

**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, October 5 , 2009

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

**7:00 Notice of Intent, Naomi Alson, 1505 Pleasant Street, represented by Steven Bankert, SB Contracting, for the demolition of a barn.**

Steven Bankert presenting on the demolition of a barn within 200' of the Housatonic River. Referring to the plot plan, Mr. Bankert pointed out that the house sits on the sidewalk. 117 feet from the street curb is an old barn which consists of a gable-roofed, post and beam with a shed addition which has long since collapsed. The barn is slowly falling down with half of the back of the roof gone. It is starting to cave in and Ms. Alson is concerned with liability and would like to have it taken down and recycle whatever post and beams that could be salvaged. Dimensions include 40 feet from the bank which is the closest place he could find from the river; silt fence area is marked; all demolition material will be removed from property with the unusable portion going into dumpsters and the rest recycled. Once leveled to the foundation, it will be filled with native fill with that area being approximately 5700 sq cubic ft. This will raise it to the level of ground around it. They intend to stay with existing grade filling it with dead sand or gravel, with top soil and seed. Measurements include an 8 feet of wall by 50 feet long tapering down to three feet at the bottom. This indicates that when filling in a flood plain, compensatory storage would be required. It was suggested that to avoid this, he might want to bulldoze the lip. This solution was agreed upon. He still needs to send out forms to NHESP-- he was awaiting advice from the commission on how best to handle the open area. It was further suggested that he can use the existing high spots in the ramp to fill it in and then seed it. Continued to Oct 19 @ 7:00.

**7:15 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 File # 196-0382**

Amer Raza, presenting. No additional plans submitted at this point. July 21 letter from NHESP has been submitted. They find that the project as proposed, occurs within Priority Habitat but will not constitute a prohibited "take" of state-listed rare species. NHESP further noted that Laurel Lake has been unfortunately colonized by zebra mussel, an aggressive exotic species and provided a non-mandatory recommendation. This includes washing the equipment prior to leaving the site. Pumps and dewatering

equipment, including hoses, should be flushed and washed with clean water (not from Laurel Lake) before leaving the site. Mr. Amer stated that they are requiring contractor to prepare a removal and containment plan and once provided, then plan will be approved. Construction sequence will be installing water control measures using 24 inch divergent pipes. Cofferdams will be on both side of the road and then construction of the culverts which will be concrete box. It was suggested that because of the lack of information the contractor would be required to come before the commission to explain the sequence. The State doesn't have a contractor yet because it isn't out for bidding which cannot be done until all the paperwork is in. Whoever gets the contract will follow the location in the plan currently submitted. Commission wants to reserve the right to condition whatever plans the contractor submits. When the work is done, the flooding on Route 20 should be controlled. There are no other structures other than the culverts presently embedded in the area and they will just be installing larger capacity pipes. Motion made to close by Kathy, seconded by Stu, all in favor. After the contract is awarded and before the project starts contractor must come before the commission.

**Other Business:**

Robert Decker, Greenrock Country Club, to discuss significant drainage issues currently on the property. Seven years ago an irrigation project was done, the summer of 2002 which was a dry year. They were drawing a lot of water from other properties which was settling in and sitting there. A contractor was brought in and submitted a bid proposal. He looked into the permitting process from the town. He was told that what they were looking to do – surface drainage—was covered. He was also led to believe that because of the area of disturbance was so small and insignificant they didn't need to do a lot through the town boards. There is an existing permit on the property. He wants to improve the water drainage by stabilizing it as well as protect those downstream of them. Water currently goes towards St. Mary's property which collects into irrigation ponds and exists at the brook. He is still using the existing swales; the topography hasn't been changed. The deteriorated piping was removed and replaced; both were perforated. The Commission would like for him to return with the as-built drawings.

**\*Discuss yearly report**

Members were asked to review the annual report and submit any suggestions.

**\*Discuss escrow accounts**

190 Meadow Street files need to be reviewed to determine the source of this money.

**\*Discuss 1035 Pleasant**

Silt fencing and hay bales have been removed. Commission will let it go.

**\* Minutes to Meeting September 21.**

Motion made by Kathy to approve, seconded by Stu, all in favor

**\* Access Beach Report**

Regarding the Edith Wharton Property, Bob Nason wants a meeting with Access Committee along with the Lee and Lenox Conservation Commission for comments. John C. was concerned about the cost to the town as well as the liability. Also with the property being vacant this will take a toll on the house. Bob Nason is considering selling the house. While jointly owned by the two towns, it is administered by the Conservation Commissions. A lot of questions remain on what can be done with the property as well as the legal implications. Whatever is decided, it would have to be the responsibility/property of both towns.

**Office Duty**

**Oct 26 – Marilyn**

**Nov 9 – John**

**Nov 23 – Kathleen**

**Nov 30 - Stu**

**Building Write- Off**

**Jim Leahy**

**37 Reservoir Road**

**Demolition of a barn.**

**Motion to close – Meeting closed 8:28 p.m.**

**Respectfully Submitted,**

**Martie Martin**