

**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, , 2009

**Member Present:** Deborah Garry, Chair, Marilyn Hansen. Kathy Arment, Stu Dalheim

**Meeting opened 7:00**

**7:00 NOI, Jim Bailey, 1040 Fairview, demolish and construction of a garage, DEP # 196-0376, Berkshire Engineering, Ann Bruzzi representing. Abutter Albert P'an.** Ann reviewed site plan outlining the resource areas in relation to the project. The property on Fairview Street is located closer to the 102 end of Fairview. Currently a single family home and garage exist on the property which is approximately 1.2 acres. There is a perennial stream which is partially the property line, a flood name, another stream that is unnamed but deemed perennial. Drainage channels empty into the stream. The property is an existing degraded riverfront which qualifies them for redevelopment. Applicant proposes to tear down the existing garage and construct a new garage with guest quarters in the same location. The other portion of the project is to realign the driveway in order for it to run perpendicular to the road. Bordering vegetated wetland also exists on the property. A MESA filing was required and they are awaiting comments.

The closest that the proposed development will be in proximity to the stream at the Bailey residence is 62.5 ft. The existing disturbance that is to be restored is 52.5 ft. The 10 ft figure comes from the difference between 62.5 ft

- 52.5 ft. The property is flagged. Restoration is proposed with the planting of an assortment of seeds and native shrubs.

Ann addressed DEP comment #1 saying there is a drainage channel going up the steep slope and she doesn't believe there are any wetland plants. However, Mark Stintson has indicated they do exist based on the MA GIS. She will revisit the area to double check. Comment #3 concerned the accuracy of the redevelopment calculations which she will also recheck.

Site visit scheduled Wednesday, July 22 at 5:PM. Continued to Aug 3, 7:45

**7:15 Request for Determination, Glenn Hersch, for the approval of Wetland Boundaries at 470 Cooper Creek Road, represented by Gail Ceresia, Berkshire Wetland Engineers.**

A site visit was conducted with Deb, Stu and Gail where the wetland boundaries were shown. Orange flags were present on the property indicating where soil tests were conducted through Soil Tech by Scott McFarland. Results shows a shallow water table at 20" yet the matrix of the soil is not low enough and therefore not considered wetland. The other was 19". Gail conducted her own test with similar results. The applicant is requesting approval of wetland boundaries based on the information submitted; no work will be done at this time. Motion to accept was made by Marilyn to accept boundaries as indicated on the map date June 20, 2009, seconded by Kathy, all in favor.

**7:30 Certificate of Compliance, 190 Meadow Street, File #196-245, Rob Fournier, S&K Design.**

This is the very first COC requested on this property. Rob reviewed the project on the site plan showing the first two buildings that were built with 4800 sq ft located in a wetland. Replication measures were implemented. Three years after it was built in 2001 they inspected and discovered that the wetland plants weren't successful. Plan presented in 2001 & 2002 with rebuilt swale, planting and maintenance on the area. Eventually the OOC had expired. Plans from 2001 showing that everything was done except for the restoration of the wetland. This year they rechecked the area which was deemed fine. Site visit scheduled for Wednesday, July 22 at 4:30.

**Review request by S&K Design regarding Moose Drive Subdivision, DEP File #196-368 to shift a detention basin.**

Rob showed location of old detention basin and location of the 100 foot buffer zone. Land owner wanted the old detention basin on one lot as opposed to the

two it currently is on. The exact same footprint of the detention basin would be shifted over clearing 20 feet into the buffer zone with no other impacts. The outflow would go to the same wetland area. A concern was brought up regarding how it might impact a perc test but Rob assured that there would be no effect and that there was plenty of area to work with. Motion made by Marilyn to shift the detention basin 50 feet east as revised on the map. Kathy seconded, all in favor.

