

## **Town of Becket Conservation Commission 17 November, 2020 Meeting Minutes**

**Meeting held to comply with COVID-19 social distancing requirements. Conservation Commissioners and interested parties participating virtually.**

**Commissioners in Attendance virtually:** Chair David Johnson, Meredyth Babcock, Doug Bessone, Cindy Delpapa, Henry Hagenah and Henry Scarpo. Also Conservation Agent Mary Stucklen.

**Commissioner(s) not in Attendance:** All present

**Members of the public participating virtually:** Christopher Metter, Katie Metter, Dominic Meringolo, Stacy Parsons. (every attempt was made to capture and correctly record the names of all people participating virtually)

**Introduction of the Commissioners:** Chair Johnson called the 17 November, 2020 Becket Conservation Commission meeting to order at 6:31 PM, read the meeting guidelines, introduced the Commissioners and Conservation Agent and briefly explained the Commission's deliberation process. The Chair also recognized the dedication and professionalism of Agent Stucklen and announced she would soon be on maternity leave with Stacy Parsons temporarily filling in as agent. Chair Johnson also wished to note the recent efforts to organize a Becket lakes coalition to assist lakefront landowners.

Meeting was recorded.

**Public Input:** None offered.

### ***Continuing Business***

A **Request for Determination of Applicability** submitted by Katie and Christopher Metter of 226 Sherwood Dr. (Map 215, Lot 209) for the removal of a tree in the buffer zone. The proposed project has expanded to encompass the cutting down of two additional trees and the construction of a car port. C Metter explained some large branches were torn off two birch trees during recent high winds. Upon inspection the trees were found to be dead with large hollows. The homeowners wish to cut these two additional trees leaving eight foot trunks to provide habitat. K Metter noted the birch were located in the densely vegetated area between their land and their neighbor's property. The car port is needed to prevent damage to vehicles from acorns falling from two oak trees near the road. The homeowners researched alternatives and found the construction of a car port the best option for protection their vehicles while preserving the oak trees. The intention is to use helical piers if the underlying conditions are suitable for installation or, alternatively, to use poured concrete supports. Runoff will be managed with gutters. Commissioner asked about the slope to the lake and if there might be increased erosion. K Metter described the existing gravel-lined bank down-slope of the proposed car port and believed this would prevent erosion but could monitor and address any problems with additional plantings. Commissioner asked if the car port would have a 'poured' floor as shown on the drawing. K Metter reported there will be no change to existing surface- no floor. There is no proposed replacement trees for those being cut. Commission discussed possible replacement options including trees or shrubs. Motion made to issue a negative determination #3 for the removal of three trees and the construction of a pier-supported car port in the buffer zone at 226 Sherwood Drive (Map 215, Lot 209) to Katie and Christopher Metter, (Bessone/Babcock). MSV. Motion made to amend the motion to include the following condition: a 1:1 replacement of the three trees to be cut down on the bank of the lake with suitable native trees or a 2:1 replacement using native bushes or shrubs with two thirds of the plantings on the bank or within the 25 foot buffer of the lake, (Babcock/Bessone). MSV. K Metter asked if the Commission needed to approve the plantings. Agent Stucklen

explained there was no requirement for the home owners to come before the Commission to carry out the replacement planting.

A **Notice of Intent** application submitted by John Todice for the construction of a residence at Sherwood Drive (Map 215, Lot 197; DEP File #102-\_0432). Agent Stucklen explained this project is still moving through Board of Health review. Motion made to continue the hearing on the Notice of Intent, DEP File #102-0432, for the construction of a residence at 0 Sherwood Drive (map 215, Lot 197) to the 15 December, 2020 Becket Conservation Commission meeting, (Babcock/Hagenah). MSV.

