

**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, June 1 , 2009

Member Present: Deborah Garry, Chair, John Philpott, Marilyn Hansen.

Audience: Monica Ryan, Dee Consolati, Roger Scheurer,

7:00 Continued NOI, Laurel Lake Assoc. Applicant, Mark Alimansky, Mark Bellaud, Aquatic Control Technology. Mark Alimanski requested continuance to Continued to Nov 16 at 7:00 here in Lee. Motion made by John to extend; seconded by Marilyn. All in favor.

7:15 Phil Heller representing Tom Spencer regarding a conservation restriction on Valentine Road. Rob Hoogs from Foresight Land Services. Subdivision of 4 lots that were presented to Planning Board that was approved. Lots 1, 2, 3 would remain open space as conservation restriction. Total parcel is approximately 2.12 acres. In June 2004 a Conservation restriction was drafted and sent to the selectmen which was signed and returned but somehow got lost. On Nov 20, 2007 it was resigned but now it is outdated because of new regulations which requires that Conservation must now be part of the process. He submitted to conservation a copy of the Conservation Restriction. He is requesting that conservation accept and sign the submitted paperwork and also note that they are doing so because it is in the public interest. Phil pointed to certain highlights that he wanted Conservation to review in more detail later. Rob discussed issues like Wildlife & Habitat, bordering wetland vegetation, intermittent streams ponds, etc. and how they benefited by this parcel being

granted to conservation. (A file with the information submitted will be set up under Valentine Road.) Maintenance (once approved by conservation) and liability will be done at the subdivision association's expense. State also requested recent photographs which will be supplied as well as GPS coordinates. Phil then reviewed the Prohibitions on page 2 as well as the Exceptions. Robert will look into Deb's concern on whether uprooted stumps can be left on the property.

7:45 Robert Nason, Roger Scheurer, Dee Consolati, Monica Ryan, on Laurel Lake beach access. Robert brought up a development that would impede the solution of opening the beach. Roger must file with Natural Heritage an application with them which might take up to 60 days for a determination. Roger wanted to grant the public use of the beach without waiting for the judgment on this determination. Bob thought perhaps the town could do usual maintenance of beach like the repair of ruts in the road. Dee presented RDA from Berkshire Wetland Services but it was pointed out that the applicant was not the owner of the property and therefore she cannot submit an RDA. Roger offered that the plan cannot be acted on until NHESP submits its finding. Roger wants to know if routine maintenance that town wants to perform can be seen as separate from his NOI which would give the town access to the road. Deb requested narrative of the work to be performed that she could forward with her comments to NHESP and DEP in an attempt to expedite this.

8:00 Robert Nason and Mike Gagnon, Sr. Civil Engineer, Fuss O'Neill, regarding Tyringham Road. MA highway is requesting that various boards and commissions be advised of major reconstruction projects which is why Mike is here. Environmental Notification Form has been filed and the project advertised. With anticipated wetland impacts, they would need to file NOI, Army Corp Review etc. Project is recommended by Chris Pompei which is about 1.8 miles starting at Tyringham /Lee Town Line to Goose Pond Bridge. Design Justification Waiver must be submitted to request that required shoulder widths

be reduced by 2 feet on one side. In addition, on the river side an additional 2 feet of width must be added. The guardrails are standard, galvanized “ w” shape. If the extra 2 feet is not granted, Mike proposed gabion retention walls. Areas of bordering vegetated wetlands was delineated on the design he presented. Approx 13,000 sq feet of impact on wetlands. Consequently, when NOI supplied, (impacts to be address include river front, vegetated wetlands and land subject to flooding) they propose the impact would be temporary with replacement of grass ditch. Another 2000 sq feet needs to be addressed. He hopes to have NOI application submitted by early fall. Construction should be accomplished in one season - 18 months. Conservation will like to have consultant review their work. Bob Nason suggested that MA Highway will review it as well as DEP but Conservation wants help with OOC. Marilyn suggested conservation would pay for one out of their budget.

8:45 Bob Piccolo, B&B Landscaping reviewing black top to be done at Prime Outlets. Concrete swale was put in which Deb reviewed. The entire parking lot will be resurfaced. Existing drainage areas addressed; catch basins to be installed and piped to front detention basin. Only concern was water quality but since runoff is going into detention basin, RDA should not be necessary. Sumps are cleaned by Prime Outlets and are pretty clean.

Other Business:

Deb discussed MA Highway Bridge Repair on Route 102 who submitted Water Quality Cert which she sent to Mark and Mark said they are exempt from filing an NOI.

Motion made by Deb for approval of DVR payment to come from Town budget, John seconded all approved.

Deb wants to add another item to standard conditions. To be reviewed later.

See recorder.

Roger Scheurer wants to black top his property at the mill and

Conservation will request an RDA.

Harold Sherman left a message regarding the sighting of a harvester at Laurel Lake. It was hired by the Sandy Beach Committee. Deb will follow-up and get back to him.

Approve Minutes to May 18 Meeting. John motioned, Marilyn seconded, all approved.

DOA for 20 Center Street Signed

Motion made at 9:12 by Marilyn, seconded by John to close meeting.

Office Duty:

Jun 8 – John

June 22 – Kathy

June 29 - Stu

Respectfully Submitted,

Martie Martin
Secretary