

TOWN OF LEE
32 MAIN STREET
PUBLIC MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER
39 SECTION 23B - AMENDED.

CONSERVATION COMMISSION

PLACE OF MEETING: Judge's Chambers, Town Hall

DAY, DATE & TIME: Monday, March 16, 2009

Members Present: Deborah Garry, Chair, John Philpott, Marilyn Hansen

7:00 Request for Determination, Mandalay St, Yokun Ridge, Applicant, represented by Rob Akroyd, of Greylock Design Associates re: construction of single family home and driveway.

Rob Akroyd presenting. Dennis Welch applicant, back in 2002 RDA was filed and DOA was Negative. Rob is seeking the same determination seeing the original determination cannot be extended. Submitted copies of the paperwork from 2002. Commission reviewed the RDA and maps to make sure project is out of resource areas. John made motion to close Public Hearing, Marilyn seconded, all in favor. Negative Determination issued.

7:30 Request for Determination, Spring St, Yokun Ridge, Applicant, represented by Rob Akroyd, Greylock Design Associates re: construction of 3 single family homes and driveways

Rob Akroyd presenting. Dennis Welch applicant, back in 2002 RDA was filed and DOA was Negative. Submitted copies of the paperwork from 2002. Rob is seeking the same determination seeing the original determination cannot be extended. Commission reviewed the RDA and maps to make sure project is out of resource areas. John made motion to close Public Hearing, Marilyn seconded, all in favor. Negative Determination issued.

7:45 Notice of Intent, # 196-032, 126 Housatonic Street, Chris Pompei, Town of Lee Applicant, re: tearing down existing pavilion and reconstructing a larger one.

Gail Ceresia, Berkshire Wetlands representing, Sharon Terry, Lee Youth Association, Chris Pompei, DPW. Wants to renovate existing building and upgrade to 30x50 feet building and increase pavilion size as well. Gail outlined all the riverfront areas, BVW areas, as well as the buffer zone. The 100 year

floodplain is the only resource that they will be working in. The floodplain shows the water line would be approximately the height of the building but with 3 large windows and 4 doors, she feels this allows enough of a flow through. Chris said the building was designed to prevent flooding as they were concerned about what might be in the flood water. He said the plans would never be stamped allowing the flood to flow through. The concrete wall was a way of protecting the building to avoid damage to the building's contents and that to eliminate the wall would mean the design would not be approved. Compensatory storage cannot be found according to Gail. A discussion ensued about where compensatory storage might be found; 1) by lowering the field by a foot or so with load tickets showing that the necessary volume has been removed or by lowering the driveway and parking area. This is a house builder project and they are working on a timeline. Gail suggested lowering level of the land out of this parcel or another up/down stream and wanted meeting closed based on this suggestion but commission wants graphs/numbers to be submitted before they can close the meeting. Special meeting to be continued for March 23 at 7:00pm.

8:00 Lauren Gaherty, Berkshire Regional Planning, to discuss the Jacob's Ladder Trail Plan.

Two drafts on Jacob's Ladder Trail were submitted. Route 20 (between Russell and Lee/Lenox line) is a state designated scenic by-way. Scenic by-ways are considered such because they offer natural resources, scenic views, historic properties, outdoor recreation etc. This corridor management plan is to identify those particular traits and protect them and possibly promote them as tourist attractions. She is asking comcom to ID what they feel may be areas that should be protected and document them in order to qualify for federal grants. She also suggested that the Commission include ideas that we might have for projects regarding these areas. She is requesting information on what the Lee Land Trust would like to see included in this project.

Other Business:

Michael Johnson of Par Electric, came in re: 475 Pleasant St. To apologize for the misunderstanding regarding filing in the floodplain. They were trying to establish a "show-up site". This site was to be used for staging their equipment as they were stringing new fiber optic lines. The former property owner said he owned the property all the way back but it turns out he was only renting it and using it as a storage area. Par Electric pushed all the debris on the premise back to the end of the property and set up trailers when they learned there was an environmental issue that must be addressed seeing they were in a floodplain. Area was flattened out with silt fences installed and the original elevation was reestablished, hay bales also to prevent seepage, seeding was laid down. Michael showed pictures of remediated area. This was an informational meeting

to advise conglom of what is transpiring. Petra Volinski of Northeast Utilities is working on the NOI and will be submitting it to us.

Bob Nason joined Chris Pompei and we had a discussion regarding the wastewater treatment plant. There is a continuing problem with the design of the plant and surrounding area. Standing water is creating problems. It was agreed that the Commission would respond to Chris Pompei about the 12/08 letter from Metcalf and Eddy to him. Hopefully we will be able to get M&E to respond to us in a positive manner and help us with this problem.

Minutes to March 2 meeting--Marilyn motion to approve, John seconded. All in favor.

Meeting closed 9:05.

OFFICE DUTY:

March 23 – John

April 13 – Kathy

April 27 – Stu

Respectfully Submitted,

Martie Martin