

Minutes  
Lee Conservation Commission  
Lee Town Hall Courtroom 1<sup>st</sup> Floor  
Wednesday August 15, 2018

Commissioners Present: Kathy Arment, Chair; Stu Dalheim; John Philpott; Marilyn Hansen; John Coty, Jr., James Wickham; Josh Wright, Intern  
Members of the Public Present: Leonard Forrest; Shannon Boomsma, Brent White, White Engineering; Mark Stinson, DEP; Ray Grogan, Roger Sheurer, LLPA; Tim LeProvost; Peter Naventi; Marc DiGrigoli, Dave Brown, Stockbridge Terrace LLC; Alexandra Glover, Lazan, Glover, Puciloski.

- **Continued Notice of Intent David Forrest 660 Greylock Street DEP #196- pending Construction of a shared driveway with stream crossing, work in wetlands and wetland replication area.** Applicant requested a continuance **Motion to continue by Ms. Arment with second by Mr. Wickham to the September 5, 2018 meeting. Unanimous approval**
- **Minutes of 6/20/2018, 7/18/2018 and 8/01/2018 Motion by Mr. Dalheim and second by Mr. Coty to approve. Unanimous approval**
- **Continued Request for Determination of Applicability Rebecca Alson-Milkman One Chanterwood Road Construction of a seasonal dock and swim raft.** Ms. Boomsma representing. A letter was sent in with the changes the Commission had requested. There will be aluminum framing and footings, trex decking. It is a seasonal dock over rock. **Motion by Mr. Wickham with a second by Mr. Philpott to issue a negative determination #2. Unanimous approval**
- **Notice of Intent Ralph Sorley, Jr. 27 Woodland Road Removal of and replacement of existing mobile home with associated site work** Ms. Boomsma presented a revised plan and a letter that were based on DEP comments. Both the existing and the proposed new mobile home are within the riverfront and flood plain. The new mobile home will occupy 150 square feet more space than the existing one and will be 12 feet closer to the brook. There is to be 300 square feet, a 2:1 ft mitigation/restoration. Work done on the berm will be done by hand. The Commission reviewed information re DEP requirements for proposed "Redevelopment within Previously Developed Riverfront Area" that Mr. Stinson provided. Based on the new information submitted by Ms. Boomsma, a **Motion by Mr. Philpott with a second by Mr. Coty to approve and issue an Order of Conditions. Unanimous approval**
- **Notice of Intent Business Investments LLC 1900 Cape Street Expansion of a parking lot** Ms. Boomsma had presented the proposal informally at the meeting on August 1, 2018. There was a question as to whether the present development was permissible when built – the only paperwork on file is an email dated 2/27/06 from the owner at that time. This property was split off from 1920 Cape Street, the property that now houses B-Safe Storage and that area has already used up the degradation allowed. The current owner of 1900 Cape Street acquired the property last month. Ms. Boomsma will research alternatives as to what is now allowed. Mr. Stinson submitted photos of the

property for review. Mr. Forres, owner of B- Safe Storage, was present. **Motion made by Ms. Arment and seconded by Mr. Dalheim to continue to the September 5, 2018 meeting. Unanimous approval**

- **Notice of Intent Roger Scheurer (LLPA) Laurel Lake Drawdown of the lake 3 ft. for 2018-2019 with the option to increase the drawdown as permitted by all agencies with jurisdiction at Laurel Lake** Mr. Scheurer presented. The proposed project is a repeat of the 3 foot drawdown done from 2010-2017 with the option to increase the drawdown with permission. He stated that an Order of Conditions can be made for 5 years; Mr. Stinson confirmed this. The Lenox Conservation Commission will be issuing an Order of Conditions for this same drawdown on Thursday night and are doing a 5-year Order. He stated that he has some communication with Lenox and when he gets a copy of their Order he will forward it to the Lee Commission. He is looking for engagement of all agencies involved with the permitting of the drawdown; he will meet with both Lenox and NHESP representatives. **Motion by Ms. Arment with second by Mr. Philpott to continue to the September 5, 2018 meeting. Unanimous approval**

- **Continued Enforcement Order Stockbridge Terrace LLC**

Ms. Glover: There has been an extensive effort to have a contractor come on site. An access agreement to have one party access the other party's property will be completed by tomorrow (August 16, 2018).

Mr. White: There was a rainfall event on August 3, 2018. A summary of the comments by Ms. Stockman, Stockman Associates, and photos given to her by the Naventis was done. The erosion controls on the Stockbridge property stopped some of the water that should have gone into the detention basin. A diversion swale was made inside the work area that helped stop the water that was causing erosion. The action was taken immediately. It was an abnormality and won't happen again.

Mr. DiGrigoli: He gave a list of the contractors that he contacted and their response/non-response. Two stated that they would reach out to Mr. Naventi; they were advised of the complications of the project.

Mr. Naventi: Mr. Wilkerson, one of the contractors, is aware of the work needed and is scheduled to meet with him this week. There needs to be plans to make any contract. He doesn't agree with the assessment of Mr. White as to the water coming down on his property on August 3<sup>rd</sup> and causing erosion; he feels that there was too much water to be caused only by the erosion control diversion.

Ms. Glover: Mr. DiGrigoli and Mr. Naventi will be contact persons.

If there is an agreed upon contractor before the September 5, 2018 meeting, work can begin. White Engineering needs to notify the Naventis when on site.

Ms. Arment: The name of the contractor is to be given to the Commission at the September 5, 2018 meeting.

**Motion by Ms. Arment with second by Mr. Wickham to continue to the September 5, 2018 meeting. Unanimous approval**

**Motion by Ms. Arment with second by Mr. Coty to adjourn at 8:41 pm. Unanimous approval**

Documents: Request for Determination of Applicability and letter dated August 14, 2018 with additional information for One Chanterwood Road; Notice of Intent, aerial photos and email dated 2/2706 for 1900 Cape Street; Notice of Intent and letter dated August 14, 2018 with a modified plan for 27 Woodland Road; Handout from Department of Environmental Protection "Redevelopment of Previously Developed Riverfront Area"; Notice of Intent Laurel Lake Drawdown; Photos of storm event 8/03/2018 emailed August 6, 2018