

Minutes  
Lee Conservation Commission  
Town Hall 32 Main Street Court Room  
Wednesday May 1, 2019

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

Members of the Public Present: Matthew Puntin, SK Design Group; Jackson Alberti, Foresight Land Services; Tom Ingersoll, Ingersoll Land Care; Deborah Helmke; Linda Shafiroff; Dave Carrington; Caroline Young; Gail Ceresia; Chester Wezevitz

**Continued Notice of Intent Vaclav Dvorak 230 Moose Drive DEP #196-pending Construction of a single-family house and associated site improvements** Mr. Puntin has the deed restrictions that the Commission needs to sign in the presence of a Notary of Public. These restrictions are needed so the owners of the lots can build. The restrictions give the Commission to enter the property at any time. The original copies are on file in the Conservation office; Mr. Puntin will have an attorney present at the next meeting to witness signatures. **Motion by Ms. Arment with a second by Mr. Philpott to continue with the applicant's consent to the May 15, 2019 meeting. Unanimous approval**

**Continued Request for Determination of Applicability Scott LePrevost 58 Canal Street Warehouse addition** Mr. LePrevost requested a continuance as he needs to appear before the Planning Board and the ZBA. **Motion by Ms. Arment with a second by Mr. Philpott to continue with the applicant's consent to the May 15, 2019 meeting. Unanimous approval**

**Ms. Shariroff** Ms. Shariroff and her son are under contract to purchase a lot on Beaver Dam Road. The former house burned down. Silt fencing has been put up at some point. There is a well and a septic system in place though the septic tank needs to be replaced. They would like to put a house on the existing foundation. There are wetlands on the lot and a neighboring lot and some are at least within 100' of the foundation, etc. She is looking for guidance. The Commission advised that a wetland delineation with flagging, a plan showing distances from the wetlands to the work area and an application for a permit be done.

**Paperwork submitted by Ms. Hall** Ms. Hall submitted paperwork about a clean-up at Longcope Park and replacing the stones under the playground pavilion at 126 Housatonic Street with some other pervious material. The Commission requested that she come to the next meeting and explain the plans more fully.

**Continued Request for Determination of Applicability Glenn Hersh & Nancy Elliott 470 Cooper Creek Road Removal of trees on the edge of a pond** Mr. Philpott and Ms. Arment did a site visit on Saturday. No brush clearing toward the pond area is to be done. The Commission approved the cutting of the trees shown on the RDA plan. Ms. Helmke will come back before the Commission at the next meeting for permission to do more plantings. Nothing is to be done within 25' of the wetlands; the wetlands need to be delineated again. A Determination of Applicability cannot be issued as there are outstanding Orders of Conditions on the property. See next agenda item.

**Request for Certificate of Compliance 470 Cooper Creek Road DEP #196-0402** The permitted plan for the house and amenities is different from the plan that was followed for the work that was done. The house is closer to the pond and to the neighbor's house. The owners need to come before the Commission.

**Motion made by Ms. Arment with a second by Mr. Coty to approve the April 17, 2019 meeting.**

**Notice of Intent Robert Trask, Montra II Inc. 51 Park Street DEP #196-0459 Building renovations, temporary gravel parking area and related site work** Mr. Alberti presented the plans. The flood plain elevation of approximately 882.35' was obtained by comparing a survey done with FEMA maps. New foundations are to be put under the main building which is above flood plain elevation and out of the riverfront area. New building

renovations are proposed for the residential building; these consist of a 15.5' x 13' storage room, a 9' x 13' concrete pad for a walk-in cooler, a smaller concrete pad and a small pitched concrete landing. All of the building additions are outside of the flood plain. The proposed gravel parking area is an extension of an existing one. There will be no change in impervious surface.

**Motion by Mr. Wickham with a second by Ms. Arment issue an Order of Conditions for the Notice of Intent DEP #196-0459. Unanimous approval**

**Request for Determination of Applicability Bruce and Sally Levy 345 Spring Street Dismantle bridges, extract toxic piers/poles and stringer materials, reinstall decking under new underpinnings** Mr. Ingersoll presented photos and information on the piers being used. There are two bridges which need to be redone. The plan is to construct smaller ones which will have a lesser impact on the resource areas. Existing materials will be removed from the site. The original decking which is pressure treated wood will be reused as much as possible if acceptable. Most of the work will be done by hand though a mini excavator will be needed to lift the heaviest parts. The staging area will be the existing path. The Commission, noting the extent of the work and the resource areas being affected, is asking for a Notice of Intent to be filed. This would include a plot plan showing existing conditions and the new ones, the banks and resource areas, distances, elevations, contours; a plan to move materials into and out of the site without disrupting the resource area as well as the total process to be used; proposed plantings—and other specifics. **Motion made by Mr. Wickham with a second by Mr. Coty to issue a positive Determination of Applicability. Unanimous approval**

**Informational discussion Sean Reardon Cypress Creek/Revere Solar** Mr. Reardon showed the location of the proposed solar field. It is at a high elevation but on a flat plateau-like area that is lower than the surrounding mountains. The solar part is only covering 30 acres of the 98 acre site. Shown were visible vantage points with photos; the array will be able to be seen from Moose Drive and Chanterwood Drive. A request was made to do a vantage point from Lee High School. The plan is to file a Scenic Mountain Act Notice of Intent as the next step; he hopes it is acceptable to defer drainage issues to the WPA Notice of Intent. He would like to deal with the scenic issues in the SMA Notice of Intent and the wetland issues in the WPA Notice of Intent. There was discussion of what would be needed for the Scenic Mountain Act requirements to be met.

Meeting adjourned at 9:30 PM

Documents: Deed Restrictions, 230 Moose Drive; Letter and photos by Ms. Hall re Longcope Park and pavilion at 126 Housatonic Street; Notice of Intent DEP#196-0459 51 Park Street; Request for Determination of Applicability 345 Spring Street; Request for Certificate of Compliance 470 Cooper Creek DEP #196-0402; Request for Determination of Applicability 470 Cooper Creek Road; Visuals for Revere Solar

Respectfully submitted:  
Kathleen A. Vsetecka