

Conservation Commission Minutes, 03/01/2018

**Lenox Conservation Commission
Landuse Meeting Room
March 1, 2018
Minutes**

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

Staff present: Gwen Miller, Landuse Director, (GM); Peggy Ammendola, Land Use Clerk, (PA);

The meeting was recorded.

Notice of Intent, David Ward, Stone Path Development, Inc., 241 Walker St., Map 8 Parcels 1 & 6-1. The project is the construction of a 9 unit residential development with associated roadway and driveways. First hearing November 2, 2017. Continued to November 16th. Continued again to December 21st. On December 21, applicant requested to continue to January 4, 2018. Due to the inclement weather on January 4th, the meeting was continued to January 18, 2018. Applicant requested another continuance to Feb. 1, 2018. Continued again to February 15th. Continued again to March 1st.

NC read a letter from Sarah Gapinski of SK Design in which she is asking for a continuance until March 15th until outstanding issues are resolved. RFC made a motion to continue the hearing until March 15, 2018 and VA seconded the motion. The Commission voted to agree 6-0.

Approve Minutes- February 15, 2018-DF made a motion to approve the minutes as presented JS seconded the motion. The minutes were approved 5-0-1. RFC abstained as she was not at the meeting.

Notice of Intent, Edward Merritt, 139 Lime Kiln Rd., Map 27 Lot 18. The project proposed is construction of a 24' X 30' garage in the northwest corner of the property. The property is partially in the outer riparian of the riverfront. Originally scheduled for Feb. 1, 2018, but on that date the applicant requested to continue to Feb. 15, 2018. On Feb. 15th, another continuance was requested to March 1st. On February 15th, Mark Stinson of Mass DEP advised the Conservation Commission and Rob Akroyd of Greylock Design Associates, representative of Mr. Merritt, that this project should be reviewed as a Riverfront Redevelopment project.

Mr. Akroyd presented the project for the garage which is on property that is at the corner of West Mountain and Lime Kiln. There is an existing home on the property. Half of the garage will be placed on the existing gravel drive and the other half on the mowed lawn. The property is in the riverfront and the back portion of the garage is in the outer riparian zone. He has established the 100 year flood plain elevation at 1219. The building will be setback 35 feet from the front property line and the side setbacks are 25 feet. When working in the riverfront, Mr. Akroyd said that the DEP requires that the applicant look at a couple of alternative analysis and he said that this location disturbs far less than 10% of the river front. He is proposing planting approximately 3inch diameter and 10 foot tall white pines at a location to be determined.

NC and possibly JS will meet Mr. Akroyd at the site to determine location of the three trees.

DL made a motion to approve the project as presented with the following conditions:

Plans will be given to the Commission that there will be plantings of three white pines in a location approved by the Conservation Commission and Applicant; discontinue mowing on the bank side of the trees planted. VA seconded the motion and the Commission voted to approve 6-0.

JS and NC will go to the site on March 7th at 9:00 to determine the best location for the trees.

Notice of Intent, Berkshire County Natural Resources Council (BNRC) for property located at Under Mountain Rd., Map 11 Lot 9 and Map 16 Lot 26. Mass DEP File # 198-0303. The proposal is the creation of a public trail which will include the construction of three footbridges and a boardwalk. Portions of the proposed project are located within Bordering Vegetated Wetland, Bank, Bordering Land Subject to Flooding and Buffer Zone.

Present were Emily Stockman of Stockman Associates; Mackenzie Greer and Mike Leavitt of BNRC; and Peter Jensen of Peter Jensen Associates.

There was a site visit on February 21st which was attended by Emily Stockman, Ty Stockman, Mackenzie Greer, Mike Leavitt, NC, DL and JS.

Ms. Greer stated that BNRC has been focusing on the Undermountain Valley and Parson's Marsh for some years, ensuring that the entirety of it is protected. In the last 2 years they have protected over 250 acres of Parson's Marsh, upland of Parson's Marsh and the farmland. The focus has now shifted on public access, via a boardwalk so that people of all abilities can experience the beautiful landscape. BNRC and the Town of Lenox now own all of the land that this project is based on.

Ms. Stockman gave a summary of the site and asked if there were any specific questions. NC said that this was not something the Commission has dealt with and asked that Mr. Jensen provide the details of the project.

Mr. Jensen, the trail designer, walked the Commission through the proposed overall layout of the trail and boardwalk starting with the trailhead at Undermountain Road. Parking will be provided at the trailhead and the trail begins with a five foot wide stone path. Mr. Jensen reviewed the construction details. There is some archeologically sensitive territory along the way and that will be protected by having the trail on the top of the ground. Excavation will not be done as it is not permitted. Extensive detail is provided in Appendix 2 of the packet filed with the NOI.

The Commission discussed their preference for the boardwalk being a minimum of 29 inches rather than the 24 inches mentioned in the submittal. This is in order to get as much light as possible to the ground below. The decking material and spacing was also discussed. BNRC will be responsible for maintenance.

DL made a motion to accept the project as presented with the following conditions:

- All conditions details and conditions noted in the NOI first must be used unless changed in special conditions.
- After ramp area boardwalk must be at a minimum 29" from top of decking to ground.
- Decking must be black locust 5/4" x 4" and spaced 1/2".

RFC seconded the motion and the Commission voted to approve 6-0.

Site Visit-March 14th at 9:00 AM for Notice of Intent, Town of Lenox, Walker Street, Maps 4, 7, 8, 38 and 39, Right-of-Way

RFC made a motion to adjourn. JS seconded the motion and the Commission voted to adjourn at 8: 45 PM.

Respectfully submitted,
Peggy Ammendola