

Minutes  
Lee Conservation Commission  
Lee Town Hall 32 Main Street Courtroom  
September 19, 2018

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

Commissioners Absent: Marilyn Hansen

Members of the Public Present: Matthew Puntin, SK Design; Shannon Boomsma, White Engineering; Mike Kulig, Berkshire Engineering; Jennifer Reusch, Ted Toothaker, Eugene Welden, Lane Construction; Tina Bartini; Len Forrest; Alexandra Glover, Lazan, Glover, Pulicloski; Marc DiGrigoli, Peter and Diane Naventi

- **Matthew Puntin Discussion re Columbia Street property** Mr. Puntin did a preliminary review. The lot is undeveloped, has an intermittent stream and is in the riverfront. A commercial building and parking area is proposed. There is a curb cut already in place but in theory the driveway could be moved out of the jurisdictional area; however, there is a sharp curve and to move it would cause a probable danger to traffic. The plan calls for no work within 50' of the intermittent stream. The Commission asked for a Notice of Intent
- **Moose Drive** (this was not on the agenda but it is just a preliminary discussion) The area is a newer 8 lot subdivision. The parcel being considered is about 3 acres and has a bordering vegetated wetland and two isolated wetlands located by the road. Delineation markers are still present from the past. The plan calls for no work within 50' of the bordering vegetated wetlands. The Commission asked for a Notice of Intent. If it is permitted under the Wetland Protection Act, a Scenic Mountain Act Notice of Intent is not needed.
- **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. David Foulis of DEP was consulted and it was determined that a file number would not be filed without a Water Quality Certification done; the permit with this is rigorous. The least damaging alternative would involve merging two lots. The shared driveway for 2 lots is a by-right; a subdivision driveway has more criteria to satisfy. Mr. Kulig needs to consult with Mr. Forrest to see what he desires to be done. **Motion made by Ms. Arment and second by Mr. Coty to continue with the applicant's consent to the meeting of October 3, 2018. Unanimous approval**
- **Motion made by Ms. Arment and seconded by Mr. Philpott to approve the minutes as amended of the September 5, 2018 minutes. Unanimous approval**
- **Continued Notice of Intent Business Investments LLC 1900 Cape Street DEP #196-0448 Expansion of a parking lot** Ms. Boomsma presented. The sewer system is connected by East Street. Her argument to approve the application is that there is no deed restriction on the property relating to the amount of disturbed area allowed in the riverfront. Her clients want her to continue with the application. The Commission's concern is that if Mr. Stinson of DEP is not in agreement they then can do nothing. Mr. Forrest brought up information about a major aquifer that was there on the property in the 1980s and test wells were drilled to see if it was sufficient enough for town water. Nothing was done at that time; however, something might change in the future. It was suggested that Ms. Boomsma again talk to Mr. Stinson and also to Mr. Cameron at DEP. **Motion made by Ms. Arment and seconded by Mr. Dalheim to continue with the applicant's consent to the October 3, 2018 meeting. Unanimous approval**

- **Continued Notice of Intent Dave Lane 105 Run Way DEP #196-0450 Installation of a 36'x112', 4032 sq ft pole barn within the existing gravel parking area** Mr. Kulig presented an amended plan. The barn will now be 25' from the river. The water from the drain in the middle of the barn will still run through a separator and into the town sewer. There will be 8.9 yards of fill instead of what was on the original plan. **Motion made by Mr. Wickham and seconded by Ms. Arment to issue an Order of Conditions with the conditions that approval is on the amended plan and that the area behind the barn, riverside, be reseeded, restored and always kept cleared. Unanimous approval**
- **Continued Request for Determination of Applicability Lane Construction Corp Stormwater site maintenance and improvements** Mr. Welden presented. He has consulted with Mr. Stinson and the company has hired GZA; the company has marked out all the areas of concern to the Commission. A revised RDA will be done. Mr. Stinson is in agreement to continue with the RDA; he looked at the whole site and would like the company to come up with a new plan. At the end of this meeting the Commission will determine a time for a site visit. **Motion by Mr. Philpott and second by Mr. Coty to continue with the applicant's consent to the October 3, 2018 meeting. Unanimous approval**
- **Tina Bartini 778 Greylock Street Construction concerns** Ms. Bartini had thought that when applying for the building permit that all boards would be notified and any concerns would be voiced. However, due to a glitch in the system, the Commission was never notified. A dirt pile and some beams had been noticed in the jurisdictional area so they had asked that Ms. Bartini come to the meeting. Ms. Bartini explained the history of the property and noted that the beams and the pile had been removed. The driveway needs some repairs. The Commission requested a Request for Determination of Applicability be filed for this as the area is in a flood plain.
- **Continued Enforcement Order Stockbridge Terrace LLC** The stabilization plan for the Naventi property is to start on September 24, 2018; a contract has been signed. Another contract (see last meeting's minutes) is in the process of being signed after approval of the two parties. The conservation plan for the property is being finalized. Ms. Boomsma observed the detention basin on Stockbridge Terrace twice on September 18, 2018 and it was holding water. Mr. Wickham also observed the same. Ms. Naventi read and submitted another statement that has been filed. Ms. Glover disagreed with some of the statements in this. The Naventis made it clear that they wanted the work to start on the 24<sup>th</sup> as noted above. This will be continued to the next meeting.

The Commission agreed on a site visit to the Lane Corporation on Saturday, September 29, 2018 at 10 AM.

- **Motion by Ms. Arment and second by Mr. Coty to adjourn at 8 pm. Unanimous approval**

Documents: Notice of Intent 660 Greylock Street; Notice of Intent 105 Run Way DEP #196-0450; Notice of Intent 1900 Cape Street DEP #196-0448; Request for Determination of Applicability 1 Willow Road; Letter Naventi 9/19/2018; letter Timothy LeProvost 9/19/2018.