

Town of Becket Conservation Commission
22 October, 2019 Meeting Minutes

Commissioners in Attendance: Alison Dixon (Chair), Cindy Delpapa, David Johnson, Henry Scarpo and Agent Mary Stucklen.

Commissioner not in Attendance: Meredyth Babcock

Members of the public: Aaron Biasin, Shannon Boomsma, Gary Danko,

Chair Dixon called the 22 October, 2019 Becket Conservation Commission meeting to order at 6:34 PM, read the meeting guidelines and introduced the Commissioners and Conservation Agent.

Public input and comment for items not on the Agenda. None offered.

New Business

A Request for a Certificate of Compliance for 213 Old Pond Rd (Map 210, Lot 43: DEP File #102-0444) by Bruce Weller; Order of Condition was issued 04/08/2019 for the restoration of existing decks, dock, walkways, and stairs, and for the installation of stairs. G Danco summarized the work done. Agent Stucklen shared images taken at the site during her site inspection. All looked in order. Motion made to issue a complete Certificate of Compliance for DEP File #102-044 for the restoration of existing decks, dock, walkways and stairs and for the installation of stairs at 213 Old Pond Road, (Johnson/Delpapa). MSV. Commission granted permission to remove the filter fence.

A Request for Determination of Applicability submitted by Yellowbrick Management, Jessica Sicard, of 612 Main Street (Map 212, Lot 28) for installation of a replacement septic system. Commission visited the site. A Biasin of Berkshire Engineering, representing the applicant, summarized the proposed work. The perk test was done in mid-August in the only area with the required set backs from the well and house. The wetland delineation was also done at this time. Commissioner asked what trees, if any, will need to be removed? The cherry will need to be cut and the birch tree may need to be removed depending on the size of its root system. The existing tank will be filled in place and not excavated. Motion made to issue a negative determination #3 for the installation of a septic system at 612 Main Street, (Map 212, Lot 28) as described in the RDA and shown on the plan dated 9 September, 2019, (Scarpio/Johnson). MSV. A Biasin requested the paperwork be sent to Berkshire Engineering at 80 run Way, Lee.

A Notice of Intent application submitted by Daniel S. Henry Sr. Living Trust for the demolition of an existing house and construction of a new house at 168 Greenwater Drive (Map 202, Lot 29; DEP File #102-0447). Commissioners visited the site. S Boomsma of White Engineering, representing the applicant, provided the Commission with the approval letter from the Board of Health for the project. The existing house dates to the 1920's with a renovation done in the 1970's. The applicant wishes to build a new house and its location was dictated by zoning regulations. The structure will appear to be three stories from the lake, because there will be a walk-out basement, and two stories from the road. A walkway with plantings is proposed for the north side of the house and plantings will be installed beneath the deck. All disturbed areas and areas cleared for construction will be replanted. The construction dumpster will be located across the street outside the buffer zone. The dewatering area, if needed, will be surrounded by silt fence and straw bales and will be straddling the 100 year floodplain near lake edge. Question about the functionality of the rain garden were raised. With its location near the lake edge and within the mapped floodplain may make it less functional. The Commission discussed the alternative of native planting to create a buffer, which would reduce maintenance needs, may be a better solution for the control of NPS. Consensus was to replace the rain garden with at-grade native plantings to create a lakeside buffer. S Boomsma explained there will be a stone aprons three feet wide and three feet deep and wrapped in erosion control fabric near the lake. Existing structure is 1,078 sq ft and occupies 5.7% of the buffer area. Proposed house is 2,937 sq ft and occupies 15.5% of the buffer area of the parcel. There will also be a 932

sq ft gravel drive with 3,151 sq ft of landscape which would be semi-pervious. Questions was asked about the BLSF. S Boomsma explained the line was taken from the FIRM map. No compensatory storage is planned- just the plantings. Motion made to issue an Order of Conditions for DEP File #102-0447 for the demolition of an existing house and the construction of a new house, pathway and plantings at 168 Greenwater Drive as described in the submitted NOI and as shown on the updated map dated 10/21/2019 with Becket Standard Conditions and the following additional conditions: the rain garden will be eliminated from the plan and be replaced by appropriate native plantings, no lawn or turf management chemicals will not be used on the site and this condition will remain in effect in perpetuity, all disturbed areas will be mulched and stabilized if exposed longer than 7 days and before before any predicted rain event of greater than 1 inch, planting will be monitored for a minimum of two years, Commission or Conservation Agent will be notified when the plantings are installed and this will begin the two year monitoring period; any planting(s) failing during the two year monitored period must be replaced, and the plantings described in the NOI must be installed within one year of the completion of construction of the dwelling, (Delpapa/Scarpo). MSV. S Boomsma requested the OOC be mailed to her.

