

**-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, Sept 21, 2009

Member Present: Deborah Garry, Chair, John Philpott, Marilyn Hansen. Kathy Arment, Stu Dalheim, Jack Coty

7:00 Continued Notice of Intent, 196-0379, Danielle and Matthew Filio, 370 Chapel, demolition of the current residence and reconstruction of a new home.

Danielle Filio handed over the NHESP letter showing that they are exempt from their regulations. Motion made by John to close the hearing, seconded by Kathy, all in favor.

7:15 Continued Notice of Intent, Schermerhorn Road, Commonwealth of MA, represent by Alec MacLeod, repair of existing road and existing inadequate stormwater management system.

Road will have major rebuilding in the town of Washington. The Town of Lee will have minor impact. Stu moved to close the meeting John, seconded, all in favor. Additional conditions: 1) The drop inlet will be replaced by a 4-foot sump catch basin. 2) Applicant must supply new plans with 4' sump shown on them.

7:20 Continued Notice of Intent, MA Highway Dept, Route 20, near Laurel Lake, replacement of deteriorated pipe with two new culverts. Represented by Amer Raza, MA Highway

No one present at this meeting. Applicant will be advised the Conservation is still awaiting the final plans which need to be stamped, signed and 100% complete. There is also a concern that the present drainage is under capacity by quite a bit. However, the level of the pond has nothing

to do with the drainage which in turn has nothing to do with this project. Motion made to continue to Oct 5 at 7:15 by Stu, seconded by John, all in favor.

7:30 Continued NOI, Charles Leach, 1110 Fairview Street, #196-0380, demolition of a barn and construction of 2 car garage. Ann Bruzzi representing, Berkshire Engineering.

Ann Bruzzi and Leigh Minor present. There will be the demolition of the barn with construction of a new barn in a slightly larger footprint. Ann showed her new plans with a truncated map that shows perennial stream that bisects her property, continues onto Fairview Street and goes to the other side of the road. They are in the riparian zone. There is a small BVW associated with the stream along its bank and the buffer zone. They are 82.75' away from the BVW line; within 100 feet of stream. They have received comments from NHESP and the comments state there is no take. For the garage location that exceeds the existing footprint they plan to mitigate 686 Sq ft. The total area that is required to mitigate is 368 feet which is for the riverfront.

DEP comments: 1) wait 30 days for NHESP which they have. 2) the Commission needs to understand what is required for the mitigation area.

Mitigation is a natural location and applicant plans on planting grass which will not be mowed. There was a discussion on the wetland plants and whether they will grow in this area which Ann believes they will: area will also be seeded. The area will need to be staked with split railing as a reminder that this section is not to be mowed. Motion to close made by John, seconded by Kathy, all in favor. Building sign off was issued.

Other Business:

There will be a meeting with BRPC who will be conducting a watershed study, on Wednesday, Sept 23. @ 2 p.m.

Deb will be meeting with Rich Venette and Bob Nason regarding updating the open space plan.

Kathy has the Edith Wharton property while Jack, along with Linda Cysz, has the task of exploring the possibility of gaining access to Sandy beach from Summer Street. There may be a concern with Natural Heritage. There is a question as to where the money will come from to develop the site including water/sewer. No one has shown up from Lenox at these meetings.

Office Duty:

Sept 28 - John

Motion to accept minutes of the Sept 3 meeting made by John, seconded by Kathy, all in favor.

John made motion to close the public hearing, seconded by Kathy, all in favor.
The meeting was closed 7:48 p.m.

Respectfully Submitted,

Martie Martin