

TOWN OF LEE

32 MAIN STREET

PUBLIC MEETING

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 39 SECTION 23B - AMENDED.

CONSERVATION COMMISSION

Meeting Minutes

PLACE OF MEETING: Judge's Chambers, Town Hall

DAY, DATE & TIME: Wednesday April 16, 2014 at 6:45 PM

Members Present: Kathy Arment, Chair, Stu Dalheim, Vice-Chair, John Coty, Marilyn Hansen & Jaime Wickham

Ms. Arment called the meeting to order at 6:45 PM.

Frank Romeo for Joanne Lunt, 505 Golden Hill Rd. The project would be to install a culvert pipe under her driveway. Water is ponding on the driveway creating a hazardous situation. He would need to cut some brush in order to install the culvert. This driveway is right on the bank of the Housatonic River and the water would be discharge directly into the River. Mr. Dalheim made a motion to request a Notice of Intent (NOI), seconded by Mr. Coty, vote unanimous. Ms. Garry will email Mr. Romeo the NOI as well as recommended culvert installation information. Mr. Romeo's email address is: cottagecareinc@roadrunner.com.

William Abderhalden, 40 Theresa Terrace re: tree cutting on his property. He explained that last year he starting having a water problem and his back yard became saturated. Some white pines started listing toward his house. He contacted the Town and they come out to try and find the source of the leak. They couldn't determine the source of the water. Mr. Abderhalden decided to cut (4) 80' to 100' white pines down along with some dead trees. The closest tree to Laurel Lake Brook was 135' away. He eventually found the source of the water leak and it was a water main. He is done cutting down trees and will only be cutting them to length and cleaning up what is already down. The brook is not on his property. The Commission was satisfied that the work was far enough away from the brook and not jurisdictional.

7:00 PM: TEC Associates for Housatonic Railroad: This was a continuation of a public hearing for herbicide spraying on their right-of-way. Mr. Amy had forwarded

new mapping and information on the right-of-way. The Commission reviewed this information and was pleased that it included more perennial stream information. The Commission also checked Muni Mapping for wetland information. Ms. Arment made a motion to close the public hearing, seconded by Mr. Coty, vote unanimous.

7:15 PM: David Iselin 315 Church St. This was a continuation of a public hearing for an addition to his house. To date the Commission has not received the new information Mr. Iselin said would be sent to us. Ms. Garry had emailed Mr. Iselin to follow up on where this information was. He responded that Mr. Scalise would be forwarding it to the Commission. Ms. Arment made a motion to continue the public hearing to 5/7/14 at 7:00 PM.

Mr. Paul Rodriguez Black Swan Inn: Ms. Garry spoke to him about filling in the swimming pool at the Inn. The Commission discussed this issue and decided that it needed more information. Some areas of concern were: 1) Using the concrete decking as fill. 2) Whether or not the walls of the pool would be broken to allow water to flow. 3) Proximity to Laurel Lake and how the Lake would be protected during this project. Ms. Arment made a motion to request a Notice of Intent, seconded by Mr. Wickham, vote unanimous.

Charles Auster 13 Chanterwood Rd: Information from Mike Kulig, Berkshire Engineering regarding a change to Mr. Auster's project was reviewed. Mr. Auster would like to reuse the previously constructed decking and have it remain on site. This decking would be set on concrete blocks and place on the lawn up gradient from Goose Pond. Ms. Garry will email Mr. Kulig and ask him to attend the 5/7/14 meeting at 7:15 PM.

Ms. Arment made a motion to accept, as written, the minutes of 4/2/14, seconded by Mr. Dalheim, vote unanimous.

Mr. Dalheim made a motion to ratify the Chittenden enforcement order, seconded by Ms. Arment, vote unanimous.

Roger Scheurer, Laurel Lake Water Power, 41 Laurel St re: a Request for Determination of Applicability. The project is to repair a driveway on the Laurel Lake Dam. He was informed that a public hearing had to be scheduled for the project. The date and time of the hearing was set for 5/7/14 at 7:30 PM. The Commission reviewed the area on muni-mapper while Mr. Scheurer described the work. The Commission then asked Mr. Scheurer how the drawdown of Laurel Lake went this winter. He said all went well and the lake is now refilling nicely. He was told, by ice fishermen, that there was as much as 5' of ice on the lake this winter. He is hoping that a significant number of zebra mussels were killed.

Respectfully submitted,

Deborah Garry