

Minutes

Lee Conservation Commission

Land Use Room Town Hall 32 Main Street

Wednesday November 16, 2001

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

Members of the Public Present: Matt Puntin, SK Design Group; Melissa Crady, Tighe & Bond; David Ryel, Berkshire Liquors; Emily Stockman, Stockman Associates, LLC; Matt, Naventi; Diane Naventi; Chris Myhrum, Law Firm of Christopher B. Myhrum; Jeff Baril, Tom Degnan, Eversource.

- **Notice of Intent Thomas Donofrio 36 Chanterwood Road DEP #196-0433 Construction of a single-family home and associated septic system, well, and driveway; demolition of an existing cabin and the construction of a sand beach** Matt Puntin representing. There is a plan to restore the area cleared by the former owner without a permit. An estimate of 2 dozen trees 4" or more in diameter were taken down. There is a need for an approved quantity of replacement trees. The driveway for the new house comes in from Forest Street and goes down to a small cabin by the beach. This cabin is to be demolished. The new house will be outside the 100' buffer zone to Goose Pond. The septic system design has been approved. There will be some clearing around it and the house; a total clearing of approximately ½ acre. The shoreline is mostly wooded though there is a 20-30' opening between wetlands. It is here that a small beach area is proposed. The area will be lined with fabric and sand placed over that. It was proposed that 6x6 cedar curbing be installed on all sides. Also, a landscaping plan is desired by the Commission and to be approved by them. **Motion to continue to the December 7, 2016 meeting with the applicant's consent made and seconded. Unanimous approval.**
- **Notice of Intent Scenic Mountain Act Thomas Donofrio 36 Chanterwood Road Construction of a single-family home and associated septic system, well, and driveway** See notes on the WPA Notice of Intent. The Commission would like a landscaping plan in place and to be able to view the final work for approval. A site visit for both the WPA and the SMA Notice of Intent to be done. **Motion to continue to the December 7, 2016 meeting with the applicant's consent made and seconded. Unanimous approval**
- **Request for Determination of Applicability Lewis Brooks 1445 Pleasant Street Repair and reconstruction of a rock wall** The work has already been done. Mr. Lewis stated that there was an existing rock wall running in a half moon shape and that they wanted to repair it and improve the existing site. The rock wall is close to the river. They did change it in one place as they put in steps. The site has been stabilized; no fill was added, dredging done, etc. **Motion made and seconded to issue a negative #2 determination. Unanimous approval.**
- **Informal questions/discussion David Ryel** Mr. Ryel is considering purchasing the property at 220 Housatonic Street. His preliminary plan is to tear down the left side garage portion of the existing building and replace it with a new expanded 2500 sq. ft. build-to-flood building. The offices are already on stilts. Also, there would be no excavating for the new building. He talked

to Mark Stinson, DEP, to confirm that replacing an 1100 sq. ft. non-floodable building with a 2500 sq. ft. built-to-flood building will not increase (actually it will decrease) the floodplain in the event of a hundred year flood. The expansion will not go toward the river. The distances to the river and the wetland will remain the same as they are now. He will work with Berkshire Engineering to prepare paperwork needed by the Commission

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- **Request for Determination of Applicability Eversource Energy Line Right-of-Way north of Cape to of Becket Rd. removal of mature woody vegetation** The company wants to reclaim the right-of-way. The area will be clear-cut; the easement a total of 200' with about 100' cleared at the present time. Mechanical cutting to be done; no stump grubbing. Wood will be left for citizens who can use it; there is already an existing gravel road. Wood chips are the primary source of erosion control. Water bars are also used. There is no clearing in the wetland though some is in the buffer zone. Most of the work is outside the jurisdiction of the Commission. Maintenance will include the use of herbicides-this is addressed in the Yearly Operational Plan submitted to the Commission. **Motion made and seconded to issue a negative #4 determination. Unanimous approval**

- **Emily Stockman Stockman Associates LLC Discussion/update on issues at Stockbridge Terrace and the Naventi property** Ms. Stockman prepared documentation of the damage that has been done to the Naventi property; in this she cited WPA Regulations which show that the Conservation Commission has jurisdiction in the situation discussed. She formally requested that the Commission issue an official Enforcement Order to Stockbridge Terrace and provided the appropriate wording of such. A video presentation was shown of the water running, damage from it, etc. to document what happened to the Naventi property. There are wetlands on both sides of Stockbridge Road and there is a hydrological connection through the culvert to Naventi's property. All of the streams in the area are connected to the Housatonic River. The Commission stated that they still had not been notified as to the agreement between the town and Stockbridge Terrace re the court action on the building permit. It is still unknown if a building permit was issued to Stockbridge Terrace; the Conservation Commission did not sign off on it. The Commission will consider an Enforcement Order for this at its next meeting.

- **Motion made and seconded to approve the minutes of the November 2, 2016 meeting. Unanimous approval**

- **List of building permits sign off on by the Commission noted.**

Respectfully submitted:
Kathleen Vsetecka