

Minutes

Lee Conservation Commission

Land Use Room Lee Town Hall 32 Main Street

Wednesday April 20, 2016

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

Commissioners Absent: James Wickham

Members of the Public Present: David and Audrey Iselin; Joy Lennartz; Lawrench Habermehl; Don Fitzgerald, Building Inspector; Jan Cimini; Dick Leahey; Matthew Puntin, SK Design Group; Marc Di Grigoli, Bill and Donna Cawford; Jim Castronova; Diane Shephardson; Ed and Clare Lahey; John Streeter, Francis Tyer; John Tyer; Michael Tyer

- **Continued Notice of Intent Mary Lee Johansen Longcope Part DEP #196-0427 Construction of a footbridge** Ms Johansen requested a continuance to the May 4, 2016 meeting. **Motion made and seconded to continue the Notice of Intent with the applicants consent to May 4, 2016 at 7 PM. Unanimous approval**
- **Continued Request for Determination of Applicability Louis and Joyce DiGrigoli 51 Chanterwood Road Cutting of trees around existing house; construction of both a pressure treated dock and an aluminum dock** Mr. DiGrigoli stated at he has not heard back from MESA and requested a continuance to the May 4, 2016 meeting. **Motion made and seconded to continue the Request with the applicant's consent to the May 4, 2016 meeting at 7:30 PM. Unanimous approval**
- **Continued Request for Determination of Applicability TEC Associates Housatonic Railroad rights-of-way Vegetation control** The applicant requested a continuance to the May 4, 2016 meeting. **Motion made and seconded to continue the Request with the applicants' consent to the May 4, 2016 meeting at 7:15 PM. Unanimous approval**
- **Scenic Mountains Act Notice of Intent Barrister Builders 36 Chanter Road SMA-12. Upgrading of Chanter Road in accordance with Town of Lee Subdivision Standards** Mr. Puntin presented an overall history of the work at this location. A formal subdivision was done and approved by the Planning Board in 2014. The Selectmen have approved the upgrading of the road to provide access to the 5 lots. Come clearing has already been done. There are slopes and a great deal of ledge to deal with. The total clearing proposed is a little less than an acre; this does not include what has been done already. Goose Pond is approximately 580 feet downhill. The width of the clearing will vary due to the topography of the area. There is a 40 foot right of way included in the plan. The road is parallel to the shore line of Goose Pond and the view of it will be minimized or obstructed by the existing trees. Ms Cimini stated that the road goes by her property. There has been no consent given to it to go on her property. Mr. Puntin stated that the work would be on the property owner's property, not hers or others. It was suggested that a site visit be done and that there be a conversation with Town Counsel. **Motion made and seconded to continue to the May 4, 2016 meeting at 7:45 PM with the applicant's consent. Unanimous approval**

- **Approval of the minutes of the April 06, 2016 meeting. Motion made and seconded to approve the minutes of the April 06, 2016 meeting. Unanimous approval**
- **Other: Solar array on Willow Hill Road** A group of individuals expressed their concerns re the clear cutting for the solar array. The project is sited in both Lee and Lenox; the property owned by Schweitzer-Mauduit International. The project has been approved. There are 200 trees to be cut. The site is a former landfill; the concern is that there is a brook downhill of the property and there will be runoff going into it. The Commission stated that all of the area is out of their jurisdiction. A wetland person would need to assess the property for any jurisdictional areas. Mr. Fitzgerald summarized the situation. The landfill is capped. There is to be no puncturing of the area. Drilling will be on the Lenox part of the area. There is an engineered storm water management and erosion plan. Erosion controls will be in place. There is a remediation process to control the storm water runoff. The site plan review does not require abutter notification. It is in an industrial zone and the town stated that the solar project can be there. The land belongs to Schweitzer-Mauduit and as with any land owner, they have the right to cut trees if no conservation issues, Scenic Mountain Act issues, etc. It was suggested to the concerned individuals that they consult a wetland specialist. **This will be put on the agenda for the May 4, 2016 meeting as a discussion. The Commission requested that they be notified as to whom is doing the work on the property.**
- **Motion made and seconded to adjourn the meeting at 8:30 PM. Unanimous approval**