Minutes

Lee Conservation Commission

Town Hall 32 Main Street Meeting Room

February 7, 2024

Commissioners Present: Kathleen 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: Matthew Puntin, SK Design; Mike Kulig, Berkshire Engineering; Bryan Siter; Foresight Land Services; Bill and Kathy Hall; Jim and Deb Hall; Tim and Diane Williams; Rob Trask

**Emergency Permit 1530 Pleasant Street Map 29 Lot 121** There is a sewer line that goes under the channel of a moderately flowing intermittent stream. A blockage of dirt and root debris was found about halfway down the line. Mr. McAteer installed 75’ of straw wattles and 100’ of MA Spec. silt fence and then dug a pit with a small excavator to unblock the line. The area will be restored in the spring. **Motion by Ms. Arment with a second by Mr. Philpott to certify the emergency permit for 1530 Pleasant Street**

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

**Unanimous approval**

**Tree Cutting 930 Cape Street Map 20 Lot 71 Jim and Debra Hall Tree Cutting** Ms. Hall spoke. This property is in zone B of the Scenic Mountain Act. Ms. Hall didn’t realize a SMA permit was needed to have the 8 trees cut until Ms. Thomas visited the site and spoke to the person doing the cutting. There is a perennial stream on the property. Any cutting within 200’ of that would need a WPA permit as well as a SMA permit. Ms. Hall said that the tree cutting was over 200 feet away. The trees by the house that were cut were endangering the house. It was noted that the SMA regulations have been in effect since 2008 and are on the Town Website. People should be aware of those and come to the Commission before work is done and find out if a permit is needed. The Commission requested that a SMA Request for Determination of Applicability be submitted.

**Obstacle Playground 126 Housatonic Street Map 19 Lot 1 Lee Youth Commission Surface material for the obstacle playground Brief update on the pavilion** Mr. Puntin presented information on rubberized surfacing material for the playground. A geotextile fabric is placed on the soil, a 6” base of crushed stone is put down and two layers of the rubberized material are poured in place and troweled to provide a smooth and safe surface. It cannot be washed away, and it is considered highly permeable. More information is needed, and it is most likely expensive. The Commission agreed to allow this material to be used as the surface of the playground.

A diagram of the drainage for the back of the pavilion was received. The drainage is working well.

**Request for Certificate of Compliance Montra II, Inc. Robert Trask 51 Park Street Map 18A & 19A Lot 121 DEP #196-0486** The project has been completed. **Motion by Ms. Arment with a second by Mr. Coty to approve a complete Certificate of Compliance for DEP #196-0486**

**VOTE: Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

**Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

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**Request for Determination of Applicability Montra II Inc. Robert Trask 51 Park Street Map 18A Lot 121 Expansion of parking** Mr. Siter presenting. The project is in the floodplain, and it is to expand the gravel parking lot to add 18 more spots. There will be regrading and resurfacing the existing area to prevent the need for fill. An adjacent swale will provide compensatory storage. The drainage will be improved by the addition of a riprap-lined detention basin. **Motion by Mr. Philpott with a second by Mr. Coty to issue a negative 4 determination for 51 Park Street RDA**

**VOTE: Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

**Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

**Continued Notice of Intent hearing William Brunell 35 Limestone Road Map 30 Lot 67F & 67G DEP #196-0492 Construction of commercial buildings** The hearing was continued as the abutter list had not been submitted. This is now on record. There was a small discussion as to the detention basins upkeep. The Planning Board issued a permit for the project with the following changes:1. Twelve evergreen trees are to be planted along the southern property line 2. One building is to be moved out of the buffer zone and its size changed 3. The lighting and dumpster are moved. The plan notes the revision date as January 12, 2024. **Motion by Ms. Arment with a second by Mr. Philpott to approve the changes noted on the January 12, 2024 revised plan.**

**VOTE Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

 **Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

**Site Plan Revision VS Cape Street, Inc. 1435 Cape Street DEP #196-0485** Mr. Siterpresented.Eversource has required 2 additional poles to be installed and the cement pad to be enlarged—these are not located in any jurisdictional wetland resource areas. The plan notes the revision date as 12/24/2024. **Motion by Ms. Arment with a second by Mr. Coty to accept the revisions to the plan as they will not cause an impact on the already approved plan. VOTE: Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

**Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

**Site Plan Revision Timothy Williams 1375 & 1395 Cape Street DEP #196-0486** Mr. Kulig presented. The revised plan has a 600 square foot carport attached to the original building. There was a concern about the runoff from the roof. There will be gutters and there are also trees to help prevent any heavy runoff. There is 1500 feet of restoration area with restoration plantings added. **Ms. Arment made a motion with a second by Mr. Navin to approve the 2/02/2024 site plan revisions as these show no changes based on the engineer drawing presented at this meeting.**

**VOTE: Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

**Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

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**Minutes of the January 4, 2024 meeting. Ms. Arment made a motion with a second by Mr. Navin to approve the January 4, 2024 minutes.**

**VOTE: Ms. Arment, aye Ms. Thomas, aye Mr. Philpott, aye Ms. Hansen, aye**

**Mr. Navin, aye Mr. Coty, aye**

**Unanimous approval**

Documents: Emergency Permit, 1530 Pleasant Street; Information from duraflexsurfacingcom, 126 Housatonic Street Lee Athletic Field; Notice of Intent 35 Limestone Rd. DEP #196-0492; Request for Determination of Applicability, and Certificate of Compliance DEP# 196-0459 Montra II, Inc. 51 Park St.; Site Plan Revision, 1435 Cape Street DEP # 196-0485; Site Plan Revision, 1375 & 1395 Cape Street.