

CONSERVATION COMMISSION

Town of Monterey, Massachusetts

Minutes from Regular Conservation Commission meeting.

MEETING: October 7, 2002

Present: Chris Blair, Chair, David Logan, Rick Andrus, David Dempsey, Tim Lovett, Bonnie Jurgenson, Clerk

**Slater, Charles – Monterey Post Office
Main Road, Tyringham MA 01264**

Map 4, Lot 8

Enforcement Order – removal of tree and painting of building without a permit – tree and building located in riparian zone of Konkapot River

Charles Slater, Jr. was present to discuss the enforcement order. He indicated the ground was vacuumed to remove as much paint debris as possible, and that the tree was removed because it was situated directly over the septic trunk, and could possibly cause problems in the future. The Conservation Commission asked that Mr. Slater file with the Con Comm for all future work proposed for the Post Office.

Rose, Stephen – 30 Prescott Lane

Map 17, Lot 83

RDA – Repair Foundation N3

Applicant was present to discuss his plans to repair a portion of the existing foundation. The Commission asked that any stockpiled material be covered. Applicant indicated silt fencing would be used in place of the hay bales as shown on the plans. Applicant was granted permission to remove a tree that may have the potential to cause disrepair to the existing foundation

Germain, Michael – Buckingham Lane

Map 15, Lot 179

(cont'd from September meeting)

Applicant was represented by Ms. Jean Germain (mother), who presented a plan and photographs of the trees the applicant wishes to remove from his lot. The Commission issued the Determination with the addition of item 18 under part B. Findings, specifying that only the 5 trees shown on the plan would be removed.

Truta, Steve – 19 Laurel Banks Road

Map 17, Lot 104

Enforcement Order dated August 12, 2002 (cont'd from September meeting)

The Commission reviewed plans submitted by White Engineering, and it was determined the issues relating to the Enforcement Order were resolved. A letter to this effect was drafted to Mr. Truta.

Rouchidieu, Jean – (cont'd from September meeting)

The Rouchidieu's did not attend the 10-7-02 meeting. The Commission discussed the file and determined the structure would not be approved, in that the Commission does not deem the structure to be a terrace as stated throughout the applicant's filing. The Building Inspector will be contacted to inquire about his plans to ask applicant to remove the structure from the 40' setback, and refile with the Commission if the structure will be located within the 100' setback from Lake Garfield.

Jaffe, Barry & Marjorie – extension to RDA October, 1999 - beach repair

Rick Mielke was present on an informal basis to seek permission for an extension to the Determination of Applicability dated 10-8-99 for beach repair. Mr. Mielke was asked to refile since the scope of work had changed.

Monterey Library – N2

Linda Thorpe represented the Library in its request to reshingle the roof of the Knox Trail Museum, a wing off the northern portion of the Library. The Commission approved the application as submitted.

Lake Garfield Drawdown 2002 - NOI

Gail Ceresia, Berkshire Wetland Services, was hired by the Select Board to represent the Town in its drawdown of Lake Garfield per instructions from the DEP. Ms. Ceresia will resubmit page 2 of the NOI to outline the correct scope of work. She will also change the dates of the drawdown to indicate the drawdown will take place between October 15 – 31, 2002. Mr. Pasco, a summer resident sat in on the meeting, and indicated to the Commission that he felt the spring date (mid-February) for the re-filling the lake was too early, in that it contributed greatly to the erosion of the shoreline with the battering of floating ice along the shoreline from winds. The Commission indicated they would ask the Lake Garfield Association if they could look into the feasibility of beginning the fill in mid-March instead of mid-February. The Commission set the following conditions to the Order of Conditions:

1. The Select Board shall notify the Conservation Commission at least 30 days in advance of all future drawdowns.
2. Advertisements shall be placed in the Monterey News and local newspapers each year to indicate the dates of the actual drawdown process.
3. There shall be restricted access to the Lake Garfield Outlet Valve, in that the Director of Operations shall be solely responsible for the key, and its operation. The existing Lock shall be repaired/replaced to eliminate vandalism and the possibility of an unscheduled drawdown.

Ms. Ceresia indicated the Park Commission's request for weed control, and the Highway Department's need to recoat the culvert at the dam shall be filed separately from the drawdown NOI in order to facilitate DEP's approval.

The Board indicated they would meet on Tuesday, November 12, 2002 instead of November 11, since the 11th is a holiday.

The Meeting adjourned at 10:15 p.m.

Bonnie T. Jurgenson
Clerk, Conservation Commission