Additional Items

Update: A Public Complaint regarding 318 County Road (Map 409, Lot 20) resulting from the construction of a shed, fencing, the placement of a steel container, and possible other projects within the Riverfront Area of a stream that feeds into Yokum Brook. Commissioners completed a site visit where multiple measurements were taken from the mean high water to several upland points. The measurements showed the steel containers was 12 ft. from MHW. The shed is almost exactly 50 ft. from MHW. The animal/goat structure was just over 100 ft from MHW. No applications for work in the Riverfront Area for this address was found in the files. Commissioners reviewed a series of orthophotos of the area over time. Based on this imagery it appears the impervious area and structures at the site appeared within the past decade. The landowner was asked if the land is in active agricultural use. The owner's response was the land was not in Section 61A and no receipts have yet to be provided to show the land is in active commercial agricultural use. Agent Stucklen explained the definition of a shed in Becket is a structure less than 200 sq ft and the shed is ~16 ft by 12 ft (~192 sq ft). Commissioners considered the historic ortho-imagery and what it reveals about the changes at the site over time. Motion made to issue an Enforcement Order for unpermitted activity within the Riverfront Area, as defined in the Massachusetts Wetland Protection Act, at 318 County Road (Map 409, Lot 20), (Delpapa/Johnson). Commission crafted the timeline of requirements to be included in the Enforcement Order. Vote called. MSV.

Commissioner discussed the wording relating to complaints in the meeting guidelines. The guidelines use 'potential violation' and Commission's consensus was this was suitable language.

Motion made to reschedule the December Conservation Commission meeting from the 24th to 17 December, (Scarpo/Johnson). MSV.

Public comments submitted to the Conservation Commission regarding DEP File #102-0446, a Notice of Intent application submitted by the Department of Conservation and Recreation. The Public Hearing was continued to the November meeting. Agent Stucklen is still accepting from the Commissioners any additional questions or questions relating to the responses the applicant provided as follow-up. Agent Stucklen requested Commissioners provide her with their comments by 28 October at the latest.

Update Re: Enforcement Order for A. and V. Bleier, 819 Bonny Rigg Road (Map 416, Lot 23), for unpermitted work impacting bordering vegetated wetland, buffer zone, and intermittent stream. Agent Stucklen reported A Bleier has nominated Janet (no last name or credentials provided) of White Engineering as the wetland professional to monitor the restoration plantings and a report is forthcoming. Commission would like the report by 12 November, 2019 to provide time to review before the next meeting.

Update: A Public Complaint regarding 61 Donald Drive (Map 203, Lot 8) resulting from the removal of trees along the bank of Buckley Dutton Reservoir. Agent Stucklen explained the complaint provided an incorrect street number resulting in the return of the letter sent to the landowners. The letter was resent to the correct address.

Update: A Public Complaint regarding town owned property on Wade Inn Road (Map 407, Lot 2) resulting from work done to the existing pull-off. C Bouchard provided additional information- explaining the material was pulled back and the disturbed area planted with a conservation mix. He also provided his crew with guidelines when working near resource areas. Commission was pleased with the response and efforts being made to educate the DPW staff. C Bouchard also mentioned he will be filing his annual report on culvert and road work. The town has received funding to repair, but not replace, the Werden Road culvert and will be filing with the Commission for the project. He also reported the Town Beach project is doing well. Commissioners agree. Requested a letter of thanks be sent to C Bouchard and the DPW crew.

Other Items: Beaver Brook road crossing completed. A site visit will be done. Emergency Order for a demolition at 3117 Main Street, a town owned parcel with wetland resource area, was requested and issued. Motion made to ratify the Emergency Order for the demolition of a structure at 3117 Main Street, (Johnson/Scarpo). MSV.

Review and Approval of the September 24th, 2019 Conservation Commission Meeting minutes. Commissioners reviewed the draft minutes and found two minor typos. Motion made to approve the 24 September, 2019 Becket Conservation Commission Meeting minutes with minor corrections, (Johnson/Scarpo). MSV.

General Mail- Received two Forest Cutting Plans from DCR. One on Quarry and Gould Roads and one on George Carter Road. The Becket Code of Conduct policy needs to be signed. Commissioners signed the policy.

Commission Vacancies: A Dixon announced she would like to step down as Chair but is willing to be Vice Chair. D Johnson was willing to be chair. Motion made to elect David Johnson as Becket Conservation Commission Chair and Alison Dixon as Vice-Chair effective at the conclusion of this meeting, (Delpapa/Scarpo). MSV.

Motion made to adjourn the 22 October, 2019 Becket Conservation Commission meeting, (Johnson/Scarpo). MSV. A Dixon adjourned the 22 October, 2019 Becket Conservation Commission meeting at 9:47PM.

Next Meeting: 26 November, 2019.

Action Items:

- Commissioners provide Agent Stucklen with any additional questions about the NOI for Buckley Dutton.
- Inform Bleier's the report on the Bonny Rigg Road Enforcement Order restoration work must be provided by 12 November.
- Letter of thanks to C Bouchard and the DPW crew.