

**Lenox Conservation Commission  
Land Use Meeting Room  
February 21, 2019  
Minutes**

**Members present:** Chair Neal Carpenter, (NC); Joseph Strauch, (JS); Dick Ferren, (DF); Vince Ammendola, (VA); David Lane, (DL); and Mark Smith, (MS)

**Absent with notification:** Rose Fitzgerald Casey, (RFC)

**Staff present:** Gwen Miller, Land Use Director/Town Planner, (GM); Peggy Ammendola, Land Use Clerk, (PA)

**Land Exchange involving the Town of Lenox and Mass Audubon**-The two deeds for this exchange were signed by the Commission on February 7<sup>th</sup> and the closing took place on today's date. Following the meeting of February 7<sup>th</sup>, the Commission asked GM to come to this meeting to show exactly where the parcels are in relation to Audubon and Kennedy Park.

GM provided copies of the map to the Commissioners which showed the lots that were exchanged. The Costello and Piretti lots are adjacent to one another and have trails that have been maintained by the Town, but were owned by Mass Audubon. Both lots are subject to a conservation restriction for which the Town now will be responsible. GM said that one of the lots is subject to a Memorandum of Understanding between Audubon and Berkshire Natural Resources Council and the Forest Legacy Program. It has been thought that the Town owned these two parcels, but in fact were owned by Audubon. GM said that when the conservation restrictions were put into effect, it was the intention that the Costello and Piretti lots would be conveyed to the Town. The "School Lot" is adjacent to Mass Audubon property and the exchange conveyed that lot to Audubon. This lot also has a conservation restriction.

**MEC Lenox Associates LP, Extension Permit for Orders of Conditions, Map 33 Parcel 4, WS Development, MEC Lenox Associates LP, 489 Pittsfield Road, (DEP File number 198-0254) slight modification to previously approved project.**

Presenting the proposal was: Tim Williams, PE with Allen and Major Associates. Also present were Jeff Curley and Amelia Aboff of WS Development. The purpose of this informal meeting is to see if the Commission agrees that they can move forward to the next phase without having to refile a Notice of Intent (NOI) or amending the existing Order of Conditions (O of C).

Mr. Williams reviewed the steps previously taken in 2010 and provided details of what the proposed project entails. There are two pad sites of 37,000 square feet for a retail building and 19,000 square feet for a retail store. The project will still be within the 18 acres of disturbed area and with the removal of the parking lot in front of the Verizon store the impervious surface will be reduced by .18 acres. There will be no work outside of the existing paved surfaces. The previous work that was done involved 4.5 acres within the 100 foot buffer, and with this proposal there will be ½ acre of work within the buffer. The drainage pattern will remain the same in the current and proposed condition. The retail space will be 202,000 square feet.

In summary, the work approved in the previous Order of Conditions was not finished. Under this proposal there will be a decrease in impacts. There will be no demolition, other than gutting a building.

The fire pond and detention basin are adequate for this proposal and are covered under an Operation and Maintenance (O and M) plan.

This proposal does not trip any of the thresholds which would require an additional Massachusetts Environmental Policy Act review.

This project is slated to go before the Zoning Board of Appeals on March 6th. Mr. Williams stated that the number of parking spaces that are needed are 735. There are 668 now, so they will be asking for relief.

In closing, Mr. Williams said that this proposal is finishing what they started in 2010 and because it has been awhile since they appeared before the Commission, they wanted to be sure that the Commissioners were comfortable with the project moving forward. It was determined the work proposed under the previously approved O of C was not completed and the changes proposed are not that significant. DL made a motion that an Amended O of C is not required as the change is minimal. VA seconded the motion and the Commission voted to agree 6-0.

**Other business:**

*Land Use Assistant*-GM advised the Commission that Jess Cote will become the new Land Use Assistant as of March 11<sup>th</sup>. She will be introduced to each chairperson and attend meetings of the Land Use Boards before GM goes out on leave. This will be a full time position, five full days a week versus the current 22 hour a week position. Ms. Cote does not have experience, but she has been a project and team leader at her present job for over a decade. GM said Ms. Cote is very organized, energetic and well equipped to handle multiple deadlines and keep things moving. Money has been budgeted so that Ms. Cote will get training. She will not fill GM's position, but will serve as the point person, helping to coordinate different things.

*Post Farm*-GM said that Post Farm did not receive the grant, but that she has applied to the Stewardship Program. DL said that he would like to discuss the need to cut along the property edge. JS suggested that Mass Wildlife be consulted to see what could be done to bolster wildlife.

*Edith Wharton*- Before GM goes on leave she will give NC the keys to the home and inform others that he will have them in her absence.

*Country Shops/Lenox Woods*-JS told the Commissioners that Charlie Quinlan will be doing a survey on the invasives in the meadow at Lenox Woods this spring. JS suggests that someone be retained to remove the invasives and create a plan to maintain it. Natural Heritage Invasive Species Program and the Commission want to see this brought into compliance

**Approve minutes:** February 7, 2019-DF made a motion to approve the minutes. MS seconded the motion and the Commission voted to approve by a vote of 6-0.

The meeting was adjourned at 8:30 PM.

Respectfully submitted,  
Peggy Ammendola