

Minutes

Lee Conservation Commission

Land Use Room Town Hall 32 Main Street

August 19, 2015 7:00 PM

Commissioners Present: Kathy Arment, Chair; John Philpot; John Coty, Jr., Marilyn Hansen

Commissioners Absent: James Wickham, Stu Dalheim

Members of the public present: Simonne Natale, Berkshire Engineering; Patricia MacDowell; Matt Puntin, SK Design Group; Kathy Hall, Lee Youth Commission

- **Lee Land Trust Longcope Park bridge construction** No one present
- **Continued Certificate of Compliance Black Swan Inn 435 Laurel Street DEP #196-0418**  
Ms. Natale stated that there is a need to fix the pool area. To be continued to the next meeting on September 2, 2015.
- **Request for Determination of Applicability Berkshire Sterile Manufacturing Inc. 480 Pleasant Street DEP #196-0425 Construction of concrete pads to support two chillers and two generators**  
Ms. Natale presented the plan for putting in pads 8' x 12' pads to support two chillers and two generators. The pads are within approximately 20' of a wetland. It was suggested by the Commission that the pads be up high as the parking lot floods at times due to heavy rains or beaver activity. The height of the pads is not a concern for the Commission. The Commission generally requires that any work done is at least 25' from the wetlands. **Motion made and seconded to issue a negative determination #2 with the condition that the pads be 25' from the wetland. Unanimous approval**
- **Patricia MacDowell 645 Fairview Street Tree cutting**  
Ms. MacDowell presented a plan of the area of the driveway, garage, etc. and a letter from James Leahey Excavating outlining the procedure for demolition of the garage. **Motion made and seconded to accept Ms. MacDowell's proposal for removing the damaged trees on her property with before, during and after photos being taken. Unanimous approval.**
- **Request for Certificate of Compliance Bill Dunlaevy 480 Cooper Creek Road DEP #196-0417**  
**Motion made and seconded to issue a Certificate of Compliance. Unanimous approval**
- **Request for Certificate of Compliance Lee Youth Commission 126 Housatonic Street DEP #196-0372**  
**Motion made and seconded to issue a Certificate of Compliance. Unanimous approval**
- **Notice of Intent Lee Youth Commission 126 Housatonic Street DEP #196-0424**  
**Upgrading of playground equipment and the installation of new equipment**

It was noted by the Commission that there were three outstanding Orders of Condition on this property. One of them, for the pavilion had a Certificate of Compliance approved this meeting. The other two need to be cleared before a new Order can be issued. The two Orders (DEP #196-0377 and DEP #196-0386) were never recorded at the Registry of Deeds; the original copies whereabouts are unknown. The existing Orders will be put on a new form and the Commission will sign them. They will then go to the Town Administrator, Bob Nason, to be recorded at the Registry of Deeds. After that, a Request for Certificate of Compliance is to be filed and then the Commission can vote to issue the Certificates of Compliance. These will also have to be recorded.

Mr. Puntin presented the plan for the playground equipment. The area is next to the existing playground and in the buffer zone to a vegetated wetland and in a flood plain. It is over 200' from the Housatonic River so it is not in riverfront. It is required that the playground be level so several inches of the existing grass will need to be removed and then the approved mulch put down. This makes the equipment above grade. Less than 1 cu yard of space will be used by the pipes, etc. of the structures. The installation will be done by Planning with a Purpose, the company supplying the equipment.

**Motion made to approve the Notice of Intent with the following conditions; before and after pictures be taken; a note from the consulting engineer that the disturbance by the equipment be less than 1 cu yd.; any open Orders of Conditions be closed.**

- **Motion to approve the minutes of the August 5, 2015 meeting made and seconded. Unanimous approval**
  
- **Motion to adjourn at 8:00 PM made and seconded. Unanimous approval**

Respectfully submitted:

Kathleen Vsetecka