

**Town of Lenox
Conservation Commission
Meeting Minutes
November 16th, 2023
7:30 PM**

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

Absent with Notification: Andrew Silver

Staff: Neena Martino

Others: Peggy Ammendola

NC called the meeting to order at 7:28pm

2. 383 Housatonic- Driveway Discussion

DI and NC discussed their site visit the week prior. It was determined that they can put a 10' trail on the existing trail. Emily Stockman was there as a wetlands advisor to check the property owner's delineation, which ended up being very close to the one performed for the board. Soil tests were performed all the way through. It is all within the buffer zone. The property owners do not have to file with DEP if they don't make the road any bigger than it currently is; they do not need to file to add material to the road as long as the width of the road isn't increased. They must file if any work will be done within the buffer zone.

MS asked what the status of the litigation is. NC wants to pull the enforcement order, it remains in effect for the time being. Resolution is closer.

The board discussed if the area where the front driveway comes in is actually a wetlands; the board wants another meeting to determine if it is or not. NC recommended they have Emily go again and check the front driveway. NC said he was told the road was built to hay the two fields as you go up the hill but was later told it was never actually baled due to moisture.

RFC asked if the solar panels have to follow the Town's noise ordinances. They discussed the possible pollutants within the battery components of the panels; this question was raised at the ZBA meeting and an answer will be provided at their December 6th meeting.

They discussed the land clearing that was performed by the owner. DL said they cleared pines to allow more sunlight to come through to the panels.

RFC asked whether there will be lighting; it has been confirmed there will not be lights at the property. RF questioned whether they will meet with the property owners again regarding this project, DL confirmed they will on the driveway matter, not in relation to the fields.

2. Approval of Minutes- November 2, 2023

Motion made to accept minutes by DL, seconded by VA. RFC, DF and MS abstain. All were in favor

Other Discussion-

The owners of 150 West Street donated 2 acres of property to the town. NC explained the topography to the board members. The board needs to sign the deed to accept the property. It is continuous with Kennedy Marsh. SK Design checked the land and prepared a report

Motion made to adjourn at 8:06 by RFC, seconded by VA. All in were in favor