

## **Town of Becket Conservation Commission 23 October, 2018 Meeting Minutes**

**Commissioners in Attendance:** Alison Dixon (Chair), Barbara Brand, Cindy Delpapa, Karen Karlberg and Conservation Agent Stacy Parsons

**Commissioner not in Attendance:** all present

**Members of the public:** Andrew Bleier, Shannon Boomsma, JoAnn Fiske, William Fiske, Robert Hebb, Gerald Joyner, Mike Kulig, Tom Ryan, Ann Sullivan, Craig Willis

Tom Ryan, DCR Service Forester, provided a special pre-meeting presentation and discussion about Commonwealth's Forest Cutting Practices Act and cutting plans.

Chair Dixon called the 23 October, 2018 Becket Conservation Commission meeting to order at 6:40 PM, read the meeting guidelines, introduced the Commissioners and Conservation Agent, requested members of the audience to sign in and asked if anyone present was recording the meeting. No one was recording the meeting.

**Public input and comment for items not on the Agenda.** William (Bill) Fiske of King Richard Drive discussed the rebuilding of a single family house on his lot. The old house was demolished and a tight tank installed at the site, (no wetlands filing was received for this work). There is an intermittent stream along one edge of the property but Agent Parsons did not observe BVW at the site. B Fiske hopes to eventually acquire adjacent parcels to allow for the installation of a conventional on-site system and to regrade the parcel to recreate its original topography as part of the rebuilding of the house. An RDA is being prepared. Commissioners requested a detailed site plan and a resource area delineation be included in the RDA.

### **New Business:**

**A Request for Determination of Applicability** submitted by R. and M. Hackbarth, 175 Mystic Isle Way (Map 216, Lot 437) for the installation of a tight tank within the buffer zone of Robin Hood Lake. No site visit by Commissioners or agent occurred. M Kulig, representing the owner, explained the existing septic system failed. Installing a compliant on-site system would be cost prohibitive. The tank will be installed 90 degrees counter to the orientation shown on the plan submitted with the RDA. Moving the tank farther from the lake would require re-piping. The applicant is proposing to leave the existing dry well in place and fill the cavity with sand. Should dewatering be required during the excavation, the effluent will be filtered. Commission asked about a contingency plan should there be a spill during pump-out. It was suggested a recommendation be sent to the Becket Board of Health to require a contingency plan to address any accidental septage spills associated with pump-outs. Motion made to issue a negative determination #3 for the installation of a tight tank within the buffer zone of Robin Hood Lake at 175 Mystic Isle Way (Map 216, Lot 437) with the special condition that a contingency plan to address emergency septage spills be submitted to the Conservation Commission before work begins, (Karlberg/Brand). MSV.

**A Notice of Intent** application submitted by the Town of Becket for construction of a UV water treatment system including an 8' x10' precast building to house a public water system treated (sic) equipment and modification of existing water pipes at the Route 20/Chester Road Becket Spring (Map 417/Lot 1900). The town requested this item be rescheduled. The town will be hosting a public information meeting about this proposed treatment facility on 30 October, 2018.

**A Request for a Certificate of Compliance** for 273 Benton Hill Road, (Map 209, Lot 4) DEP file number 102-0396. An Order of Conditions was issued January 2014 for the repair of an existing stone headwall at the

outlet side of an intermittent stream crossing on the north side of the driveway. Agent Parsons and Chair Dixon visited the site and reported the conditioned work did not appear to have been done potentially making the Order invalid. The owner who filed the NOI has since passed away. The Order of Conditions needs to be closed to allow for the sale of the property. Motion made to approve the Certificate of Compliance for DEP file number 102-0396, 273 Benton Hill Road (Map 209, Lot 4) as an invalid Order of Conditions, (Karlberg/Brand). MSV.

*Ratification of **Emergency Permit** issued to Camp Becket YMCA for breach of a beaver dam causing flooding of cabins.* The Board of Health approved the request. Motion made to ratify the emergency permit issued to Camp Becket YMCA for the breach of a beaver dam causing flooding of cabins, (Karlberg/Brand). MSV.

*A Request to approve a change in project plans for 3805 Jacob's Ladder Road (Map 201, Lot 17, DEP file number 102-0425) to construct a foundation wall on the street side of the property instead of the piers shown on project plan filed with the NOI.* R Hebb and S Boomsma, representing the owner, explained the construction manager recommended the change to an at grade, poured foundation for added strength to better withstand vibration from traffic. The owner would also like to pour an 8' concrete slab beneath the deck for boat storage. After discussion the Commission concluded additional imperviousness on this small lot so close to the lake was not advisable. The Commission discussed the benefits of adding a raingarden in the southeast corner of the lot to increase infiltration and water quality polishing. Motion made to approve the design modification to allow a poured foundation on the street side of 3805 Jacob's Ladder Road, (Map 201, Lot 17, DEP file number 102-0425) with the special condition that a plan for a rain garden be provided to the Commission by the November 2018 meeting, (Karlberg/Brand). MSV. Agent Parsons to send a letter to owner/representative regarding allowed plan change.

