.

Monthly drawdown reports for Jacks Pond received March 13.

Minutes approved of March 9, 2017 as submitted.

Meeting adjourned 9:55 PM.

Respectfully submitted,



Ben Barrett,  
Secretary for the commission

