

**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, August 2, 2010

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

7:00 p.m. Continued NOI, 615 Laurel, Thomas Fusco, Berkshire Engineering, multi-family dwelling.

Continued to Tuesday, Sept 7 @ 7:00

- **Laurel Lake Water Power, Chapter 91 General License Application, JP Case Manager**

- **Other Business:**
 - **Army**
This is to notify Conservation of work being done on Old Pleasant Street Bridge in Lee. This project involves replacement of the existing two span bridge with a single span bridge. The paperwork submitted was to state the Terms and Conditions of the permit which is on file. This project has been ongoing for approximately 3 months. The whole project is exempt.

 - **Beavers**
Notification was submitted discussing the Beaver trapping west of Marble Street. Tri-town Health has been notified and an emergency permit issued for the trapping. An Emergency Certificate for dam breaching is being requested

from the Commission. Ms. Arment will follow up with a call to Ruth Callahan with the Integrated Wildlife Control informing them that the Commission agrees with the Emergency Order by Tri-Town Health and they are to follow the guidelines originally submitted.

Motion by Ms. Hansen giving Ms. Arment permission to grant Emergency Certificate of breach along as all her questions are answered in a satisfactory manner, seconded by Mr. Philpott, all in favor.

- **Forest Cutting**

Patricca is cutting; second amendment to 2nd extension on Route 20, on 300 acres originally filed 2007. A Forest Management plan has been filed with the Fisheries and Wildlife. This is a Notice of Intent under MA general law which serves as a notification to Conservation however, Conservation doesn't have any jurisdiction. The management plan that was sent to Fisheries and Wildlife is an amendment which includes comments such as: plan approved delayed, waiting for updated and approved information, Natural Heritage recommendations, etc. There are no stands immediately adjacent to the wetland nor will there be harvesting in the wetlands. The area is to be cut for a gravel pit extension.

- Lynn Herring, an abutter of the Big Y, missed all the meetings because she claimed she never received abutter notification however, records indicated she was. She was also informed that there were articles in the Berkshire Eagle. She further made claims that the Town Hall told there wasn't a Conservation Commission. Ms. Arment informed her that the Public Meeting is still open and the next meeting is at 6 pm on August 16.
- Big Y
Research done by Mr. O'Neil shows the entire Housantonic is considered a cold water. This will not change the NOI because when you get into the criteria for dealing with cold water fisheries, they talk about treatment of storm water before it discharges into the river. It is all in Standard 4 which they are already compliant with. Restoration of the river bank was addressed and whether the Commission wanted to play a bigger role in this. However, it was felt that the entire corner as a protected habitat is really a benefit. There is enough of a buffer—more than the standard 25 feet. Also mentioned was the breaking up of the pervious surface as an alternative treatment. The point of the coldwater fisheries is to be aware of the thermal implications of the water---cooling down the water before it is brought in.
- Approval of the July 19 meeting.

Mr. Philpott motioned to approve minutes of July 19 as amended, seconded by Ms. Languais, all in favor

Office Duty:

Aug 9 - Stu

Aug 23 – Marilyn

August 30 - JP

Ms. Arment motioned to close, seconded Mr. Philpott, all in favor. Meeting closed 7:27 pm.

Respectfully Submitted,

Martie Martin