**7:45 Notice of Intent, Hand Pulling of Invasive Weeds, Deirdre Consolati, Lee Sandy Beach Committee, Steve Mack from Foresight Land Services Representing, DEP # 196-1375**

Steve Mack, Foresight Land Services: applicant is proposing to do hand pulling around the beach area of approximately 175' x 175' sq. Analysis of weeds showed milfoil and invasive chestnut. They are proposing to use DCR's guide with the following methodology: starting from the deep end, pulling weeds, getting the roots and putting them in bags and have someone with a net to capture broken off particles and working towards the shore then taking the material and exposing it at an upland location. The weeds will be trucked away by DPW upon completion of project. They had to file with Natural Heritage which they have done and are awaiting comments from NHESP. DEP comments were received today. Concern expressed about an invertebrate that NHESP mentioned but Steve didn't know if it would attach itself to the weeds. DEP didn't believe that the zebra mussels would be an issue. Roger Scheurer, manager for Water Lake Water Power, submitted a letter in which he questioned if a wetland delineation done. Steve commented that all work confined to land under water body so it is not necessary. Roger wants to be sure that people are trained properly and was informed that Jerry Smith a master diver, licensed and bonded, as well as his crew will be the one on the project. No motorized boat will be utilized but there will be a rowboat which will stay in the water. Continued erosion of the beach should be addressed and Sandy Beach was asked to consider this. John Coty expressed several issues of concern including the use of equipment that will be utilized that could possibly cause the spread of zebra mussels, whether educational material would be provided at the beach alerting people to how rapidly the zebra mussels can spread and the impact of these weeds on the native plants which were addressed. Continued to Aug 3 @ 8pm

**8:00 Rich Vinette, to do a presentation on a canoe launch behind Arizona Pizza. Audience members include John Coty, Dee Consolati and Gail**

## **Ceresia .**

A year ago Dennis Regan (Housatonic Valley Associates) approached CDC to help in trying to site a low impact canoe/kayak ramp. They were the recipients of grant money from the Economic Damages Fund through GE who puts some money into recreation and use of the river. Dennis contacted Rich because to gain support for looking at various resources in town. Out of 45 initial sites, 8 sites were selected by the consultant (ESS) that HVA hired. Criteria used to measure include low-impact, available parking, protection of the river and also bring in economic development. One particular site that was considered was the Lee Athletic Field which would provide programming. This involved two sites: one near Country Curtains, the other on Town Property. Country Curtains denied their request. Drawback of the Town site was limited parking.

Another site considered was 51 Park Street previously offered by Bob Trask. The site was inspected with Mr. Regan, Mr. Vinette and HVA. (Photographs were presented of the site). Parking met the requirements as well as favorable proximity to the river. It didn't appear subject to flooding. There is a cut channel leading to an island which leads to the river itself. A trail bridge over the channel leading to the island would be required. Rich favored this site because of economic development, increased parking downtown, protection and enhancement of the river, affords opportunity for programming, all the criteria they are considering. Two letters were submitted, one from the consultant sighting significant issues. Rich wants conservation to view the site for their perspective. If collectively, all agree that the project is worthwhile, this project could take effect. Several considerations include differences between developing the property versus leaving it wild, handicap parking, was the area subject to flooding, overuse by non-targeted groups. Financing the project was also a concern; alternate sources of funding was also discussed. Rich believes this is a worthy project where all groups should get together to make it happen.

## **Other Business:**

\*Taking files from office – sign in sheet will be placed in TO DO Box.

\*Town developing committee to research Beach Access situation. Kathy will

represent conservation.

\*New computer available in the office has GIS downloaded, complete with tutorial.

Don Torrico informed commission of clearing that will be done at Chanterwood Road, George Ball's property. There is a question as to whether this falls within the Scenic Mountain Act. The elevation of the site needs to be determined to see if he falls within conservation's jurisdiction which is determined by three separate zones.

Marilyn made motion to adjourn, all in favor. Meeting closed 9:13pm

**Respectfully submitted,**

**Martie Martin**