

Minutes
Lee Conservation Commission
Land Use Room Town Hall 32 Main Street
Wednesday December 7, 2016

Commissioners Present: Kathy Arment, Chair; Stu Dalheim; John Coty, Jr., Marilyn Hansen
Commissioners Absent: John Philpott; James Wickham
Members of the Public Present: Matthew Puntin, SK Design Group; Forrest Devine, Devine Construction; Joe Short; Diane Naventi; Emily Stockman, Stockman Associates, LLC; Peter Naventi; Susan Brown, Lee Donsbough, Steve Garrity, Lee Bank; Chris Myhrum, Attorney

Continued 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

Continued SMA Notice of Intent as above with restoration area SMA #14

Mr. Puntin reviewed the plans presented at the last meeting. A site visit was done. The proposed beach area is to have the sand encompassed with cedar timbers. The landscaping plan is to include the plantings done between the house and the lake and the restoration area. Several varieties of trees have been proposed that are 4'-6' in height. Conditions will be attached to the SMA Order of Conditions as to the minimum number of plantings, the approval of the plan, etc.

Motion to close the hearing made and seconded. Unanimous approval

Motion to approve the WPA Notice of Intent made and seconded with the condition that the sand of the beach area be encompassed with cedar timbers. Unanimous approval.

Motion to approve the SMA Notice of Intent made and seconded with the condition that the landscape/agricultural plan be submitted to the Conservation Commission with a minimum of 48 trees of a height of 4'-6' being planted in the restoration area, and others of a to-be determined number within the front of the proposed house; the plan is to be approved by the Commission and subject to further review; no Certificate of Compliance will be issued until the Commission's approval of the work is granted. Unanimous approval.

Notice of Intent Joe Short 600 West Road DEP # 196-0434 Construction of a single-family home, gravel driveway and septic system

Mr. Short presented the plans for the property. The access area for the installation of the septic system has been allowed to go back to its natural state. The property has been reflagged and wetland markers have been installed. The culvert on the property is to be maintained as it is the hydrologic connection between the site and the wetland. A site visit is scheduled for Saturday at 3 PM. **Motion to continue made and seconded with the applicant's consent. Unanimous approval.**

Lee Bank Susie Brown Discussion of work done to the broken water main

Susan Brown from Lee Bank presenting. This work has been done without a permit. At the time, there was water backing up into the ATM and later into the basement of the bank. The pipe at the edge of the parking lot had disintegrated and there was another break in the line. The drains from the bank come out into the river; one was replaced. After the work was begun, erosion controls were put in place. The area affected is within the 100 year flood plain and on bank. Water which flows through the pipes comes from the gutters, etc. of Lee Bank. Ms. Brown takes full responsibility for not notifying the Commission. The Commission requested that a Request for Determination be filed.

Discussion re Stockbridge Terrace/Naventi property Storm Damage

Emily Stockman , on behalf of the Naventis, requested that an Enforcement Order be issued to Stockbridge Terrace, LLC. Documentation was submitted to the Commission as to the regulations allowing them to issue the Enforcement Order (EO). A formal submittal of video images of the damage done to the Naventi property were submitted/viewed. (On file in the office) Attorney Myhrum stated that the evidence is overwhelming that there was a violation and that the damage is dramatic and that there should be an order for evaluation. There is a question as to whether the new retention basin is working and a need to know how to now prevent further damage. If a valid EO is issued and the recipient does not reply or do what the order requires within 2 months, then the EO is a conclusive order. Once a case has been developed that is well written and not appealed, DEP will take it on. Question was asked as to how much wetland was impacted. Need an answer to that. The conditions in the Order need specific times and dates. DEP gave the Commission advice in how to write the EO. Copies should be sent to the Town Administrator, all Town Boards and the Town Counsel.

Motion made and seconded to issue an Enforcement Order to Stockbridge Terrace, LLC based on the evidence presented and the discussion of damage to the resource areas including approximately 2 acres of BVW and 1600 feet of bank. Conditions will be discussed at a later meeting. Unanimous approval.

Motion made and seconded to approve the minutes of the November 16, 2016 meeting. Unanimous approval.

Motion made and seconded to adjourn at 9:20 PM. Unanimous approval.

Respectfully submitted:
Kathleen Vsetecka