

Conservation Commission Minutes, 04/21/2016

**Lenox Conservation Commission
Landuse Meeting Room
April 21, 2016
Minutes**

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

Request for Determination of Applicability, Alan Lebowitz, 83 East St., Map 8 Parcel 56. The proposal is the demolition of existing garage and reconstruction.

There was a site visit on March 25, 2016 that was attended by NC, VA, TF, DL, JS and RF.

Present was Mr. Lebowitz. All of the work is within the buffer zone. The Commission reviewed the request and asked Mr. Lebowitz to contact the Commission before any work commences so that the silt fence installation can be inspected.

VA made a motion to issue a Negative 3 Determination. JS seconded the motion and the Commission voted to approve 4-0.

Amendment of Notice of Intent (DEP File # 198-0277) Bernd Schoner, Map 1 Lot 36, 12 Sargent Brook Rd. Removal of an existing tight tank, installation of a Title 5 conforming sewage disposal system, hardscape walkways, subsurface propane tank, permitting of a boardwalk, and plantings of indigenous plant material. *Continued from April 7, 2016.*

Present was Matt Gallagher of Greylock Design Associates and Bernd Schoner.

The updated plan which had been requested at the previous hearing was presented and reviewed by the Commission. The Commission was also provided with the approval by Tri Town Health for the new septic system. NC asked about the planting of the indigenous plant material along the western boundary of the property. Mr. Schoner said that it would be shrubs, not trees. Mr. Gallagher said that they would be native, non-invasive shrubs.

TF noted that the updated plan had not been stamped, but that could be noted in the conditions.

The Commission reviewed the special conditions as follows:

Permitting and building of a new dock conforming to Small Docks and Piers regulations; removal of the old house and completion of the new house as designed; install a new septic system as designed; install a new above ground propane tank; new hardscape walkways in front of house; new trees and shrubs on the west side of the house; and the new plan must be stamped.

TF made a motion to issue the Order of Conditions with the special conditions. VA seconded the motion and the Commission approved 4-0.

It was explained to Mr. Schoner that the silt fence is to remain in place until all of the work is done which includes plantings and the establishment of grass. Upon completion he should request in writing a Certificate of Compliance which, upon approval of the Commission, must be recorded at the Registry of Deeds to close out the open Order of Conditions. NC pointed out that the work should all be complete by February 2017, but if necessary, an extension could be requested.

Other Business:

Valley Waste Treatment Facility-NC spoke to Tom Garrity of Valley Waste Treatment Facility at 64-68 Willow Creek Road and advised him that the pile needs to be moved so that it is out of the river front. There are no problems, but NC provided to Mr. Garrity a copy of the minutes and the plan from their meeting for the RDA (January 21, 2016) so that Mr. Garrity could review and complete as agreed upon.

Mark Stinson of MassDEP contacted NC to ask for a picture of signs that are up at the site of the former Lenox House which advise the public that the wet meadow is protected. (Refer to MassDEP file # 198-0233.) Another town has a similar situation and Mr. Stinson wanted to provide them with an example. NC agreed and also took a photo of the signs as well as the rocks that had been put in place to keep people from parking on the grass at the edge the meadow. He then sent them to Mr. Stinson. NC noted that the sign posts for these signs are rusted. Matt Ward was notified and he said that they will be replaced.

Pleasant Valley Sanctuary-JS said that he and TF recently went to Pleasant Valley Sanctuary to look at the boardwalk. There is a need for maintenance work which involves replacing some poles and side rails. Both agreed that there was no need for PV to file with the Commission.

Laurel Lake-NC referred to the April 18th Berkshire Eagle article regarding the ongoing draw-downs. NC looked through the file and noted that the Order of Conditions, dated October 28, 2010, is expiring in 2017. TF commented that during that period, he didn't think that Laurel Lake Preservation Association has made any progress regarding the watershed management plan. He noted that he gave them a copy of the manual on how to go about preparing the plan and exactly what documents the Commission was asking LLPA to use. NC added that Dee Dee Consolati has requested to speak with the Commission about the health of Laurel Lake. She is on the May 19th agenda.

Approve Minutes: April 7, 2016-TF made a motion to approve the minutes with minor edits and JS seconded the motion. The Commission voted to approve 4-0.

JS made a motion to adjourn and TF seconded the motion. The Commission voted to agree and the meeting was adjourned at 8:20 PM.

Respectfully submitted,
Peggy Ammendola