Minutes

Lee Conservation Commission

Town Hall 32 Main Street Meeting Room

Wednesday, September 6, 2023 7:00 PM

Commissioners Present: Kathy Arment, Chair; John Philpott; John Coty, Jr.; Marilyn Hansen; Mark Navin; Toni Thomas

Commissioners Absent: Stu Dalheim; Clare Lahey, alternate

Members of the Public Present: David Forrest; Mike Santolin; Erasme Da Cruz, BMC; Christine McBeth-Rivers; William Bartlett, Berkshire Engineering; Matthew Puntin, SK Design Group

**Peter D’Agostino 635 Laurel Street** Mr. D’Agostino did not attend as there had been clarification of the paperwork for this property.

**Notice of Intent Michael Tyrrell, MECO 1160 Pleasant Street Map 30 Lot 47 DEP #196-0488 Installation of a switchgear yard.** The plan and a narrative of the project were presented by Mr. Da Cruz. Two switchgears mounted on a pad, two associated manholes and new underground conduit, duct bank, and cable will be installed. The yard will be covered in gravel and surrounded by 12 concrete bollards on the west, south and east sides of the yard. Activities within the gravel lot and the roadway are exempt from the WPA. Installation will occur within the roadway and work conducted from there. All activities are proposed within the gravel lot and the maintained lawn upland that is currently being used to store equipment; all are within the BVW. Erosion controls will be installed prior to any work; these will also work as mitigation and a limit of work delineation. (These are not indicated on the plan.) Any areas that are temporarily disturbed will be returned to pre-construction conditions. The closest work to the wetlands will be 15-20’. **Motion made by Mr. Philpott with a second by Ms. Arment to issue an Order of Conditions to the Notice of Intent, DEP #196-0488.**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin; aye Mr. Coty, aye;**

 **Ms. Thomas, aye Ms. Hansen, aye Unanimous approval**

**Notice of Intent Michael Santolin 675 East Street Map 8 Lot 70C DEP #196-0489**

**Construction of a single-family home and garage with associated site work** Mr. Bartlettpresented the plan. There is a revised plan for this project including 25’ setbacks for the wetlands. There have been 3 wetland delineations for this property and the newest one is being used for this project. None of the wetlands will be disturbed. The limits of clearing will be set to maintain a 10’wide area of natural vegetation between the work in the buffer zone and the resource area. The land grades will remain the same. There is a town water line going under the property. **Motion made by Ms. Arment with a second by Mr. Coty to approve the Notice of Intent DEP #196-0489 with Lee Standard Conditions, and before and after pictures and permanent wetland markers to be installed**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye Unanimous approval2.**

**Request for Determination of Applicability Tom Farley 5 Chanterwood Road Map 33**

**Lot 0100 Removing dead, diseased and leaning trees** Mr. Farley showed pictures with the trees marked. There will be 5 dead, diseased, or leaning trees taken down. They are above the

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cottage so further than the lake. Equipment is to be set up in the driveway; the arm of the equipment can go as far as 150’. The trees will be cut up for firewood; the stumps will remain.

No ash borers were seen on the trees. **Motion by Mr. Philpott with a second by Mr. Navin to issue a negative 2 determination for 5 Chanterwood Road Map 33 Lot 0100.**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye**

**Unanimous approval**

**Request for Determination of Applicability Tom Farley 1 Chanterwood Road Map 33**

**Lot 0001 Cutting down dead, diseased and leaning trees** Mr. Farley showed pictures of the 3 threes to be removed. The closest tree to the water is approximately 25’; all the trees are jurisdictional. The stumps of the tree will remain, the trees will be cut up for firewood. **Motion by Mr. Philpott with a second by Mr. Coty to issue a negative determination for 1 Chanterwood Road Map 33 Lot 0001.**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye**

**Certificate of Compliance Stephen Giove and Jean Meyerowitz 21 Bramble Lane Map 7**

**Lot 2 Dep #196-0443** The Order of Conditions was briefly discussed. **Motion by Ms. Arment with a second by Mr. Coty to issue a complete Certificate of Compliance for the Order of Conditions DEP #196-0443**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye**

**Unanimous approval**

**Request for Determination of Applicability Stephen Giove and Jean Meyerowitz 21 Bramble Lane Map 7 Lot 2 Construction of a boardwalk and deck** Mr. Puntin presented the plan. No trees or vegetation will be removedin the buffer zone. The deck and boardwalk will be installed on helical poles. There will be approximately a 6” space between the ground and the bottom of the structure. **Motion by Mr. Philpott with a second by Ms. Arment to issue a negative determination for 21 Bramble Lane with the stipulation that before and after pictures be taken.**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye**

**Unanimous approval**

**Motion made by Ms. Arment with a second by Mr. Philpott to approve the minutes of the August 16, 2023 meeting.**

**VOTE: Ms. Arment, aye Mr. Philpott, aye Mr. Navin, aye Mr. Coty, aye**

 **Ms. Thomas, aye Ms. Hansen, aye**

**Unanimous approval**

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