

Conservation Commission Minutes, 09/15/2016

**Lenox Conservation Commission
Landuse Meeting Room
September 15, 2016
Minutes**

Members present: Chair Neal Carpenter, (NC); Vince Ammendola, (VA); Tim Flanagan, (TF); Joe Strauch, (JS); Dick Ferren, (DF); David Lane, (DL); Rose Fitzgerald Casey, (RFC)

Staff present: Peggy Ammendola, Land Use Clerk (PA)

Request for Determination of Applicability, MassDOT for the rehabilitation of the existing drainage channel located near station 220+14 on Route 7&20.

Presenting the application and a site plan was Amer Raza of MassDOT.

When the reconstruction of Rt. 7 & 20 was done in the mid-1990s the drainage channel was upgraded. The design has failed resulting in erosion of the bank and debris materials going into the wetland. The Commission has observed the continuation of the deteriorating condition over the years and has brought it to the attention of MassDOT on multiple occasions without resolution.

Mr. Raza proposed cleaning and re-establishing the design of the in-place structures. The Commissioners stated that the proposal is insufficient.

Mr. Raza suggested that the Commission approve and if it is determined that the proposal doesn't remedy the situation then there could be another approach. The Commission disagreed and said that there should be an updated design for water management as well as restoration due to the alteration which has occurred further down the bank and impacted the wetland.

TF made a motion to issue a Positive Determination and require a Notice of Intent. RFC seconded the motion and the Commission voted to agree 7-0.

It was agreed that the Commission would note on the Determination of Applicability that on previous site visits the Commission has observed that the installation has failed to perform as designed which has led to erosion and alteration of wetland resources and that the observations have been brought to the attention of MassDOT in the past.

Other Business:

Site visits-September 23, 2016 at 3:30 PM:

- Ed Merritt, 139-2 Lime Kiln Road, Map 27 Parcel18-2
- Eli Newberger, 132 Lime Kiln Road, Map 27 Parcel 34

Approve Minutes:

September 1, 2016 -JS made a motion to approve the minutes as amended. DF seconded the motion and the Commission voted to approve 5-0-2.

RFC and DL abstained as they were not at that meeting. RFC and DL will listen to the audio of the meeting to be able to participate in the continued Pittsfield Airport meeting on October 6, 2016

RFC made a motion to adjourn and DL seconded the motion. The Commission voted to agree 7-0 and the meeting was adjourned at 8:44 PM.

Respectfully submitted,
Peggy Ammendola