

Lee Conservation Commission

Land Use Room Lee Town Hall 32 Main St.

Wednesday July 20, 2016

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

Members of the Public Present: Mary Lee Johansen, Lee Land Trust; Chris Johnson, Devin Katt, Troop 3, Lee; Bill Wellspeak, Community Health Programs; Mike Kulig, Berkshire Engineering; Jason Kulig; Lewis Brooks, Fr. Mike Gaitley, David Guza, Joe Gohring, Brian Gail, Marian Missionaries of Divine Mercy; Don Hunter, Attorney; John Malumphy

- **Continued Notice of Intent Mary Lee Johansen Longcope Park DEP #196-0427 Construction of a footbridge** Chris Johnson and Devin Katt presented the plan. Two trees, one on each side of the stream are to be cut and used as support timbers. They will be 40' long and placed 4' apart across the stream. The stream is 25' wide so these will be well away from the bank of the stream. A mini excavator will be used to place these. Spruce planking, 4'x10' will be put across. Eight inch sonal tubes will be put at the four corners and the trees fastened to them by timber locks. Trees will be debarked. Before and after pictures are to be taken and the Commission requests a list of those working on the project be submitted to the Commission. **Motion made and seconded to approve the Notice of Intent. Unanimous approval.**
- **Request for Determination of Applicability Russell A. Mitchell Trust 800 Tyringham road Upgrade of sewage disposal system** Mr. Kulig presented. The system there now did not pass Title V. The system is for a 4 bedroom house. It will be located on the south side of Meadow Street, off Tyringham Road on the area that has been maintained as a lawn. It is in the buffer zone with the leach field up to 60' away from wetlands. There are erosion controls called for in the plan. **Motion made and seconded to issue a negative #3 determination with the conditions that the erosion controls be installed and remain until the grass is established; the Commission is to be contacted to approve the removal of them; before and after pictures to be taken. Unanimous approval.**
- **Request for Determination of Applicability Marian Missionaries of Divine Mercy** The applicant is requesting approval to build a rock wall with rocks taken from the lawn area. Approximately 4000 sq. ft. of dirt is to be removed and a 1000 sq. ft. wall about 100' long and 5' tall will be erected. The work is a minimum of 190' from the river with some further than that. There is a net gain of volume to accommodate flooding. There is an outstanding Order on this property so that needs to be closed out before the Commission can act on this application. A site visit is scheduled for July 23rd at 10 AM. Both the Request for a Certificate of Compliance and a continuance of this RDA will be on the 3rd agenda at 7 PM.
- **210 Stockbridge Road Don Hunter Procedural questions re blacktopping of driveway** Attny Hunter stated that the owner of this property wants to pave the driveway. He

presented a sketch showing the 200' line from Willow Creek. Approximately 2500sq. ft. in the 200' jurisdictional area will be paved. The driveway will remain the same size; there will just be 3" of blacktop put on top of the gravel. **The Commission asked that a letter/plan be written which tells what erosion controls will be used, and their location and telling the measurements of the existing driveway showing the percentage of the driveway that is a jurisdictional area.**

- **CHP FACILITIES 11 Quarry Hill Road Bill Wellspeak Procedural questions re expansion of the building and the parking lot** Mr. Wellspeak showed a preliminary plan for the property. An addition to the building will be outside the buffer zone according to the plan. The parking lot as proposed will be in or closer than 25' to the wetlands. A Notice of Intent will be needed. CHP has hired SK Design to do a wetland delineation. The Commission has an unwritten policy not to allow any work within 25' of a wetland.
- **55 Prospect Street Kerry Casey Procedural questions re brook running through the property and storm damage.** Mr. Casey not present.
- **1415 Pleasant Street Jack Malumphy Procedural question re a tree** Mr. Malumphy stated that there is a tree that is splitting. Pictures were presented to show this. It is close to the river. A crane uphill by the road, would need to be used to pull it back as it is cut. The concern is that the tree will fall into the river and block the nearby dam. The Commission agreed that the tree needs to be taken down. The Commission stated that Mr. Malumphy should write a letter or an email to the Commission stating that the damaged tree needs to be taken down before it falls into the river and blocks the dam. The Commission will then send a letter of approval.
- **Request for Certificate of Compliance Ann Doyle Deely, Esq. (Sharon Malumphy) 1445 Pleasant Street Motion made and seconded to issue a Certificate of Compliance. Unanimous approval.**
- **Approval of the June 15, 2016 minutes. Motion made and seconded to approve. Unanimous approval.**
- Building sign-offs noted.
- Meeting adjourned at 8:45 PM

Respectfully submitted:

Kathleen Vsetecka