

Minutes
Lee Conservation Commission
Town Hall 32 Main Street Courtroom
Wednesday, June 5, 2019

Commissioners Present: Kathy Arment, Chair; Stu Dalheim; John Philpott; Marilyn Hansen; John Coty Jr.; Josh Wright and Jori Latham, potential commissioners

Commissioners Absent: James Wickham

Members of the Public Present: Matt Puntin, SK Design Group; Sean Reardon, Tetra Tech for Revere Solar; Mike Kulig, Berkshire Engineering; Evan Hardcastle, 377 Builders; Kadin Shaffiroff, Linda Shafiroff; Kathy Hall; Susan & James Horsford; Chester Wezevitz

Continued Request for Determination of Applicability Scott LePrevost 58 Canal Street Warehouse addition He is on the agenda of the Planning Board for a Special Permit on Monday night; continuance is needed. **Motion by Ms. Arment with a second by Mr. Philpott for a continuance with the applicant's consent to the June 19, 2019 meeting. Unanimous approval**

Continued Request for Determination of Applicability Glenn Hersh & Nancy Elliott 470 Cooper Creek Road Investigation of DEP #196-0402 plan changes of Order of Conditions The new wetland delineation has not been done yet. It was also mentioned that the Commission has the revised plans approved in the Order of Conditions. There is a reference in the plan for a deck and it is thought that it has been built closer to the wetlands and closer to the septic system. Another site visit may be needed. **Motion by Ms. Arment with a second by Mr. Philpott for a continuance with the applicant's consent to the June 19, 2019 meeting. Unanimous approval**

Continued Notice of Intent Vaclav Dvorak 230 Moose Drive DEP #196-460 Construction of a single family home and associated site improvements Mr. Puntin presented a review of the plan—this had also been presented at a previous meeting; a small portion of the house is about 5' in the buffer zone as well as a small lawn area; basically all that has to be done is the removal of trees. . The Deed Restrictions--there are three separate ones--were approved and recorded with the Registry of Deeds. **Motion by Ms. Arment to approve the Notice of Intent and issue an Order of Conditions with standard conditions and pictures to be taken of the perimeter of the property; second by Ms. Hansen. Unanimous approval**

Discussion 21 Bramble Lane Evan 377 Builders Cutting of pine tree (this was not on the approved plan for the Order of Conditions) Mr. Hardcastle presented the change to the plan. There is a large evergreen tree that if left standing will compromise the house foundation; its location was shown. **Motion by Ms. Arment with a second by Mr. Coty to approve the cutting of the tree. Unanimous approval**

Emergency Permit Ratification Mr. Philpott had signed an Emergency Permit for the removal of a beaver dam on the north side of East Center Street which was causing the flooding of nearby properties and a road. **Motion by Ms. Arment with a second by Mr. Philpott to ratify the Emergency Permit. Unanimous approval**

1365 Pleasant Street Work being done in the riverfront without a permit. A letter will be issued for a cease and desist.

Kathy Hall Longcope Park cleanup; stones under the pavilion at 126 Housatonic Street A letter from Joshua Hall re the Longcope Park cleanup and senior projects in general had been given to the Commission. Ms. Arment, for the Commission, reminded Ms. Hall that another year the student should be the one to present the project to the Commission for approval as that was part of the process. The cleanup was approved. Ms. Hall presented the 3 kind of pervious materials that Mr. Puntin had knew of that could be used under the pavilion—1. Pervious pavement 2. Pervious concrete 3. Pervious pavers. The Commission needs specs— what will be used, how much will be needed, how it will be put in, manufacturing specifications, etc. **Motion by Ms. Arment with a second by Mr. Philpott to continue this discussion at the June 19, 2019 meeting. Unanimous approval**

Mr. Kulig Discussion of Conservation Restriction There are 10 acres of the 50 acres that on Pleasant Street owned by Daley Trucking that was put into a Conservation Restriction because of the endangered turtle and riverfront area; it needs to be administered. No one has been found to do this and he was asking the Commission if they would be interested. He was asked to research others and come back on the June 19, 2019 meeting to continue the discussion as needed.

Request for Determination of Applicability Linda Shafiroff 140 Beaver Dam Road Construction of a single family home Mr. Kulig presented the plan. The house will be built on the existing foundation. The well and septic system will remain but be repaired. The septic tank will be relocated to a more desirable position. There is no new encroachment on the wetlands. **Motion by Ms. Arment with second by Mr. Coty to issue a negative 3 Determination of Applicability as there will be no altering, filling or dredging with the conditions that the Commission can inspect the site and that before and after pictures be taken and submitted to the Commission. Unanimous approval**

Motion to approve the minutes of the May 15, 2019 meeting made by Ms. Arment with a second by Mr. Philpott. Unanimous approval

SMA Notice of Intent for Revere Solar 925 Cape Street at Chanter Road SMA #16 Proposed ground mounted solar array Mr. Reardon presented. This site is approximately 38 acres located on a 98 acre collection of parcels. The site for the solar array is on a flat elevated area which is 100-300' above the adjacent streets and thus will be obscured from view because of the change in grade and the wooded buffer. Mr. Reardon upgraded the viewshed analysis presented in a previous meeting adding ones from the high school and elementary school and one from the farm on East Street. Of all the sites viewed, the ones that will have a view of the array are ones on Moose Drive, Chanterwood Road and at the gravel pit near I90. The only access road will be Chanter Road. The pads that hold the batteries and equipment and the access road will be the only impervious areas as vegetation will be planted under the raised solar panels. Mitigation will be maintaining a minimum 1000' buffer zone between the array and Silver Street. Erosion, soils, sources of runoff water, groundwater and stormwater will be addressed in the WPA Notice of Intent

Considerations of the Commissioners are erosion, the water of all kinds, the views, and the consequences of approval or denial of the SMA. They would like to see the WPA Notice of Intent before ruling on the SMA Notice of Intent. One of the engineers who helped to craft the SMA is willing to attend a meeting and discuss the SMA.

Opened to the public.

The concerns of those attending the hearing are the views—1. If one can see the ROW for the power lines then the treeless space of the solar panels would be seen. 2. The viewsheds were taken when leaves were on the trees and there needs to be consideration of the view when there are no leaves 3. Consideration of the elevations from which one looks at the solar array 4. What happens when/if the

panels are outdated and not in use (The solar bylaw of the town requires a bond to be given to take care of this.) 5. The company adhering to the regulations of the town, state and federal governments. A letter of concern about the effect on property values from a resident on Chanterwood was read. Closed to the public.

Motion by Ms. Arment with a second by Mr. Philpott to continue to the July 3, 2019 meeting pending a quorum of Commissioners. Unanimous approval A request for drone pictures was made and Mr. Reardon agreed to it. Information can be submitted to the Commission at any time. **Motion by Ms. Arment with a second by Mr. Philpott to hire a consultant at the applicant's expense. Unanimous approval.** Mr. Hoogs at Foresight Engineering will be contacted.

Mr. Buratto at the end of Graylock Street near East Street is to be contacted as it appears he is taking down trees in the buffer zone.

Motion by Ms. Arment with a second by Mr. Philpott to adjourn at 9:20 pm. Unanimous approval

Respectfully submitted:
Kathleen Vsetecka

Documents: RDA 58 Canal Street; RDA 470 Cooper Creek Road; NOI 230 Moose Drive 196-0460; 21 Bramble Lane Plan with location of tree; SMA Notice of Intent Revere Solar 925 Cape Street at Chanter Road #16; RDA 140 Beaver Dam Road; Emergency Certificate Beaver Dam; Minutes 5/15/2019