

Minutes  
Lee Conservation Commission  
Town Hall 32 Main Street via Zoom  
Wednesday April 21, 2021 7:00 PM

Commissioners Present: Kathy Arment, Chair; John Philpott; John Coty, Jr.

Commissioners Absent: Marilyn Hansen; Stu Dalheim

Members of the Public Present: Tom Lewis, TEC Associates; Gary Pfeiffer; Al Zerbato, Lee DPW

**Continued Request for Determination TEC Associates Housatonic Railroad Approval of boundaries of resource areas on ROW** Tom Lewis of TEC Associates presented. The Housatonic Railroad Company is renewing its Vegetation Management Plan for 2021-2025 per the Wetland Regulations. There are no known changes from the last Management Plan. The maps that are in the RDA represent the location of stream crossings, the wetlands and the spray zones. The time of the spraying varies from year to year. The spray is applied by a licensed applicator, is designed to have low transport and is approved by the EPA. **Motion by Ms. Arment with a second by Mr. Coty to issue a Determination Applicability positive 3. Ms. Arment, Aye; Mr. Philpott, Aye; Mr. Coty, Aye. Motion passed unanimously.**

**Discussion re Laurel Lake Brook (see minutes of last meeting) Motion by Ms. Arment with a second by Mr. Philpott to continue the discussion with Mr. Zerbato on the situation with the brook. Ms. Arment, aye; Mr. Philpott, aye; Mr. Coty, aye. Motion passed unanimously.** Mr. Zerbato has checked out the erosion and the fact that the brook is off course a little bit and does not feed directly into the culvert. Whether this is because of heavy rains, the drawdown of Laurel Lake, or other reasons is not known. The plan as of now is to put riprap in the corner to guide the water to the culvert; possibly put rip rap on the sides of the brook. Whether this will work or not won't be known until after it is tried. Those whose property has/is been affected by the situation are pleased with all that is being done. **Motion by Ms. Arment in favor of doing this work with a second by Mr. Coty. Ms. Arment, aye; Mr. Coty, aye; Mr. Philpott, aye. Motion passed unanimously.**

**Continued SMA Request for Determination of Applicability Gary Pfeiffer Moose Drive Map 25 Lot 41 Clearing of land and building a house** Mr. Pfeiffer asked if the Commission received his email documentation. The plan was received by the Commission but it was the same as the original plan submitted and did not show what and how many trees were cut, the square footage of the area of the cut trees, the canopy that was lost with their cutting and other necessary facts. He was asked if he had read the Scenic Mountain Act as the Commission had asked—his response was that he tried but didn't understand it. The Scenic Mountain act was then explained and the consequences of not adhering to it. The Commission did not have enough information to act on the RDA—it did not have the number of trees that were cut as well as the square footage of the area of them, the location of the trees, the elevations of the site, measurements. The implications of disregarding the SMA are large. The Commission has to sign off on a building permit and without the needed information could not do that. The Commission's administrative assistant is to contact the building department and inform them of the status of this RDA and the fact that a building permit should not be issued. It was highly recommended that Mr. Pfeiffer hire someone such as a wetland scientist to help him prepare the needed paperwork. **Motion by Mr. Philpott with a second by Ms. Arment to continue with the applicant's consent to the May 19, 2021 meeting. Mr. Philpott, aye; Ms. Arment, aye; Mr. Coty, aye. Motion passed unanimously.**

**Informal discussion Scott Crawley Boyd Technology Future addition** Mr. Crawley was not present.

**Approval of the minutes of the April 7, 2021 meeting. Motion by Ms. Arment with a second by Mr. Coty to approve the minutes of the April 7, 2021. Mr. Philpott asked that the minutes be amended with the addition of the wording “specifically how many trees were cut down.” The amendment was approved—Ms. Arment, aye; Mr. Philpott, aye; Mr. Coty, aye. The amendment was passed unanimously . Motion by Ms. Arment with a second by Mr. Coty to approve the minutes as amended. Ms. Arment, aye; Mr. Philpott, aye; Mr. Coty, aye. Motion passed unanimously.**

**Meeting was adjourned a 7:50. Motion by Ms. Arment with a second by Mr. Philpott. Unanimously approved.**

Documents: RDA TEC Associates, Housatonic Railroad; SMA RDA Gary Pfeiffer, Moose Drive Map 25, Lot 41. Minutes of the April 7, 2021 meeting.