*A Request to approve a change in project plan for 62 Algeria Road (Map 219, Lot 231) due to an error presented at the public meeting regarding the construction of a new dock.* The RDA filed with the Commission presented the correct dimensions of the dock, the owner's representative misspoke at the meeting. Motion made to accept the project plan modification for a seasonal dock at 62 Algeria Road (Map 219, Lot 231) to have two 6' by 10' sections attached perpendicular to the end of the dock, (Karlberg/Brand). MSV. The owner also asked about adding a step near the lake edge to make conditions safer on the steep slope. The Commission agreed to allow a step but prefers a small stone step over wood and asked the owner to consider this material for the step.

*Ratification of **Enforcement Order** issued to L. and N. Dean, 765 Bonny Rigg Road (Map 416, Lot 22), for unpermitted work impacting bordering vegetated wetland, buffer zone and intermittent stream.* This Enforcement Order is related to the 819 Bonny Rigg Road violation as much of the wetland alteration and the required restoration work is on this lot. Motion made to ratify the Enforcement Order issued to L. and N. Dean, 765 Bonny Rigg Road (Map 416, Lot 22), for unpermitted work impacting bordering vegetated wetland, buffer zone and intermittent stream, (Brand/Karlberg). MSV.

### **Continuing Business**

*A review of the 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.*

A. Bleier summarized his proposed restoration plan. He divided the restoration work into three areas. The first zone, approximately 15' by 64', encompasses the area where the culvert was installed. The culvert will be removed and taken off-site. Mark Stinson of MA DEP suggested the fill in this area be removed to expose the underlying native soils to allow natural reseeding. The Commission felt this route might lead to invasion by non-native plants and requested reseeding with an appropriate native seed mix. The second area, labeled 'B' on the plan, is adjacent to the bank and approximately 20' by 74'. This area is sandy and dry. A Bleier proposes to use a different seed mix with a layer of topsoil added to allow for seed

germination. Area 'C' is about 34' by 65' in area and is farthest from the intermittent stream. A Bleier proposes to regrade to "smooth out" the area followed by reseeding. The work would begin at area 'C' progress to area 'B' and finish with the culvert zone. Work will be done using a small excavator to regrade and remove fill. Commission discussed the merits of undertaking the work in a drier time of year against concerns that waiting for a drier period could significantly delay the restoration if 2019 proved to be a wet spring. Commission requested A Bleier take care to have the bank area where the culvert was installed match the pre-disturbance topography and width of channel. Commission requested at least 10 native shrubs and/or small trees be planted in area 'B'. Motion made to approve the restoration plan as submitted for work at 819 and 765 Bonny Rigg Road (Map 416, Lots 22 and 23) with the following special conditions: Commissioners will conduct a site visit just prior to work beginning, only a small excavator will be used to in the disturbed areas, the work sequence is to begin with area 'C' followed by area 'B' and end with area 'A', at least 10 native shrubs and/or trees will be planted in area 'B' at the base of area 'C', smooth areas where needed to prepare for seeding with an appropriate native seed mix, all materials removed from the restoration area will be immediately removed from the site, the restoration areas will be monitored for two full growing seasons in conjunction with the Becket Conservation Commission members or agent with replacement and repairs quickly completed to rectify all identified issues, (Karlberg/Brand). MSV.

***A Request for Extension of the Order of Conditions*** (DEP File #102-0411) for 18 South Way Drive (Map 211, Lot 144) issued on 12/7/15 for structure stabilization and drainage improvements.

***a. A Request for an Amendment of the Order of Conditions*** (DEP File #102-0411) for 18 South Way Drive (Map 211, Lot 144) to include the construction of a 8' x34' deck, garage, and mudroom.

Commission visited the site. S Boomsma, representing the owner, requested a three year extension to accommodate on-going work. The amendments requested include the addition of an 8' by 34' deck supported on helical piers, a 26' by 28'7" garage and breezeway, and trench drains. This additional work will require cutting into the side of the raised leach field and adding boulders along this edge. A trench drain taking runoff from the front of the garage and going around the structure into a grassed swale is proposed while a foundation drain for the new garage is proposed to daylight and drain into an area adjacent to the lake. The requested planting for this 'outfall' area are proposed to be silky dogwoods, Commission requested a maintenance plan for all the drainage structures to provide the property owner with instructions on how to care for all the new infrastructure and plantings. Per request at the site visit, S Boomsma reported the percent imperviousness of the lot with all proposed additions is 20%. Commission discussed if the significant changes to the existing project plan warranted the filing of a separate NOI. Consensus was to allow the amendments to DEP file number 102-0411. Motion made to extend the Order of Conditions for DEP file number 102-0411 for structure stabilization and drainage improvements at 18 South Way Drive (Map 211, Lot 144) to 7 December, 2020, (Brand/Karlberg). MSV. Motion made to approve amendments to the Order of Conditions for DEP file number 102-0411 at 18 South Way Drive as detailed in the letter and updated site plan submitted to the Becket Conservation Commission on 23 October, 2018 with the additional conditions that an operation and maintenance plan for the drainage structures be submitted to the Conservation Commission for implementation by property owner and the impervious area of the lot never exceed twenty percent, (Karlberg/Brand). MSV.

