

**TOWN OF LEE
32 MAIN STREET
PUBLIC MEETING**

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, June 7, 2010

Member Present: Deborah Garry, Chair, John Philpott, Marilyn Hansen, Kathy Arment, Stu Dalheim, John Coty, Ann Langlais, Keith O'Neil

6:45 Continued RDA, Robert Daley, Route 102, Nick Anderson, Berkshire Engineering

The wetland issue was covered in an email that was submitted by Emily Stockman who did the wetland delineation. Mr. Dalheim moved to close. Mr. Philpott seconded all in favor.

7:00 Notice of Intent, Big Y, Raze all existing structures and construct new Big Y Supermarket with parking areas, underground utilities, stormwater management, and landscaping. Rob Fornier, S& K Design, Jim Scalise, Don Hunter, Pete Smith and Frank Horacek, Big Y (Submitted proof of notification of abutters)

Proof of abutter notice was submitted by Mr. J Scalise. This project will include the demolition of the existing building to be replaced with a new Big Y Supermarket. It will also include an out building of 5000 sq. ft., paved parking area, a new proposed traffic signal as well as several enhancements. The property includes 9.8 acres of land surrounded by the Housatonic River, Old Pleasant Street and Route 102. The land contains BVW and includes floodplain. The majority of the site is in land subject to flooding. They will ask to close out the existing OOC as part of this proceeding. . About 70.6% of the riverfront is currently degraded as it sits today. The delineation is consistent with the valid Order of Conditions. An addition to the site is the May rock property where they plan to knock down the building and restore areas of the site as well as use portions for storm water management.

The access points have gone through a full traffic analysis, working with MEPA as well as the Planning Board. They are trying to minimize work in the floodplain. Snow storage

has been included on the plans. The plan also includes fencing around the detention basin. As for the storm water plan, the proposed site has 30,000 sq. ft. less impervious area than the existing condition. This means no detention basins would be required; they have also met the full storm water standards. The site is also considered a land use with potential higher pollutant loads. (LUHPPL)

One of the obstacles of the site is dealing with bordering land subject to flooding however, the plans have met all the appropriate standards. Another issue is habitat. If you alter over 5000 sq.ft of bordering land subject to flooding, potentially you have a need for wildlife habitat evaluation. Sighting Wetland Regulation 310, CMR 10.57 1A2 he feels that the degraded nature of the site has eliminated the escape cover, foraging areas and breeding habitat therefore a wildlife habitat evaluation is unnecessary.

Regarding riverfront, this project is a redevelopment so they first look at how much is the site degraded and compare it to the site proposed to be worked on. There is approximately 154,000 sq. ft. that will be degraded. The proposed work is about 153,000, approximately 1,000 less. Technically the Big Y plan doesn't have to do a Restoration and Mitigation. However, they plan to make improvements to the site. Among other things, they will do a detailed landscaping, maintain existing vegetation and enhance areas that they can call restoration areas. They will provide 22,000 square feet of area that will be restored.

The plans include comprehensive erosion control measures. A SWIP plan still needs to be done. They will be looking for a contractor to help write the plan. There is an invasive species management plan that was submitted and identified by Stockman and associates. A NOI requires a constructions sequence which is in the narrative. Natural Heritage has given them a letter as relates to MEPA. DEP comments were submitted with three items related to process. They have just received MEPA certificate on their Environmental Notification Form. They still need to provide MEPA an SEIR (Single Environmental Impact Report).

Items of concern and addressed include: They are proposing 295 parking spaces which was determined by Urban Land Institute guidelines. Snow storage will be included. Erosion control will include silt fence, a surface water swale that will be directed to one of two detention basins which will be depressions. Catch basins will have hay bales and waddles around them. There are 5 catch basins in the parking lot. Soils removed from the site during construction will be stockpiled, sampled and then it can go to a facility depending on what they find. There will be a single "go to" contractor for the entire site development that they will consult with. Roof top water, uncontaminated by definition, is being collected and there will be recharge units along the river's edge. There will be access to the river by a walking path. Island beds will be planted. Planting will establish a wildlife corridor with native and non-invasive plants. The first delineation was done in 2002 and 2006. First in the construction sequence is the demolition of all the above grade structures followed by demolition of the pavement. Under the supervision of a licensed site professional, they will cut the site into grade.

Don Hunter inquired about the review process and whether an engineer will be retained.

Since Hill Engineering worked on this last year, he was hoping they could be retained for this one in order to expedite the process. Ms. Hansen has already reached out to Dan Lovett and is waiting to hear. Continued to July 19 @ 7:00 pm.

Other Business:

- **Approval of May 17 minutes with corrections**
Mr. Philpott motioned to approve, seconded by Ms. Arment, all in favor.
- **Bob Piccolo to address the commission**
15 Housatonic Street, Bill Noonan property, needs to repair 20 feet of sewer pipe. Ms. Hansen motioned to allow, seconded by Ms. Arment all in favor.
- 17 Main Street, Zabian property where a depression exists. Mr. Piccolo submitted elevations. One elevation on the right side of the building is 883.34 feet and on the left is 882.84. The flood elevation is actually 891. The project is to clear it out and put in a retaining wall, fill it in and make a parking out of it. Based on the elevation numbers submitted for the work at Legacy Bank, it is considered out of the flood plain and it is statistically insignificant. Moved by Ms. Hansen, seconded by Mr. Philpott, all in favor. Mr. Piccolo will submit a diagram/plan including the use of impervious material.
- **Monica Ryan requested a site visit of the Scheurer property**
- The commission has selected not to do a site visit. An appeal has been issued which takes it out of Conservation's jurisdiction and now puts it under DEP exclusively.
- **Discussion on the Escrow Accounts**
Oak-n-Spruce, Jim and Pam Loring and Moose Drive needs to be reconciled.

Building Permits:

Brian Weinrich
1560 Pleasant
Construction of 14' X 24' Sunporch

Nancy and Arthur Shorr
Leisure Lee Road
Construction of garage.

Office Duty:

June 28 – JP
July 12 - AL

Motion to close made by Mr. Philpott, seconded by Ms. Hansen, all in favor. Meeting closed 8:44

Respectfully Submitted,

Martie Martin