

Minutes  
Lee Conservation Commission  
Town Hall 32 Main Street Courtroom  
Wednesday, October 2, 2019

Commissioners Present: Kathy Arment, Chair; John Philpott; Marilyn Hansen; Stu Dalheim; John Coty, Jr.  
Commissioners Absent: James Wickham  
Members of the Public Present: Sally Levy; Matt Puntin, SK Design Group; Jeremia Pollard, Town Counsel; Chris Karney, R. Levesque Associates

- **1365 Pleasant Street Braxton Shafiroff Update on Enforcement Order** Mr. Shafiroff sent an email stating that Mike Kulig of Berkshire Engineering would have a Notice of Intent ready for the next meeting. **Motion by Ms. Arment with a second by Mr. Philpott to continue until the October 16, 2019 meeting. Unanimous approval**
- **Notice of Intent Chad Cummings Church Street DEP #196-0464 Construction of a single family house with attached garage and paved access driveway** Mr. Puntin presented the plan. The lot is approximately 3 ½ acres and has a perennial stream with bordering vegetated wetlands bisecting it. The original lot was subdivided into 3 lots after 1996; Lot C is the lot being considered in this application. The total riverfront of all three lots is 183,000 square feet, the proposed area to be altered in Lot C is 12,585 square feet. The total riverfront area on all three lots to be altered is 8.3% of the riverfront area on the original parcel. This is below the 10% threshold. The two owners of the neighboring lots are in favor of this project. **Motion by Ms. Arment with a second by Mr. Philpott to approve the Notice of Intent with the responses to the DEP comments. Unanimous approval**
- **Notice of Intent Bruce and Sally Levy 345 Spring Street DEP #196-0463 Replacement of 2 existing footbridges over Willow Brook.** Mr. Puntin presented the plan. The original bridges are 8' wide by 40' long. The replacement bridges will be 6' wide and 40' long. Diamond piers will be used for support. A mini-excavator and a sled will be used to transport materials to the work area; it will not be used for any digging. The existing paths will be used; mats such as plywood will be used to protect the paths as needed. There is no proposed work in the wetlands on either side of the path or any bank disturbance. There will be no tree clearing. The project will result in a lesser impact on the Bordering Land Subject to Flooding as the new bridges will have a smaller footprint and less volume of fill. The new decking will be installed with gaps of ¼" to ½" spacing. **Motion by Ms. Arment with a second by Mr. Coty to approve the Notice of Intent with responses to the DEP Comments, the condition that no new traditional pressure treated wood be used and before and after pictures be taken. Unanimous approval**
- **Request for Extension of Order of Conditions Thomas Donofrio and Sara Langbert 229 Chanterwood Road (formerly 36 Chanterwood Road) DEP #196-0433** Mr. Puntin presented the request. The house has been started but will not be completed in the time frame of the Order of Conditions. It is strongly suggested by the Commission that the project be done by the spring of 2020. **Motion by Mr. Philpott with a second by Ms. Arment to grant a 3-year Extension. Unanimous approval**

- **Notice of Intent Canna Provisions, Inc. 160 Quarry Hill Road DEP #196-0465 Construction of a building to be used as a marijuana cultivation facility with associated site improvements**  
Mr. Carney presented the plan. The wetland delineation was approved in a Determination of Applicability filed July 3, 2019. A stormwater plan was presented. There were questions about the size of the detention basin that is to accommodate the proposed building and a future expansion. It meets the Stormwater Standards; it will be the first of the project construction. The sequence of construction is on the plans and in the Notice of Intent. **Motion by Ms. Arment with a second by Mr. Coty to approve the Notice of Intent with the conditions that upgrades to the detention basin can be requested by the Commission in the future. Unanimous approval**
  
- **Discussion on the draft denial of the SMA Order of Conditions for Revere Solar Notice of Intent** The draft of denial was reviewed by the Commission. There were no changes made. The denial has to be issued in less than a week. **Motion by Mr. Philpott with a second by Ms. Arment to approve the denial as presented. Unanimous approval**
  
- **Motion by Ms. Arment with a second by Mr. Philpott to approve the proposal for hiring Mr. Hoogs as the Commission's consultant to write the denial.**  
Mr. Coty (abstain)  
Mr. Philpott (yes)  
Ms. Arment (yes)  
Ms. Hansen (yes)  
Mr. Dalheim (yes)  
The motion **was passed** with a vote of 4 voting yes and 1 abstention.
  
- **Motion by Ms. Arment with a second by Mr. Philpott to adjourn at 9:25 pm. Unanimous approval**

Documents: Enforcement Order, 1365 Pleasant Street; Notice of Intent Church Street, DEP#196-0464; Notice of Intent 345 Spring Street, DEP#196-0463; Request for Extension of Order of Conditions 229 Chanterwood Road, formerly 36 Chanterwood Road, DEP#196-0433; Notice of Intent 160 Quarry Hill Road, DEP#196-0465; SMA Order of Condition denial; Order of Conditions 926 Silver Street, DEP#196-0461