

**Town of Lenox
Conservation Commission
Meeting Minutes
Thursday March 7th, 2024
Town Hall Land Use Room
7:30 PM**

Members Present: Neal Carpenter- chair, Vincent Ammendola, Mark Smith, Dave Lane, Rose Fitzgerald-Casey, Richard Ferren

Absent without Notification: Andrew Silver

Others: Adam Mazzantini, Emily Stockman, Rodney Galton, Peggy Ammendola, Heidi Ferren, Jared Weber

NC called the meeting to order at 7:30

1. Notice of Intent – 238 Pittsfield Road filed by Pennrose-Boston c/o Rebecca Schofield

NC stated the commission would like to hire Emily Stockman from Stockman & Associates as a wetland consultant and to perform a peer review. A motion was made by VA and seconded by RF to hire Emily Stockman as a wetland consultant; all were in favor. ES went on to explain to the board how the remainder of the process works once she is officially hired as a consultant.

Adam Mazzantini presented the plans to the commission. DL asked if there was a curb cut for the access, AM answered there is a permit from DOT to allow access; it as depicted on the drawing. There will be two exit lanes from the driveway- one for left turns only and one for straight/right turn. DL asked if the last petition for the property was able to make a curb cut; the commissioned agreed the former applicants never made it that far into the process.

AM explained that there will be 11 buildings on the property- 10 residential and one community building. There will be a paved access from route 7, paved driveways and paved walkways throughout. Each building will be directed to storm water infiltrators for recharge. The property is an existing wooded lot with many ledge outcroppings. There are various test pits throughout where tests were performed for the stormwater system.

NC asked AM to get permission to park at the neighboring restaurant when they go to the property for the site visit; AM agreed to do that. He went on to talk about the DOT discharge catch basins that are behind the restaurant. NC requested that the catch basins be marked with sticks and the wetlands be flagged prior to the site visit.

AM went on to detail the drainage system. He said there will be erosion controls around the whole cleared area and the slopes will be protected with greater than 2:1 fabric. DL asked many acres will be cleared; AM didn't have a definite number at the time. AM explained that there are steep slopes scattered throughout the site but most are not jurisdictional with the Scenic Mountain Act. A landscape architect has submitted plans to the Zoning Board so AM said he can provide those for the commission's

review. The commission requested that AM provide answers to the questions raised by the DEP at the next hearing, he agreed that he would.

Motion to continue the hearing to March 21st made by MS, seconded by DL. All were in favor.

2. 383 Housatonic Street - Discussion of Enforcement Order

Rodney Galton went over his plans for remedying the area put under the Enforcement Order. He explained that he intends to put in a scour pad near flag Z11 instead of the level spreader that was recommended by the commission's consultant. His reason for this was because the scour pad would involve much less grading and earthwork to the affected area than the level spreader would. They plan to lay filter fabric down on the grade and cover it with 6" modified riprap stone; he believes this will stabilize the shoulder where the ruts turn towards the wetland and will slow the velocity of the water as it drains, which will keep erosion in check. DL stated that he thinks RG's plan may be a bit overkill for what it is needed. RG countered that the ruts from the bulldozer will continue to channelize if they are not stabilized and will create potential for more erosion. He pointed out that they have all agreed and established that the area in question is an access road and not a wetland.

Questions were asked on how they are going to make this plan work in the near future as the grounds are currently saturated from the rain we've had. RG answered that they intend to wait until things dry out before attempting to make the reparations.

RG and the commission went on to discuss the mechanics and details of the proposed system. They all agreed that the proposed work should be solely for the intent to address the concerns called out in the enforcement order and nothing beyond that; that the work should be limited to the minimum amount necessary to stabilize the wetlands.

NC if asked if there will be an RDA for the entire parcel. RG said they will do that and if any of the proposed work ends up in the wetlands buffer then they will submit an NOI. RG agreed to revise the plan and resubmit it for the next hearing on March 21st.

3. Other Business

The Brushwood project at 36 Pittsfield requested a Certificate of Compliance for the Scenic Mountain Act. Since it has been two years since the Order of Conditions was issued and no work was performed, they need to submit a new NOI but first need to close out the original. The board signed the document and the original was given to AM.

The commission discussed a letter from Kaitlin Kohlenberger at 85 Crystal Street. The board agreed it was sufficient and satisfied the enforcement order.

4. Approval of Minutes- January 4, 2024

Motion made to approve the minutes made by RFC, seconded by MS. All were in favor.

Motion to adjourn made by RFC, seconded by VA. All were in favor.

Adjourned at 8:53pm