

Minutes
Lee Conservation Commission
32 Main Street Lee, MA 01238 Via Zoom
Wednesday, November 3, 2021 7 PM

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

Members of the Public Present: Matthew Carlino; Thomas Renton; Laurie Kropkowski; Jeff Jager; Paul Scarpa; Edward and Clare Lahey

Continued Request for Determination of Applicability Greenock Country Club 220 W. Park Street Maps 12, 18, 18A Lot 1 Culvert work Mr. Carlino representing. Mr. Carlino has not yet met with Ms. Kropkowski; he has been waiting for a call from the Commission about a site visit. Ms. Kropkowski noted that the work was done before the appeal period was over. Mr. Puntin explained that the Commission initially verbally agreed the area was non-jurisdictional though they didn't vote on the application at that time as there was a question about an intermittent stream. The work needed to be done as soon as possible. A site visit was set up for Saturday, November 6, 2021 at 10 AM. **Motion by Ms. Arment with a second Mr. Coty to continue with the applicant's consent to the November 17, 2021 meeting.**

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Coty, aye Ms. Thomas, aye
Mr. Dalheim, aye Approved unanimously

Thomas Renton 200 Golden Hill Road Map 7 Lot 50 Wetland delineation with plan Mr. Renton presenting. Mr. Renton has hired Mike Kulig of Berkshire Engineering to work on a plan for the septic system. Blue markers marking the wetland have been put up marking the wetlands in the septic system area. A delineation has to be done on entire work area of the project. There was a question about a machine in the wetlands. Mr. Renton explained that there was a tractor there that got stuck in the old septic system but it has been taken out and is now up back on the property. There was a machine in doing the perk test. Some work has been done as approved by the Commission in the October 6, 2021 meeting including inside work, putting stone around the foundation and other work in the same footprint as the previous house. No work can be done on the land until an application is submitted and approved by the Commission. **Motion by Mr. Dalheim with a second by Mr. Philpott to continue with the applicant's consent to the November 17th, 2021 meeting.**

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Coty, aye Mr. Dalheim, aye
Ms. Thomas, aye Approved unanimously

Emergency Certification to repair a damaged slope adjacent to Goose Pond Brook by Lee Premium Outlets 50 Water Street Matt Puntin

- Mr. Coty recused himself.

Mr. Puntin wasn't at the meeting but has sent in all the information. A Notice of Intent will be filed at a later date. Mr. Coty, a member of the public and an abutter, has looked at the plans for the work and would like another area of erosion near the power line to be included in the plans for the Notice of Intent. The Commission requests that Mr. Puntin appear at the November 17, 2021 meeting.

Motion by Ms. Arment with a second by Mr. Dalheim to approve the Emergency Permit.

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Dalheim, aye Ms. Thomas, aye

Approved unanimously

Mr. Coty returned to the meeting

Request for Determination of Applicability Oldcastle Lawn and Garden Map 24 Lot 10 110 Marble Street Excavating an area close to the wetlands Mr. Jager presenting. The project involves the installation of an underground pipe to transport sodium lignin sulfonate from railcars on the south siding to the manufacturing plant located east of the railroad tracks. on the west side of the tracks, directional drilling done underneath the tracks and trenching done from the east side of the tracks to the manufacturing plant. The area closest to the tracks is around 100' from the wet. Once installed the 2-6" pipes will be going in a direction away from the wetlands. The pipes will run above ground parallel to the tracks before going at a 90 degree under the tracks. The casing pipe will be sealed at the ends. The pipeline will be 4' (noted on plan) or 6' below the ground. They would like to do the project in late December or early January. Mr. Coty would like to do a site visit but he has no major problem with the project as it is. A delineation of the wetlands is requested and a note to the Commission will be sent when the delineation has been done. They have contacted Foresight Land Services for a formal delineation of the wetlands It was noted that a Notice of Intent need not be filed. **Motion by Ms. Arment with a second by Mr. Dalheim to continue with the applicant's consent to the November 17, 2021 meeting.**

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Dalheim, aye Mr. Coty, aye
Ms. Thomas, aye Approved unanimously

Request for Determination of Applicability Berkshire Gas Company Mill Street Map 8 Town-Right-of-Way Plastic gas main installation Mr. Scarpa presenting. Pipes are inspected by the DPU periodically. The existing pipe needs to be replaced. They will use directional drilling to do this, starting with a one side small trench 5-10'. The pipe is pulled through the trench; the work is 140' away from the brook on either side. The pipe will be 8'-10' beneath the brook. There is no excavation in the brook itself. Once the work is done the area will be restored with grass. Ms. Lahey, an abutter, noted that she was fine with the project. **Motion by Mr. Coty with a second by Ms. Arment to issue a negative 3 determination with the conditions that the Commission be contacted when the silt fence is erected and when the work is started.**

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Dalheim, aye Mr. Coty, aye
Ms. Thomas, aye Approved unanimously

The Laheys addressed the Commission about their concerns for the area around Woods Pond. There is an area of wetlands which they believe is much larger than the one shown on the Mass GIS map. They would like the Commission to see the area and have it fully delineated so the wetlands can be protected. Ms. Arment explained that the Commission doesn't do delineations; when a project is proposed, those doing the project must get the delineation.

Approval of the minutes of the September 1, 2021 and the October 6, 2021 meetings. These will be considered at the next meeting; a change needs to be made to the October 6th minutes and Commissioners would like to review the September 1st minutes.

Motion by Ms. Arment with a second by Ms. Thomas to adjourn at 9 PM.

Vote: Ms. Arment, aye Mr. Philpott, aye Mr. Dalheim, aye Mr. Coty, aye Ms. Thomas, aye

Documents: RDA Greenock Country Club Map 12, 18, 18A Lot 1; Thomas Renton, Map 7 Lot 50, no document; Emergency Certification 50 Water Street; RDA Oldcastle Lawn and Garden Map 24 Lot 10; RDA Berkshire Gas Company Map 8 Town Right-a-Way
Minutes of September 1, 2021; October 6, 2021; November 3, 2021