

Lee Conservation Commission  
Minutes of 8/19/13 Meeting

Present: Kathy Arment, John Coty, Anne Langlais and John Philpott

Ms. Arment opened the meeting at 7:00 PM.

Harold Sherman, 505 Laurel St re: Request for Determination of Applicability to determine if the installation of a “boardwalk” and steps are subject to the Wetlands Protection Act. The work would be conducted within 100’ of Laurel Lake. Mr. Sherman explained that the work was necessary because of a fall he took and broke his leg. He plans to use techno metal posts for the structure. These have advantages because no digging is required to put them in the ground because they are like large screws. A hydraulic machine will “screw” the posts into the ground. The Commission decided to conduct a site inspection on 8/20 at 9:00 am and 4:00 pm. It was decided to continue the public hearing until 9/3 at 7:15 pm.

CT Dep’t of Energy and Environmental Protection, 405 Laurel St Laurel Lake Boat Ramp re: Request for Determination of Applicability to determine if a feasibility study planned for the raw water supply line running from Laurel Lake to the Eagle Mill is subject to the Wetlands Protection Act. Others in attendance for this public hearing: Harold Sherman (abutter), Gige Darey (Chairman of State Fish and Wildlife Board), Dennis Regan (Housatonic Valley Association) and Mark Jester (President Berkshire County League of Sportsmen). William Hyatt of CT DEEP explained that the study area is the raw water supply pipe for Eagle Mill. The pipe starts at the south end of Laurel Lake along the dam and runs to Eagle Mill. The pipe generally parallels Laurel Brook. The plan is to use carbon dioxide in preventing living zebra mussels, veligers, from moving from a known colonized water body (Laurel Lake) to another water body (Housatonic River) via chokepoints like small streams or pipes. They would like to set up an experimental system that would inject carbon dioxide into the raw water supply line at the valve house at Laurel Lake. Carbon dioxide concentrations injected into the pipe with a Praxair water treatment gaseous CO2 flow control module would be regulated with a pH meter at the raw water feed line relief valve to sustain a number of selected pH conditions in the pipe ranging from 7.2 (incipient lethal pH value for veligers) down to 6.5 (lethal pH for adult zebra mussels). In addition to determining baselines for the live veligers passing through the pipe to the Housatonic River, they intend to determine the percentages of living and dead veligers passing through the pipe after carbon dioxide treatment in the pipe at selected pH concentrations. When asked about the safety of releasing carbon dioxide, Mr. Hyatt explained that carbon dioxide is ubiquitous in the environment, the carbon dioxide injection will be confined within a manmade structure and the volume of water treated is negligible compare to the flow of the Housatonic River. The carbon dioxide added to the water, in the pipe, will outgas quickly during the discharge and won’t result in any changes in water chemistry within the Housatonic

River. It looks like the work will be done next year during warm weather months. EPA has been contacted and they have reviewed the documents and EPA said no permits from them are required. Applicant will follow up with documentation from EPA that no permit is required. Wayne McCollum (Mass DEP), Mark Stinson (Mass DEP) and Mark Tisa (Mass Dep't of Conservation and Recreation) have been made aware of this study. The water flow from Laurel Lake will continue throughout this study. Mr. Sherman suggested that they contact Ken Wagner who does work for the Laurel Lake Preservation Association and has information that may be helpful to them. Commission asked for more documentation: 1) That an electronic copy of the reclamation study of 6/20/13 is forwarded to them. 2) That the Commission received any other information that may be forwarded to Mark Tisa and also receive any information that Mr. Tisa may send to applicant. 3) That the Commission received any email documents from EPA regarding permitting. 4) The Commission receives a statement on the safe use of CO2. Mark Jester and Gige Darey asked that any documentation we get be forward to them. This public hearing has been continued to 9/3 at 7:30 pm.

Terrance Smith, Mass Dep't of Fish and Game, Office of Fishing and Boating Access re: Notice of Intent for repairs to the Laurel Lake boat ramp. Mr. Smith explained that they propose to repair and stabilize the bank by excavating and disposing off-site all damaged granite curbing and concrete: resetting existing and placing new stones to repair the damaged revetment structure; grading and shaping vegetated slopes between the top of stone revetment and parking lot. Then placing loam, seed and bio-degradable ECB's to minimize soil erosion. A temporary sediment control curtain and boom will be installed while work is being performed. There will be approximately 270 linear ft. of permanent bank stabilization and approximately 1,500 sq. ft. of vegetated slope surface repairs. No equipment will enter the water all work is to be done from the parking lot. Guard rails will be repaired as needed. Stairs will be removed if feasible. Currently they are moss covered and considered a liability. They may be tied into the retaining wall. He is hoping to do the work in October 2013 and it should take about one week. Mr. Smith is the person who will be doing the work. It was brought to Mr. Smith's attention that there are currently two open orders of conditions for this boat ramp area. One was Mass Highways and one was Mass Dep't of Conservation and Recreation. Ms. Garry will contact these agencies to inform them of the need to submit requests for certificate of compliance. This hearing was continued to 9/3 @ 7:45 pm.

John Fitzpatrick, 1 Chanterwood Rd re: building permit sign-off. The Commission asked him to appear to explain the work he has planned. He indicated that no work is planned near the Goose Pond. It will be all inside work like repairs to roof and floors. Commission will do a site inspection on 8/20.

Ms. Langlais made a motion to accept the minutes of 8/5/13 as written, seconded by Mr. Cody, vote unanimous.

Ms. Arment made a motion to close the meeting at 8:45 pm, seconded by Ms. Langlais, vote unanimous.

Building Permit sign-offs: 1) John Warner for Ray Grogan, 495 Laurel St for deck repair.  
2) Dave Lanoue for Mary Lincoln, 1440 Pleasant St. for new garage  
3) Southdown Quarry, 10 Marble St for new equipment foundations

Respectfully Submitted,

Deborah Garry  
Administrative Assistant

Office Duty:

8/26 RA  
9/9 SD  
9/23 MH  
9/30 JP  
10/14 JC  
10/28 AL  
11/11 RA