

TOWN OF LEE

32 MAIN STREET

PUBLIC MEETING

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 39 SECTION 23B - AMENDED.

CONSERVATION COMMISSION

Meeting Minutes

PLACE OF MEETING: Judge's Chambers, Town Hall

DAY, DATE & TIME: Wednesday July 2, 2014 at 7:00 PM

Members Present: Kathy Arment, Chair, John Coty, John Philpott & Marilyn Hansen

Ms. Arment called the meeting to order at 7:00 PM.

7:00 PM Jessica Toro, Native Habitat Restoration (NHR) re: Request for Determination of Applicability (RDA) for 501 Pleasant St and an area along Route 102 owned by Berkshire Natural Resources Council (BNRC). Mr. Doug Bruce (BNRC) and Sari Hoyt (NHR) also present. This project involves two different land parcels owned by two different entities. They are adjacent to one another and also adjacent to DFW's Hop Brook property where this same type of treatment was done earlier. The plan is to reduce invasive species by using different methods such as: mechanical cut, herbicide spraying with wetland approved herbicides and cut stem treatment of larger shrubs, trees and vines. Short term goal is to reduce invasives by 70% by 2015 and long term by 95% by 2018. Ms. Arment made a motion to accept the RDA for the Boyd property and issue a negative #3, seconded by Mr. Philpott, vote unanimous. Ms. Arment made a motion to accept the RDA for BNRC property and issue a negative #3, seconded by Mr. Philpott, vote unanimous.

7:15 PM: Nick Hopkins Mass DOT re: RDA from resurfacing I-90 east bound from Lee/Stockbridge town line to mile marker 11.0. They plan on micro milling 2" of the existing roadway and then resurface 2". Existing drainage structures will be cleaned of sediment and repaired as required. They will replace existing pavement markers and install new slotted reflective pavement markers. Rumble strips will be installed as required. All necessary erosion controls will be utilized. Ms. Arment made a motion to accept this RDA and issue a negative #3, seconded by Mr. Coty, vote unanimous.

7:30 PM: Paul Scarpa, Berkshire Gas re: RDA for replacement of 4" gas main from

720 Greylock St to 830 Greylock St. Approximately 1300' of bare steel gas main will be replaced. A portion of the work is in the buffer zone and will cross beneath two culvert pipes. They will utilize directional drilling so there should be no impacts to resource areas. Ms. Arment made a motion to accept the RDA and to issue a negative #3, seconded by Mr. Coty, vote unanimous.

7:45 PM: Kathy Hall re: changes to Notice of Intent, file # 196-0372, at 126 Housatonic St. Ms. Hall mentioned that the plan is to only have a pavilion with open sides so that flood waters can freely move through the area. Ms. Arment requested that Matt Puntin from SK Design appear at our next meeting to discuss the changes. They will be put on the agenda for 7:00 PM on 7/16/14.

8:00 PM: John Goerlach, re: 689 Greylock St to discuss work to a driveway near wetlands. Mr. Goerlach did not show up.

Peter Naventi Stockbridge Rd re: excess water coming onto his property from property across the street. On 6/25/14 Lee had approximately 4" to 5" of rain. He requested that the Commission do a site inspection to view the damage. Ms. Arment will contact the entire Commission to see who is available and when for the site inspection. She will then contact Mr. Naventi.

Mr. Philpott made a motion to ratify the Chittenden enforcement order of 5/12/14, seconded by Ms. Arment, vote unanimous.

Ms. Arment made a motion to accept the minutes of 6/14/14, seconded by Mr. Philpott, vote unanimous.

Ms. Marilyn Hansen has been reappointed to the Commission by the Selectmen.

A request for a Certificate of Compliance was received from AJ Virgilio for a project at the MassDot facility on Rt 102. A site inspection will be conducted the week of 7/14/14.

The Commission decided to ask David Parker to stop paying the annual \$400.00 fee for the ARC software. Ms. Garry will email Mr. Parker.

The Commission asked Ms. Garry to draft a letter to Mr. Glen Hersh and copy Mr. Ken Boudreau of Hill Engineering. The letter should state that the Commission had sent an email to them requesting that they attend a meeting to discuss his project. To date we have not had a response. Our next meeting is on 7/16/14 and we are requesting that he or his representative appear before the Commission at that meeting. If there is no response to this request then the Commission will have to look into issuing an enforcement order.

Marilyn Hansen 86 Mill St. re: discuss damage to her property because of the rain

storm of 6/25/14. Ms. Hansen gave the Commission a letter and pictures noting the damage to her property. Because her Order of Conditions, for file #196-353, was in effect during the tolling period of 8/15/08-8/15/10 the time frame for the OCC to expire is valid until April 2016. Ms. Hansen also brought up the subject of the Newton property on Washington Mt. Brook Rd. Her concern is that because a pond had been filled in on that property more run-off is entering Washington Mt. Brook and adversely affecting her property. She showed the Commission pictures of how high the water is now getting on her property. They showed that water is now getting into her one of her gardens.

Ms. Arment made a motion to close the meeting at 9:00 PM, seconded by Mr. Philpott, vote unanimous.

Respectfully submitted,

Deborah Garry