### ***New Business***

A **Request for an Amendment and Extension of the Order of Conditions** (DEP File # 102-0423) for Greenwater Pond (Map 201 & 202) issued on 08/07/2017 for management of aquatic vegetation. D Meringolo, representing the proponents, summarized the current status of this project: an OOC was issued in 2017; a herbicide treatment was done in 2018; no treatment was undertaken in 2019 or 2020; and the proponents applied for a three year extension of the existing OOC in July with an amendment to allow for the use of a new herbicide. Several concerns about monitoring and conditions in the existing OOC were raised by the Commissioners and D Meringolo has been working to address these concerns. The monitoring plan was revised and will include an annual sampling when there is no chemical treatment and a pre and post monitoring when there is a herbicide used during the season. Commissioner asked why the proposed monitoring site, over the lake's deep hole, was selected as this location will not have rooted vegetation because of the great depth thus an area will require little or no chemical treatment and the sampling will unlikely capture any impacts from the treatment. D Meringolo explained the site was selected as being most representative of lake conditions but offered to add a site closer to shore where there would be more intensive herbicide treatment. Commissioner also asked about the timing of the second sampling as it did not appear to be tied to the herbicide application and would prefer the sampling capture the potential impacts of the chemical application; especially any impacts on dissolved oxygen. After some discussion, D Meringolo recommended the second sampling be 4-5 weeks post herbicide application to capture and impacts associated with the slower 3-4 week die-off period of the new herbicide. Commissioner asked when the sampling would occur during the day noting a mid day sampling would not capture the worst case dissolved oxygen conditions. D Meringolo agreed to sample before 9 AM. Commissioner Hagenah commended the proponent and their consultant for working to satisfy all the issues and concerns raised. Commissioner Babcock expressed her hope that the new herbicide treatment would control the vegetation for the predicted three years and the lake association explore alternative management methods once the chemical application eliminated a large percentage of the biomass. D Meringolo asked about the current hand pulling efforts in Center Pond. Commissioner Babcock knew there were still people working on the hand pulling though she had not seen a recent report on the effort. Motion made to issue an extension of the existing Order of Conditions for DEP File #102-0423 to 8/7/2023 (3 years) for the management of aquatic vegetation in Greenwater Pond (Map 201 & 202) (Babcock/Hagenah). MSV with H Scarpo recusing himself. Motion made to amend the Order of Conditions for DEP File #102-0423 to 8/7/2023 for the management of aquatic vegetation in Greenwater Pond (Map 201 & 202) to include the use of Procetta COR as a herbicide to treat aquatic vegetation; to require water quality monitoring as outlined in the submitted monitoring plan with the addition of a dissolved oxygen and temperature profile in a heavily treated area of the pond pre and post chemical application to attempt to capture any impacts the treatment may have to water quality and habitat; the post monitoring will undertaken 4 to 5 weeks after the chemical application to attempt to capture any impacts the treatment may have to water quality and habitat; and sampling involving dissolved oxygen will occur before 9 AM; the data from the dissolved oxygen and temperature profile will be shared with the Commission within 7 days of the sampling; and all other data collected, including vegetation surveys, will be included in an annual report to be submitted to the Commission, (Babcock/Bessone). MSV with H Scarpo recusing himself.

## ***Additional Items***

Update Re: Enforcement Order issued to K. Avalle of 318 County Road (Map 409, Lot 20) for unpermitted work in the Riverfront Area. Agent Stucklen reported a letter was sent to E Stockman detailing the remaining outstanding items from the Enforcement Order. No response has been received to date. This agenda item will likely not be included until the next growing season unless information about the soils assessment from beneath the debris pile is submitted.

COVID-19 related items. The Commonwealth issued special guidance to Conservation Commissions and restrictions related to the state of emergency. Those restrictions have been lifted and Commissions are now required to meet, (no applicable as the BCC did not suspend meeting) and the 45 day appeal waiting period has been lifted. Because the state-wide curfew, any meeting held at town hall must end by 9:30 PM. The Commission intends to continue virtual meeting until further notice. Commissioners had a lively discussion concerning site visit options and ways to limit the number of attendees to reduce the risk of exposure to COVID while still obtaining the information needed to make informed decisions. Noted there are site visit protocols are shared with applicants. Will consider options when the schedule for the next meeting is confirmed with Chair Johnson taking responsibility for site visits and liaising with S Parsons and Commissioners.

Motion made to approve the 17 October, 2020 Becket Conservation Commission Meeting minutes, (Hagenah/Scarpo). MSV.

Education & the conservation commission: Chair Johnson commended Commissioner Bessone on his diligence in completing almost all of the MACC training courses. Agent Stucklen thanked Commissioner Hagenah for working hard to get the meeting agenda pulled together and posted. She also announced the new WPA manuals are available in the office. Agent Stucklen provided a brief overview of Commission protocols while she is on maternity leave. She also notified the Commission that S Parsons will officially start as her temporary replacement on 1 December. Agent Stucklen will work on a process for obtaining signatures- it may be digital signatures if the town is able to subscribe to a suitable provider or Commissioners may be asked to drop into town hall to sign documents.

Motion made to adjourn the 17 November, 2020 Becket Conservation Commission meeting, (Hagenah/Scarpo), MSV. Chair Johnson adjourned the 17 November, 2020 Becket Conservation Commission meeting at 8:24 PM

### **Action Items:**

- D Johnson to take lead on site visits
- Agent Stucklen to determine protocol for obtaining Commissioner's signatures on documents.

### **Previous items:**

- MA DOT to provide date of GIS wetlands data layer
- K Wagner to supply definitions and descriptions for table 4 in Sherwood Green NOI
- Enforcement Orders related to Todice NOI be posted on the shared drive