

**Town of Lenox  
Conservation Commission  
Meeting Minutes  
September 2, 2021 @ 7:30pm**

**Conservation Commission Members:** Neal Carpenter (NC); David Lane (DL); Mark Smith (MS); Rose Fitzgerald Casey (RFC); Dick Ferren (DF); Vince Ammendola (VA)

**Absent with Notification:** Joseph Strauch (JS)

**Staff:** Jes Cote (JC)

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

**1. Notice of Intent – 70 Bramble Lane (Map 1 Parcel 48) – continued from August 19, 2021**

- Shannon Boomsma submitted a request for a continuance.
- RFC moves to continue until September 16, 2021. DF seconds. All in favor 6-0.

**2. Request for Determination of Applicability – 421 East Street (Map 18 Parcel 13)**

- Site visit on 8/26 with Jackson Alberti from Foresight Land Services, DL, VA, RFC, and NC.
- Marc Levensar from Foresight, as well as John McNinch representing the owner, presented plans for a new single-family home and subsurface sewage system gravel driveway of east dugway. Property consists of bordering vegetated wetland along western portion of the property.
- Commission discussed project and requested the following special conditions for the Determination: 1. Call Conservation Commission when siltation devices is in place and before digging begins. 2. Follow the set of plans with the RDA dated 8/19/21.
- DL moves to grant negative three determination and negative 6 determination. VA seconds. All in favor 6-0.

**3. Enforcement Order approval – 383 Housatonic Street**

- NC reviewed the Enforcement Order with the Commission including requiring a resource area delineation as well as a restoration plan.
- Rodney Galton from PHL Vineyard Sky and as well as a wetland consultant New England Environmental Design, Julian Votruba was present representing the owners of the property.
- Julian Votruba discussed the widening of driveway and clearing of trees on property and believes there are no wetlands that were impacted with the significant bulldozer work that occurred on property.
- The Commission believes that there were wetlands impacted and, with the Stop Order issued from DCR for significant wetland crossing damage, the Commission would like the owners of the property to allow a qualified wetlands scientist to visit the property and complete a delineation.
- Rodney stated that he would need to speak with the owners of the property if that would be allowed.
- Currently the Enforcement Order states that by September 16, 2021 that the owners shall nominate in writing an environmental consultant qualified to delineate resource areas and the buffer zone to resource areas, protected under the Wetlands Protection Act and regulations.
- DF moves to sign enforcement order. VA seconds. All in favor 6-0.

**4. Approval of August 19, 2021 meeting minutes**

- RFC moves to approve minutes of August 5, 2021. DF seconds. All in favor 6-0.

RFC moved to close the meeting at 8:34pm. DF seconds. All in favor 6-0.