

Minutes
Lee Conservation Commission
Town Hall Courtroom 32 Main St.
Wednesday February 6, 2019

Commissioners Present: Kathy Arment, Chair; Stu Dalheim; John Philpott; Marilyn Hansen; John Coty, Jr.; James Wickham

Members of the Public Present: Maria Firstenberg, TRC; Mike Kulig, Berkshire Engineering; Sarah Gapinski, SK Design Group; Megan Sanders, Michael Schafer, CPI; C. Wezevitz

- **Continued Notice of Intent David Forrest 660 Greylock Street DEP # pending Construction of a shared driveway with stream crossing, work in wetlands and wetland replication area** Mr. Kulig presented. Still no DEP number as changes are being made. There is to be no changing of culverts. **Motion by Ms. Arment and second by Mr. Coty to continue with the applicant's consent to the February 20, 2019 meeting. Unanimous approval**
- **Motion by Ms. Arment with second by Mr. Wickham to approve the January 2, 2019 minutes. Unanimous approval**
- It has been noted that equipment/other is being stored beyond the unpaved area behind the building at 1900 Cape Street. This is a riverfront area. The Commission recommended that a letter be sent to the owners noting that all must be removed from the area.
- **Continued Request for Determination of Applicability Glenn Hersh & Nancy Elliott 470 Cooper Creek Road Removal of trees on edge of a pond** Applicant asked for a continuance to the February 20, 2019 meeting. The Commission will be in touch with the representative about site visits at a later date when the roads and weather conditions are better. **Motion made by Ms. Arment and seconded by Mr. Wickham to continue with the applicant's consent to the February 20, 2019 meeting. Unanimous approval**
- **Continued Abbreviated Notice of Resource Area Delineation Revere Solar, LLC Zero (0) Chanter Road, 175 Silver Street, 335 Forest Street DEP # 196-0452 Verification of delineated resource areas adjacent to work** Ms. Firstenberg presented. A review of the past meetings which included changes was done. A new plan with the boundary change and an email that describes the change passed out to the Commissioners. There is a concern about water running behind a property in one area and potential springs on the property. Ms. Firstenberg requests that a peer reviewer (a motion to hire one was made in the December meeting) be appointed now to have all in order at the time a delineation can be done. She would like to have a proposal from the reviewer that includes the basis of what to expect will be done, an estimate of the cost, credentials, time, rates and any other additional terms. There was a discussion on this. The Commission has a potential peer reviewer in mind. Mr. Wezevitz, an abutter, wants to consult the assessors' office as to where his land is on the plan. One concern is where two streams are located and springs. The Commissions requested that a written document be sent to the Commission with the requests from the applicant's representative re the peer review. There also was a property near S2 on the plan that was noticed to have running water on its southeastern edge in a previous site inspection by Commission members. There is no end timeline for the delineation due to constraints such as the snow cover. **Motion made by Ms.**

Arment and second by Mr. Coty to continue with the applicant's consent to the February 20, 2019 meeting. Unanimous approval

- **Continued Notice of Intent Vacla Dvorak 230 Moose Drive DEP # pending Construction of a single-family house and associated site improvements** Ms. Gapinski presented. There was a review of the properties. Deed requirements are still outstanding. A plan highlighting the streams and wetlands was passed out to the Commissioners. A legal document was also passed out with deed restrictions for the Commission to approve. It allows no further alteration of wetlands. A person or group will be needed to monitor this. The document will be registered on each individual deed of the property owners on Moose Drive. Ms. Vsetecka will forward a copy of the restriction to Town Counsel for review. **Motion by Ms. Arment and second by Mr. Philpott to continue with the applicant's consent to the February 20, 2019 meeting. Unanimous approval**
- **Continued Request for Certificates of Compliance Robert Carty 1455 Cape Street DEP #196-0338 and #196-0264** Mr. Kulig presented. Mr. Kulig passed out a timeline showing the dates for activities on the property. Original plans and changes were shown; it appears from observations the allowed work on DEP #196-0264 was completed. The all the allowed work on DEP #196-0338 doesn't appear to have been completed; the Order has expired. **Motion by Ms. Arment with a second by Mr. Wickham to issue a Certificate of Compliance on 1455 Cape Street DEP #196-0264. Unanimous approval**
Motion made Ms. Arment with a second by Mr. Wickham to issue a partial Certificate of Compliance on 1455 Cape Street DEP #196-0338. Unanimous decision
- **Notice of Intent Meg Sanders Canna Provisions Inc. 220 Housatonic Street DEP #196-0453** Mr. Schafer and Ms. Sanders presented. DEP comments were received around 4 PM on today, February 6, 2019. The project is to remove some of the soil from the lawn area to widen the sidewalk and install a handicap ramp. An improvement needed will be the removal of invasive plants on the bank. All is within the riverfront. It was noted in DEP comments that there are 3 outstanding Order of Conditions. The Commission and applicants looked at these and it appears two of them are Orders on the abutting property, 240 Housatonic Street, but the street numbers were erroneously given. One of them was for the addition to the building on 220 Housatonic. The applicants will do further research tomorrow, February 7, 2019. **Motion made by Ms. Arment and seconded by Mr. Philpott to continue with the applicant's consent to the February 20, 2019 meeting. Unanimous approval**

Motion made and seconded to adjourn at 8:45 PM. Unanimous approval

Respectfully submitted:
Kathleen Vsetecka

Documents: NOI 660 Greylock; ANRAD DEP #196-0452 Zero Chanter, 175 Silver St.; 335 Forest St.; NOI 230 Moose Dr.; Certificates of Compliance 1455 Cape St., DEP #196-0338, DEP #196-0264; RDA 470 Cooper Creek Rd.; NOI Canna Provisions DEP #196-0453; Minutes 1/02/2018