***A Notice of Intent Application*** submitted by Michael Tosch (DEP File #102-0439) for a stream crossing replacement on Beaver Brook Road, Map 204, Lot 42. There was concern not all of the abutters were properly notified about this evening's hearing. S Boomsma, representing the property owner, did not have the mail receipts with her at the meeting. Agent Parson received an email on 22 October 2018 at 3:30 PM from M Tosch stating he was expecting an extension. S Boomsma asked for a continuance of this hearing.

***A review of the Enforcement Order*** for S. Prum, 80 Beaver Brook Road regarding unpermitted clearing in the resource area and buffer zone. Agent Parson has rescheduled a site visit for 3 November, 2018 at 1:00 PM.

Approval of the meeting minutes did not appear as an agenda item. Given this oversight, the review and approval of last month's minutes will be deferred to the November, 2018 meeting.

### **Additional Items**

*Review of site visit to Jacob's Hollow Road regarding stormwater concerns.* Agent Parson and Chair Dixon visited the site and spoke with a land owner. No action at this time but the homeowners associate is likely to come before the Commission in February for an extension to an existing Order.

*Review of site visit to 25 Leonhardt Road regarding septic system.* Owner wishes to sell the property. Because of the location of wetland resources on this constrained site, installation of a tight tank may be the best option.

*Review of site visit to Yokum Pond, Berkshire Lake Estates, regarding work along bank and in buffer zone.* Commissioners visited the site. Agent Parsons will prepare an informational letter summarizing the Commission's findings during the site visit.

*Review of site visit to Borrego Solar.* Agent Parson reported areas have been seeded and appear stable. The Order of Conditions did not specify a native seed mix.

*Review of annual drawdown report received on 9/19/18 for Indian Lake and update on previously approved maintenance work.* Agent Parsons reported the association is working on the toe drain repairs.

*Review of email from D. Lenart regarding progress of work at Crystal Pond Dam (DEP File #102-0437).* Agent Parsons reported the tree removal phase is underway. Commission will be notified prior to the start of the next phase of rehabilitation work.

*Received Planning Board Notice for public hearing on November 14<sup>th</sup> at 7 pm for a special permit for a registered marijuana dispensary.*

*Review of FEMA Risk Map Study for the Farmington River Watershed.* FEMA is in the information collecting phase of a ten-year process.

*Discussion of Homeowners Activities Brochure.* There are still edits to be incorporated. A final draft will be circulated to the Commission prior to finalizing the brochure. Agent Parson will confirm when the brochure would need to be completed to allow inclusion with the next tax bill mailing.

*Discussion of FY'20 budget process.* Chair Dixon is beginning to prepare the budget for the next fiscal year. The budget is due by 3 December. Equipment needs mentioned include a laser distance finder and a GPS unit able to take location-defined images. C Delpapa will provide chair with model and cost for an appropriate GPS unit and will draft a tribute piece about Mercedes Gallagher.

*Conservation Commission vacancies.*

Agent Parson reported on some inquiries and projects. A request for a Certificate of Compliance for Rosner Lane will likely be on the next agenda. Agent is meeting on site at 10 AM on 26 October. A Laurel Lane property owner is removing a concrete slab and replacing the slab with techno post. This is a site improvement not requiring a filing with the Commission.

Motion made to adjourn the 22 October, 2018 Becket Conservation Commission, (Karlberg/Delpapa). MSV. Chair Dixon adjourned the meeting at 9:13 PM.

Action Items:

1. Send a recommendation to the BOH regarding the merit of requiring a contingency plan for

septage spills associated with tight tanks and on-site system pump-outs.

- 2.** Agent Parson to send a letter allowing plan modification for 3805 Jacob's Ladder Road.
- 3.** Agent Parsons to prepare an information letter for Berkshire Lake Estates property owners summarizing findings during Commission site visit.
- 4.** Final draft of the homeowners' educational brochure disseminated to Commissioners.
- 5.** Agent Parson to inquire about the deadline for providing the homeowner informational brochure to allow inclusion in town mailing.
- 6.** C Delpapa will provide chair with model and cost information for a GPS unit and will draft a tribute piece about Mercedes Gallagher for the annual report.

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