

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: Monday, October 1, 2012

**Member Present: Kathy Arment, Chair, John Philpott, Stu Dalheim, Marilyn Hansen,
John Coty, Anne Langlais**

**7:00 Continued Notice of Intent, Thomas Touponce, 905 Pleasant Street, NOI #196-0406,
removal of soil and sod with the replacement of gravel. Deborah Garry, abutter, present.**

NHESP responded to the filing requiring the MESA review process which means a thirty day waiting period. There was a question as to whether other forms need to be filed. Mr. Touponce feels he could go with an exemption as a tree farm and questions whether he can hold the NOI back and use the exemption. He was advised to consult with Bob Lucido and get his opinion in writing. There was also a question as to whether the exemption trumps NHESP. Mr. Touponce was issued a building permit for the construction of a 49 X 75 building

Mr. Philpott motioned to continue based on the agricultural exemption, seconded by Ms. Arment, all in favor. Continued to October 15 @ 7:00pm.

**7:15 Continued Notice of Intent, John Fitzpatrick, 1 Chanterwood, 196-0405, removal of
cabins, Arthur Stein representing an abutter**

The abutter does not have a concern and thought it would be to his benefit. Mr. Stein requested the contractor contact information for this project. It was explained that the work, which was within Conservation's jurisdiction, was done prior to filing and was reported to the Commission. The Commission required he file all the necessary paperwork creating a paper trail and to make this project compliant in terms of filing. If he does any additional work, Mr. Fitzpatrick will be required to file first.

**Ms. Arment motioned to close with the special condition of including a map outlining the
silt fence and hay bales, Mr. Philpott seconded, all in favor.**

7:30 Request for Determination, Happy Banga, 35 Old Pleasant Street, renovation of existing building. Parker Fennelly, Consulting and Design, Denise Andrus, Consulting and Design

This is the old NAPA building which will be converted to a package store. The plan shows the setback from the Housatonic River with the building outside the 200 foot setback. There is no change to the 2750 square foot existing building. Nor will there be any changes to the landscaping or paving. All the parking is to be in the front and will not be increased. In regards to the paving in the back they are proposing a silt fence. The building height will also remain the same. A concern was expressed about the meadow area that is subject to flooding and how it should be protected. It was decided to allow mowing within 75 feet of the river.

Ms. Arment motioned to issue a Negative Determination with the following conditions: no increase in the parking area or the footprint of building and no mowing up to 75 feet up to the river with the installation of permanent markers every 30 feet, Mr. Coty seconded, all in favor.

Other Business:

- Approval of September 17 minutes
Ms. Arment motioned to approve, Mr. Coty, Jr. Seconded, all in favor.
- Ms. Hansen read a letter from Tom Farley explaining the work he did at the right-of way known as Lee Landing Road (on file). He will be asked to submit 8X10 pictures of the project.

Building Write-Offs

Dave & Judy Williams
535 Meadow Street
Replacement of mobile home

Wendy Shifrin
190 Willow Street
Construction of garage

Joseph Agosta
5 Whiteholme Road
Construction of building behind existing garage

Thomas Touponce
905 Pleasant St
Construction of 49 X 75 building

Office Duty:

Oct 22 – JP
Oct 29 – JC
Nov 12 – AL
Nov 19 - RA

Ms. Arment motioned to close, seconded by Ms. Langlais, all in favor. Closed 7:52.

Respectfully Submitted,
Martie Martin