

**Town of Lenox  
Conservation Commission  
Meeting Minutes  
November 5, 2020 @ 7:30pm**

**Conservation Commission Members:** Neal Carpenter (NC), Vincent Ammendola (VA), David Lane (DL), Rose Fitzgerald Casey (RFC); Joseph Strauch (JS); Dick Ferren (DF)

**Absent with Notification:** Mark Smith

**Staff:** Jessica Cote, Land Use Assistant

NC opened hearing at 7:30pm. The meeting was recorded.

**1. Notice of Intent — Edgewood Drive – Continued from October 15, 2020**

- Jackson Alberti (JA), Foresight Land Services, updated the Commission based on responses from Mark Stinson at DEP. Mark Stinson was happy with Foresight's responses to his questions.
- JA stated that Foresight will be responsible for the oversight of construction and will have an engineer on site during construction.
- The Commission agreed on the following conditions for the NOI:
  - Call Commission when siltation devices have been installed.
  - Follow all instructions as written in the NOI
  - Contractor shall submit detailed dewatering methods prior to construction for approval of the Commission.
  - Engineer from Foresight will update Commission every two weeks via email.
- VA moves to accept NOI as submitted with conditions. DL seconded. All in favor 6-0.

**2. Request for Determination of Applicability – 23 Taconic Ave -** The proposed project involves construction of approximately 130 square foot of dry lain pervious patio and dry lain stone wall to support and contain patio. Jurisdictional BVW area is located immediately adjacent to and downgradient from the subject work area.

- Mike Kulig, Berkshire Engineering, spoke to the Commission about the proposed project of a patio and stone wall installation. Patio will be built on top of an old garage foundation.
- A site visit was completed on October 28<sup>th</sup> and included: Alan Billingsly (owner), DL, VA, JS, MS, and NC.
- DL moves to grant a negative three determination. RFC seconds. All in favor. 6-0.

**3. Request for Determination of Applicability – West Mountain Road -** The proposed project involves construction of a single-family house, septic system, well and related site work partially within the 100' buffer zone of a BVW on site.

- Jackson Alberti, Foresight Land Services, explained the proposed project and current conditions of the land. The property is currently unoccupied with a gravel driveway and clearing of the property was completed from a previous NOI submitted by the previous owners of the property.
- There will be no alteration of any wetland resource area. The project is all in the buffer zone.
- A site visit was completed on October 15<sup>th</sup> and included: Marc Levasseur, Bill Gop, JS, VA, MS, DL, NC.
- DF moves to grant a negative three determination. JS seconds. All in favor 6-0.

**4. Order of Conditions Extension Request –** Request for a three-year extension of the OOC for Toole Properties 2001, Inc. Mass DEP File #198-0296

- Joe Toole submitted a request for an extension of the previous OOC for three years.
- The Commission discussed the extension request.
- DF moves to grant the extension. JS seconds. All in favor 6-0.

**5. Approval of Minutes – October 1<sup>st</sup> and October 15<sup>th</sup> Meetings**

- RFC moves to accept October 1<sup>st</sup> minutes as amended. DL seconds. All in favor 6-0.
- RFC moves to accept October 15<sup>th</sup> minutes as amended

NC updated the Commission that Rodney Galton had withdrawn the Abbreviated NOI for the property at 383 Housatonic Street.

RFC moved to close the meeting. VA seconds. All in favor 6-0. Meeting closed at 8:09pm.