

**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

Meeting Minutes

PLACE OF MEETING: Judge's Chambers, Town Hall

DAY, DATE & TIME: Monday, December 21, 2009

Member Present: John Philpott, Marilyn Hansen, Kathy Arment, Stu Dalheim, John Coty, Ann Langlais

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

NHESP comments received. John P. motioned to close the public hearing, seconded by John C. All in favor. Conditions to be issued at the next meeting.

7:15 Continued Notice of Intent, Glenn Hersh, 470 Cooper Creek, an addition, remove and build a new garage, upgrade the septic and improve drainage within 100' Buffer Zone wetland and bank bordering on Goose Pond

Gail Ceresia representing applicant, Marc Volk Foresight Land Services, representing Sue Dunlaevy, J. Williar, abutters. Applicant wants to put an addition to the house and upgrade the septic system. Gail presented maps which she reviewed with the Commission. The wetland sources had been previously approved through an RDA. There will be an addition put on which abuts the garage that will be removed and replaced up slope. There will be a 1500 gallon septic tank that will be pumped up to a sand filter which is a closed system. After going through the sand filter it gets pumped up and put into the field. The system has been approved by Tri Town Board of Health as were the perc tests and test pits. Variances were requested because they cannot meet the state law of 50 feet setback from the wetlands and since this is an existing site, it cannot be met. The state originally calls for a four foot separation to ground water but allows existing sites three foot. There will be an impermeable barrier on the down slope which allows the amount of fill to be decreased. With this system it is found that after it goes through the filtration process it is 5 parts for million Biological Oxygen Demand. The leach field will be above ground. Part of the proposal is to increase the swale back into existence which she outlined on the map. The small pipes will be changed from 6 inches to 8 inches. The drainage will go into a shallow basin that should be 20' by 20' (and not 2" x 2" as indicated on the map). The water will be directed into the wetland and eventually into the lake. The test pits were done by Scott

McFarland. As far as the roof surface regarding water flow, Gail said a French drain will be placed around the house to capture the drainage. There is a footing drain according to the architect which will tie into it. As for the gravel driveway, Gail believes no improvements are to be made which, as Marilyn pointed out, if there is, it would be a concern because of its proximity to the wetlands. Gail said they might top dress it which if they do, the Commission needs to be notified. The new garage will need to be 25 feet setback from the wetlands according to Marilyn. Gail said that if the existing garage is in the same situation it should not be necessary. Mr. Volk questioned what they were putting in for the foundation because the BVW will be altered. The old structure would be grandfathered whereas the new one is not. There is no driveway leading to the new garage which needs to be outlined on the map. Mr. Volk questioned if the same should apply to the addition regarding the 25 foot setback. Also questioned was where the utilities come in and whether they would be above ground which Gail will look into. The wells will not be relocated. Conservation wants to see a 25 foot setback with this project. Gail expressed a concern that this would cause the view to be obstructed. The view is not the Commission's priority. Mr. Volk also asked whether the erosion controls would be just waddles which Gail said was an error on her application and that it will be silt fences and in some instances, straw bales. There needs to be construction fencing to delineate the work area. The site work is to be done around late spring. Mr. Volk asked whether a DEP file number had been assigned (#196-0384) and for NHESP comments; he also was concerned that the garage was just two feet away; also the NOI says they were going to use the existing foundation but should that not be possible, he wants to know where will it go as well as the foundation drain. Also the NOI shows work being done on other properties, specifically the Smiths, but no signature from them allowing the work to be done was supplied. The Commission is requesting a letter of authorization from them. He also pointed out that you cannot put in a septic system within 500 feet of Goose Pond without going to ZBA. Gail needs to come back with: 1) the 25 foot setback of the garage; 2) where the utilities are going and whether they will be above ground; 3) the location of the foundation drains; 4) a letter to be written to the Smiths; 5) look into moving both buildings back; 6) the location of the new driveway to the garage; 7) an update of the erosion control measures; 8) the foundation and whether it would include a full cellar and how much excavation will be done. Mr. J. Williar expressed a concern about the proximity to the wetland and the lack of plans being submitted in a timely manner. Motion to continue to January 18 @ 7:00 pm was made by Marilyn, seconded by JP all in favor. Gail requested a site visit but the Commission prefers to wait until the garage, driveway and the house be staked out. Until that is determined, the Commission does not feel a site visit could be properly conducted.

7:30 Bob Piccolo to address commission on Columbia Mill Buildings

Bob is looking to remove stock house B at Columbia Mill, just the structure which is made of wood; the foundation is staying. He showed on the map where the river is located. It is over 200 feet away on one side of the structure but it is unknown about the other side. JP suggested a better outline be done regarding the demolition as well as how the refuse will be handled and present that to the commission.

On Route 102, 285 Pleasant Street, the Salinetti property, there is a barn that needs to come down and eventually another erected. It is located just outside the floodplain and is 155 x 66. He needs to go for a demolition permit and then a building permit. There will probably be about 15 dumpsters. Marilyn suggested that an RDA be submitted indicating there is no change in the flood capacity. He will then have three years to build the new structure under this RDA. In the meantime the Commission will require more specific information which Bob will supply at the January 4th meeting.

Other Business:

Approve minutes of Dec 7.

Kathy motioned to accept the minutes, seconded by JP, all in favor.

Discussion on 190 Church

Mark Stinson met with Stu, Deb and Mr. Coady pointing out that the stream was not intermittent but perennial. Even if it was intermittent, storm water cannot be discharged into a stream. The work was being done in a resource area therefore should not have been allowed without paperwork. Some of the work was conducted on the other side of the stream which was not permitted. It was agreed that RDAs should be requested in the future as opposed to verbal agreements. The fact that he was losing his yard which was caused by the town putting in culverts should not have been considered an emergency issue.

Route 102, MA Highway RDA, Conditions to be added.

- 1) Stop repaving project 3 feet from the wetlands on the south side.
- 2) Borders need to be sealed with silt fence and hay bales.
- 3) Be sure none of the grinding materials goes into the wetlands.
- 4) Clean the debris encroaching on the wetlands in the south.
- 5) Before and after photos.
- 6) Require elevation be surveyed before and after project to ensure the same elevation

Office Duty:

Dec 28 – JP

Jan 11 - -JC

Kathy motioned to adjourn, seconded by JP, all in favor. Meeting closed at 8:30

Respectfully Submitted,

Martie Martin