

Minutes
Lee Conservation Commission
Town Hall 32 Main Street Courtroom
Wednesday April 3, 2019

- **Commissioners Present:** Kathy Arment, Chair; Stu Dalheim; John Philpott; Marilyn Hansen; James Wickham; John Coty, Jr.
- **Members of the Public Present:** Ken Boudreau, Hill Engineering; Sarah Gapinski, SK Design Group; Jackson Alberti, Foresight Land Services; Mike Kulig, Berkshire Engineering; Scott LeProvost, Henry's Electric; Jim and Sue Horsford, Silver Street; David Forrest, Greylock Street; Fr. Michael Gaitley and group, Marion Missionaries of Divine Mercy
- **Request for Amended Order of Conditions 21 Bramble Lane DEP #196-0443 Stephen Giove & Jean Meyerowitz Construction of a single-family house with amenities** Ms. Gapinski presented. The plan showed the former location of the house and the change of about it being 5' closer to the lake. The grade of the house is approximately 2' higher. There is a swale around the front of the house and the east side. There should be less runoff on the west side than before and runoff will go into the lake. There are two extra trees to be removed on the west side. The only work that has been completed under the current Order of Conditions is selective tree clearing and demolition of the existing house. **Motion made by Ms. Arment and with a second by Mr. Philpott to approve the amended Order of Conditions for 21 Bramble Lane with proposed new plans dated 3/14/2019. Unanimous approval**
- **Continued Notice of Intent Vaclav Dvorak 230 Moose Drive DEP #196- pending. Construction of a single-family house and associated site work** The applicant asked for a continuance. **Motion made by Ms. Arment with a second by Mr. Wickham to continue with the applicant's consent to the April 17, 2019 meeting. Unanimous approval**

Ms. Arment and Mr. Wickham recused.
- **Continued Notice of Intent Thomas Briggs, Patriot Armor 100 Valley Street DEP #196-0455 Two building additions** Mr. Alberti presented the plan. There were no changes from the last meeting. There Mr. Coty and Mr. Philpott did a site visit. The point of access was shown. There will be cutting into the slope to do the retaining wall and the fill taken off site. **Motion by Mr. Dalheim with a second by Mr. Coty to approve the Notice of Intent and issue an Order of Conditions. Unanimous approval.** There was a request for before and after pictures to be taken.
Ms. Arment and Mr. Wickham returned to the meeting.
- **Continued Notice of Intent David Forrest 660 Greylock Street DEP #196-0558 Construction of a shared driveway with stream crossing, work in wetlands and wetland replication area** New plans were presented. The existing driveway will be extended both in length and width with the width being 18'; this work will be in the buffer zone. There will be a defined work area using straw wattles/bales and silt fencing. The plan shows the sewer line in the buffer zone and the water connection just outside the buffer zone. The Notice of Intent submitted in 2017 was never issued a DEP # so the same Notice with changes is now being considered. **Motion by Ms. Arment with a second by Mr. Coty to approve the Notice of Intent and issue an Order of Conditions with revisions to the plans and documentation. Unanimous approval**

- **Request for Certificate of Compliance 852 Summer Street DEP #196-0280** Mr. Boudreau presented. The Order of Conditions was for an Order issued in 2001 for nuisance vegetation control. Two treatments were done. It was extended in 2004 but no work was done; the Order lapsed in 2007. (Since the original Order the companies doing the proposed work has changed.) **Ms. Arment made a motion with a second by Mr. Coty to issue a Certificate of Compliance as a completed Order of Conditions. Unanimous approval**
- **Continued Request for Determination of Applicability Glenn Hersh & Nancy Elliott 470 Cooper Creek Road Removal of trees on edge of pond** The applicant requested a continuance. **Motion by Ms. Arment with a second by Mr. Philpott to continue with the applicant's consent to the April 17, 2019 meeting. Unanimous decision**
- **Continued Abbreviated Notice of Resource Area Delineation Revere Solar, LLC Zero (0) Chanter Road, 175 Silver Street, 335 Forest Street** Ms. Arment noted that the wetland specialist is ready to move on this April 8, 2019. **Motion made by Ms. Arment with a second by Mr. Philpott to continue with the applicant's consent to the April 17, 2019 meeting. Unanimous approval**
- **Motion by Ms. Arment with a second by Mr. Coty to approve the minutes of the March 20, 2019 meeting. Unanimous approval**
- **Scott LeProvost Discussion of warehouse addition on 58 Canal Street** Mr. LeProvost presented pictures of location and appearance of the proposed addition. The back portion of the property now has a blacktop parking lot. A metal building addition is proposed. The area might be in the flood plain. The Commission has requested a Request for Determination of Applicability to be submitted. He will submit it tomorrow, April 4, 2019 to be on the April 17, 2019 agenda.
- **Father Michael Gaitley, Marion Missionaries of Divine Mercy 800 Tyringham Road** There is to be a review by DEP as to whether this is an agricultural property in regards to the WPA regulations. Fr. Gaitley submitted a Project Narrative which includes a list of persons who are willing to submit an affidavit attesting to the fact that it has been a working farm conforming to agricultural use for many years. The Commission has requested that the Narrative be sent to DEP. They support the decision made previously that the use does conform to agricultural use. Fr. Gaitley was given the Commissions consent to installing a fence but requested he wait to complete installation of a partially completed pond. They also requested that Mr. Robert Akroyd of Greylock Design, who has represented Marion Missionaries in the past, to accompany him to the next meeting. This will be put on the April 17, 2019 agenda.

Motion by Ms. Arment with a second by Mr. Philpott to adjourn at 8:30 PM. Unanimous approval

Respectfully submitted:
Kathleen Vsetecka

Documents: Letter and plan for Amendment to the Order of Conditions DEP #196-0443; Notice of Intent 230 Moose Drive; Notice of Intent 100 Valley Street DEP #196-0455; Notice of Intent 660 Greylock Street DEP #196-0458; Request for Certificate of Compliance 852 Summer Street DEP #196-280; Request for Determination of Applicability 470 Cooper Creek Road; ANRAD Revere Solar, LLC Zero (0) Chanter; 175 Silver Street; 335 Forest Street; Minutes of March 20, 2019; Pictures Scott LeProvost 58 Canal Street