

CMinutes
Lee Conservation Commission
Lee Town Hall 32 Main Street Courtroom
October 3, 2018

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

Commissioners Absent: John Coty, Jr.; James Wickham

Members of the Public Present: Steven Bellofatto, Charlotte Fairweather; Jennifer Reusch, Ted Toothaker, Eugene Weldon, David Bondanza, Lane Construction; Dan Nitzsche, GZA for Lane Construction; Shannon Boomsma, Brent White, White Engineering; Peter and Diane Naventi; Marc DiGrigoli, David Brown, Stockbridge Terrace LLC; Kate Wilkins, Tighe & Bond; Alexandra Glover, Lazan, Glover and Puciloski, Attny for Stockbridge Terrace

- **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 made by Ms. Arment with second by Mr. Philpott to continue with the applicant's consent to the next meeting on October 17, 2018. Unanimous approval**
- **Continued Notice of Intent Business Investments LLC 1900 Cape Street DEP #196-0448 Expansion of parking lot** Ms. Boomsma presented a letter requesting the withdrawal of the Notice of Intent. **Motion by Ms. Arment with second by Mr. Philpott to accept the letter of withdrawal. Unanimous approval**
- **Continued Request of Determination of Applicability Lane Construction Corp 1 Willow Road Stormwater site maintenance and improvements** Mr. Weldon and Mr. Nitzsche presented. Supplemental information was sent to the Commission last Friday and is on file. Mr. Philpott showed the area on a map so those who weren't able to go to the site visit could see it. A plan of the restoration area was shown and submitted. The repair work will be done in the spring. **Motion made by Mr. Philpott and second by Ms. Arment to issue a Determination of Applicability with a positive 2a for the wetland boundary, a negative 2 for the proposed riverfront area restoration work and a negative 3 for the work occurring in the buffer zone . Unanimous approval**
- **Minutes of September 19, 2018 meeting. Motion made by Ms. Arment and second by Mr. Philpott to approve the minutes. Unanimous approval**
- **Presentation by Mr. DiGrigoli** Discussion of the construction of a house at 141 Fox Run. There is already a bordering vegetated wetland set back marked by posts. There will need to be minimal stabilization at the site. The Commission proposes a Request for Determination of Applicability be filed but that he first go to the building inspector for approval.
- **Continued Enforcement Order Stockbridge Terrace LLC**
Ms. Glover: Restoration plans are in process. There is an issue with whether the Conservation can make the building of the crossing a part of those plans. She will be working with the Naventi's attorney re this issue.
Mr. White: Stabilization work has been completed. Most of the detention pond is stabilized with grass but the silt fence needs to be moved to stabilize that area. The detention pond is working well. The restoration plan will be submitted this evening. Work will begin in the spring and the access site to the Naventi's will be stabilized for the winter.
Ms. Wilkins's notes were submitted to the Commission.
Ms. Naventi submitted a photo showing the stabilization and asked the Commission to review the statements Page 2, Paragraph 2 of August 29, 2018 Restoration Plan notes of Ms. Wilkins's. Also, a copy of the Naventi's reply on October 2, 2018 was submitted.

Ms. Wilkins: She explained what could be done to access the soils of Pond 1 area and how it would be done. There was a 2009 vernal pool certification of the pond. How does this affect the restoration?

The Naventi's request that a new survey be done before Pond 1 is no longer able to function. It appears that the only issue in the restoration plan as of now is that of the pond and whether more study is needed. There has been further erosion noted over the summer months. The Commission would like more input from Mr. Collingwood. He will be asked to attend the October 17, 2018 meeting. Also, they would like DEP to be contacted to get information about the vernal pool certification.

Mr. White requests that everything submitted about the plan go through Ms. Wilkins at Tighe&Bond.

Motion by Ms. Arment with second by Mr. Philpott to table any decision tonight on the restoration plan and talk to Mr. Stinson of DEP about the vernal pool issue; continue the Enforcement Order to the October 17, 2018 meeting. Unanimous approval

Motion by Mr. Arment with second by Mr. Dalheim to adjourn at 8:20 PM. Unanimous approval

Respectfully submitted:
Kathleen A. Vsetecka

Documents: Request for Determination of Applicability, Lane Construction; withdrawal letter for Notice of Intent 1900 Cape Street; GZA Supplemental Information for RDA of Lane Construction; Naventi Reply to K. Wilkins comments 10/02/2018; Notice of Intent 667 Greylock Street; Preliminary plans for 141 Fox Drive