

Minutes
Lee Conservation Commission
Lee Town Hall 32 Main Street Courtroom
Wednesday October 17, 2018

Commissioners Present: Kathy Arment, Chair; Stu Dalheim; John Philpott; Marilyn Hansen; Jamie Wickham

Commissioners Absent: John Coty, Jr.

Members of the Public Present: Alexandra Glover, Lazan, Glover and Puciloski; Chris Myrhum, Christopher Myrhum Law; Shannon Boomsma, Brent White, White Engineering, Nicholas Andersen, Berkshire Engineering; Diane and Peter Naventi; Mark DiGrigoli, Fox Real Estate and Stockbridge Terrace; David Brown, Stockbridge Terrace; Kate Wilkins, Tighe & Bond; Jeff Collingwood, Jeff Collinwood PE; David and Denise Walker; Michael Misner-Elias, Federal House Inn; Kathy Hall, Lee Youth Commission

- **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** Mr. Andersen presenting. He asked for a continuance; Mr. Forrest is going to the Zoning Board of Appeals in regards to the issues with this property. **Motion to continue with the applicant's consent by Ms. Arment with second by Mr. Philpott. Unanimous approval**
- **Request for Determination of Applicability Berkshire Sterile Manufacturing, Inc. 480 Pleasant Street Construction of concrete pads to support two chillers and two generators** Mr. Andersen presented the plans. This was permitted before but the permit time has lapsed. They have moved the location of the pads further away from the wetland and they are to be put in an already paved area. The wetland was delineated in 2015. The closest point of work to the wetland is between 25'-30'. A silt fence will be installed. Because of wetlands around the area, this is the only site that is usable. **Motion Mr. Wickham to issue a negative 2 determination with a second by Mr. Philpott. Unanimous approval**
- **Request by Kathy Hall, Lee Youth Commission 126 Housatonic Street** They would like to install 3 security cameras at the Lee Athletic Field for the safety of the children and the security of the playground. The cameras have been purchased. There is a need to install a conduit underground so activities can be recorded directly to the Lee Police Department. This involves the digging up pavement for the installation of the conduit—the trench will be 18" deep 25' of the 125' under the pavement that runs from the pole to the pavilion. Once the conduit is installed the area will be covered and returned to its original condition. **Motion to approve this project with documentation made by Ms. Arment with a second by Mr. Philpott. Unanimous approval**
- **Request for Determination of Applicability Fox Real Estate, Inc. 141 Fox Run Construction of a single family home with amenities, a garage and a gravel driveway** Mr. DiGrigoli presented the plan. The Walkers had questions about the location of the proposed project and drainage. However, the location was different from what they thought and thus they had no problem with the project. The Commission reviewed the original subdivision plan as well as the plan presented. The original plan was a Notice of Intent and there was an understanding that a Request for Determination of Applicability would be filed for the individual lots. The original delineation posts are still present on site. The slope in the area is gently. The silt fence and straw wattles will be moved closer to the work area. **Motion made by Mr. Wickham to issue a negative 2 determination with a second by Mr. Dalheim. Unanimous approval**

- **Continued Enforcement Order Stockbridge Terrace LLC** The restoration plan has been revised though it is essentially the same plan as before. Mr. DiGrigoli is setting up a time for the contractors to review it. The stabilization plan has been completed. A photo of the road that leads down to the crossing was shown and it is nicely seeded. If a crossing is wanted in the future, that could be done by use of a concrete slab.
- There was discussion about the pond and its certification as a vernal pool. If the pond were decertified it would change things dramatically. Ms. Wilkins explained what would be necessary to do this. The issue at this time is to take the sediment out of that pond. The plan being presented uses a suction method that allows an observer to see the layers of soil removed. (Mr. Collingwood explained how this functions and the benefits of it. Also, it needs to be done carefully and slowly). Since the pond is manmade, the bottom of the pond will have a distinctive layer so when that soil to come out, one knows the sediment has been removed and no more is needed to be suctioned out. Therefore, the number of yards taken out is not a large concern. The time it takes to do the work depends on the circumstances such as accessibility to the area the soil is being pumped to, the testing of the soil, etc.
- The area up gradient and below culvert 2 has wetlands all around but sit shouldn't be overly intrusive, people will walk in to do plantings. The only area that might have a problem will be downstream if there is a horrendous rain storm.
- The peer reviewers, Mr. Collingwood and Ms. Wilkins have reviewed the plans and believe they are acceptable and a good compromise between the two parties. The legal permissions needed are pending.

Motion by Mr. Wickham and second by Ms. Arment to approve the plan dated 2018 10 12 at the recommendation of the Commission's consultant. Unanimous approval

Mr. DiGrigoli noted that the stabilization contractor, JW Wilkerson, Jr., did a great job. The Naventis are looking for it to be done soon and correctly.

The Enforcement Order will be used to clarify monitoring reports. Ms. Boomsma will keep logs of the sediment materials.

Motion made by Ms. Arment and seconded by Mr. Dalheim to close the meeting at 8:40 PM. Unanimous decision

Documents: Request for Determination of Applicability Berkshire Sterile 480 Pleasant St.; Request for Determination of Applicability Fox Real Estate, Inc. 141 Fox Run; Restoration Plan for Pond 2 on Naventi property; Note and plan for Lee Athletic Assoc. 126 Housatonic St.