

Minutes  
Lee Conservation Commission  
Lee Town Hall Courtroom 1<sup>st</sup> Floor  
Wednesday June 20, 2018

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

Members of the Public Present: Carol Terry; Jefferson Diller, Klara's Gourmet Cookies; Ray Grogan, Roger Scheurer, Dan , LLPA; Anthony Caropreso, MacCaro Realty; Sherman Harold; Diane Naventi

- **Continued Notice of Intent David Forrest 660 Greylock Street DEP # pending Construction of a shared driveway with stream crossing, work in wetlands and wetland replication area Motion by Mr. Philpott with second by Ms. Arment to continue to the July 18, 2018 meeting. Unanimous approval**
- Mr. Wickham did the inspection of the erosion controls at 36 Chanterwood Rd. tonight. Erosion controls were installed as required.
- **Request for Determination of Applicability Jefferson D. Diller 189 Water Street Installation of a 8'x 18' x 6" thick concrete pad to the inside of the existing frost wall** Mr. Diller presented the plan for this installation. The pad will be installed inside the frost wall to be used as a loading dock. Trucks will back in from the road to the platform for loading and unloading. Before and after pictures are requested. **Motion by Mr. Wickham with second by Mr. Coty to issue a negative determination 4. Unanimous approval**
- **Roger Scheurer Laurel Lake Preservation Association Discussion on Laurel Lake** Mr. Grogan spoke of his concerns about the zebra mussels and weeds in the lake. Mr. Sheurer stated that there are zebra mussels in the lake wherever there is food for them. They are more prolific in the shallow areas. The spillway is dry a lot of the time so there have been none observed there. He has observed none downstream as the area is not conducive for them. Mr. Finnigan has noted areas of zebra mussels below the stream. There is an official 3' drawdown allowed by a 2010 Order of Conditions DEP #196-0371 which had 7 years of extensions because of the automatic state extensions. In a meeting on September 6, 2017 an Extension was requested; however, since the Order did not expire until this year, 2018, the Commission did not act on it. **Motion by Ms. Arment and second by Mr. Philpott to approve a 3 year extension from the year 2018 to the year 2021. Unanimous approval.** Both the Lenox and the Lee Conservation Commissions need to be satisfied with any permits and Mr. Sheurer is supportive of working with one group on this. At a meeting this past month, Smitty Pignatelli, James Wickham, Christopher Ketchen and a representative of DEP met to try and come up with a plan to bring the two Conservation Commissions together. It was agreed that the spillway was in Lee and therefore, Lee can act on issues regarding this. If Lenox objects to the Lee plan(s), they can go to the state. Mr. Sheurer agrees that it is imperative that the different boards work together. Mr. Pignatelli got referrals from DEP of names of people to ask to be on an advisory board. UConn worked with the state to come up with a plan to do a trial with carbon dioxide. This never occurred as neither Massachusetts nor Connecticut would sign off on a "blameless document"

where by neither would hold the other responsible for any damage the trial might cause. LLPA has sent a NOI to NESEP to get their comments.

- **Continued Enforcement Order Stockbridge Terrace LLC** Outlet Stabilization Pond 1. Tonight a vote will be taken only on this stabilization plan. The vote on the restoration plan is scheduled for July 18, 2018. At all times it must be taken into account who, when and where people are on the Naventis' property during this project. Input from Mr. Collingwood and Ms. Wilkins was considered in the final submittal. Ms. Glover had written a letter asking for information on the previous condition of the Wood Road; that will be considered in the final restoration plan. Ms. Naventi requested that her neighbor come to the next meeting in reference to this. She is also concerned about the approval of Wood Road Bridge as seen on the Stabilization Plan being approved as part of this plan. The Commission assured her that it is not part of the approval. They also suggested that the neighbor write a document stating her observations for the Commission to have on file. All documentation for the Restoration Plan must be submitted a week in advance of the next meeting scheduled for July 18, 2018. **Motion by Ms. Arment and second by Mr. Coty to approve the Stabilization Plan for Pond 1 not taking into account the Wood Road Bridge as there is no definitive clarification as to why that is on the plan. The Wood Road Bridge will be considered at the July 18, 2018 meeting. Unanimous approval**
- **Motion by Ms. Arment and second by Mr. Coty to approve the June 20, 2018 minutes with noted changes. Unanimous approval**
- **Motion to adjourn by Ms. Arment with second by Mr. Philpott at 8:10 PM. Unanimous approval**

Documents: RDA Klara's Gourmet Cookies; Pictures of 36 Chanterwood Rd. erosion controls; Stabilization Plan for Pond 1 on the Naventis' property

Respectfully submitted:  
Kathleen A. Vsetecka