

## Conservation Commission Minutes, 04/19/2018

**Lenox Conservation Commission  
Landuse Meeting Room  
April 19, 2018  
Minutes**

**Members present:** Chair Neal Carpenter, (NC); Joseph Strauch, (JS); Vince Ammendola, (VA); David Lane, (DL); Rose Fitzgerald Casey, (RFC)  
**Absent with notification:** Dick Ferren, (DF)  
**Staff present:** Peggy Ammendola, Land Use Clerk, (PA)

**Town of Lenox, Notice of Intent- Scenic Mountain Act- Kennedy Park and the Mass Audubon Pleasant Valley Sanctuary-**herbicide treatment of Hardy Kiwi. See May 19, 2016 CC hearing whereby Order was issued May 25th & will expire May 24, 2018. "May be extended for two periods of up to one year each upon application to the issuing authority at least 30 days prior to expiration date of the Order." See "Kennedy Park-Kiwi" CC folder. The extension was granted.

**Notice of Intent, Town of Lenox, Walker Street, Maps 4, 7, 8, 38 and 39, Right-of-Way.** The proposed project is roadway reconstruction, sidewalks, drainage improvements and related work. The first hearing was March 15, 2018 and was continued to April 19th at 7:30 PM. MassDEP File # 198-0305.

DL, VA, JS, NC and Mr. LeVasseur attended a site visit on April 18, 2018.

Present were Mark LeVasseur of Foresight Land Services and Bill Gop, Superintendent of the Lenox DPW.

A revised Construction Plan, Project File No is 606462 of April 19, 2018 was presented.

Mr. LeVasseur summarized the previous meeting and then reviewed each of his responses to the March 14, 2018 Peer Review of Berkshire Engineering, Inc. Both the Peer Review and Mr. LeVasseur's responses will be incorporated in with the Notice of Intent.

JS made a motion to accept the project as presented with the following Special Conditions:

- 1) After the siltation devices have been installed, call the Lenox Conservation Commission to inspect before digging begins.
  - 2) Have Foresight inspect replication areas when completed and repeat inspection for 2 years after in July or August.
  - 3) Lenox Conservation Commission is to inspect culvert and stone in base after it is completed.
  - 4) The Commission has only approved the wetland flags along Walker St.
  - 5) All work must be completed as proposed in the NOI and specification plans for the project.
- DL seconded the motion and the Commission voted to agree 5-0.

**Notice of Intent filed by Eversource Energy for Electric Transmission Line 1161 for the replacement of damaged and aging structures in the Eversource electrical transmission right of way.** The first hearing date was April 5, 2018, but on April 4<sup>th</sup>, Josh Wilson, Senior Project Manager of Fuss & O'Neill requested a continuance to April 19, 2018. Revised copies of the NOI were delivered to the office on April 17<sup>th</sup>, which did not allow the Commissioners enough time to review prior to tonight's meeting. Another request for a continuance was requested for May 3<sup>rd</sup>. After confirmation of that date, the Land Use office realized that it conflicted with the Town's Annual Town Meeting. VA made a motion to continue the hearing to May 10<sup>th</sup> at 7:30 PM to accommodate the Applicants. They have been advised that the Commission needs proof of mailing to the abutters of the hearing notice as well as a response from Natural Heritage. JS seconded the motion and the Commission voted to agree by a vote of 5-0.

NC and DL had a site visit of the right of way on April 18, 2018.

**Approve Minutes-April 5, 2018-**JS made a motion to approve the minutes as presented. DL seconded the motion. The Commission voted to approve 4-0-1. RFC abstained as she was not present at that meeting.

RFC made a motion to adjourn. VA seconded the motion and the Commission voted to agree 5-0. The meeting was adjourned at 8:37 PM.

Respectfully submitted,  
Peggy Ammendola