

Town of Becket Conservation Commission 25 February, 2020 Meeting Minutes

Commissioners in Attendance: Vice Chair Alison Dixon, Meredyth Babcock, Cindy Delpapa, Henry Scarpo. And Agent Mary Stucklen.

Commissioner(s) not in Attendance: David Johnson

Members of the public: Maddy Elovirta, Henry Hagenah, Chris Jones, Laura Krause, Bruce Lipton, Emily Stockman, Ken Wagner.

Vice Chair Dixon called the 25 February, 2020 Becket Conservation Commission meeting to order at 6:30 PM, introduced the Commissioners, read meeting guidelines and asked if anyone was recording the meeting. No one was recording the meeting.

Public input and comment for items not on the Agenda.

a. Bruce Lipton of Sherwood Green Road District: B Lipton from Sherwood Green Road District and Sherwood Green consultant K Wagner wished to discuss their planned NOI for vegetation control in Sherwood Green. The prior OOC for vegetation management was not renewed by the Commission last year. The Road District's intent is to continue with *Phragmites* sps. control and in-lake vegetation management. The goal is to get the *Phragmites* under control this year. Previous management was done with chemical applications but no control measures were undertaken last year. The pond will require assessment first. All of the target vegetation in the pond are native plants. K Wagner requested input from the Commission relative to the pond survey scope and requested this input within the next month so a reasonable management plan can be prepared- either for *Phragmites* alone or with the in-lake management included in the NOI. Commission is requesting a holistic plan and not a treatment scheme that remains unchanged year after year. Commissioners are asked to send any other input to Agent Stucklen. Commission requested K Wagner send the template for the assessment work so the Commissioners has something to review before providing input.

H Hagenah expressed interest in being on the Commission. He will be meeting with Selectboard and with Chair Johnson in March. He shared his resume and application for appointment to the Commission.

New business

Ratification of Emergency Certification issued to Michele Dunne at 277 Longbow Lane West (Map 214, Lot 24) for the removal of a tree that was damaged during a recent storm. A tree lost a number of limbs and the owners were concerned the tree would fall on their house. Agent Stucklen recommended to the owner that the tree be stumped or a replacement tree be planted. Motion made to ratify the emergency certificate for the removal of a tree at 277 Longbow Lane West (Map 214, Lot 24), (Babcock/Scarpo). MSV.

A Notice of Intent application submitted by the Town of Becket for work on an existing culverts (sic) on Werden Road within the Town Right-of-Way (DEP File #102-0450). C Jones, structural engineer and L Krause, ecologist, from Beta Group were present on behalf of the Town. They explained this project involved the repair of the existing corrugated metal culvert carrying Thomas Brook beneath Werden Road. The entire work area is in the Riverfront Area. There is also bordering land subject to flooding though no associated elevation was determined. The wetland was flagged in August. The bottom of the culvert has rotted in many locations reducing structural capacity and causing interflow beneath the pipe which they believe has created a downstream plunge pool and perched conditions. The repair will include filling the voids followed by spraying the bottom of the culvert with a layer of "shotcrete". This repair should last about 20 years. The downstream river bed elevation would be restored with approximately 6" river stone similar to what is currently in place. Embankment rip rap will be removed and reset. The guardrail will be replaced and the roadway repaved. There will be minor impact to vegetation and disturbed areas will be revegetated at the completion of the project. Erosion control will consist of compost-filled silt socks made

of biodegradable fabric One hundred and nine linear feet of impact and five hundred square feet of BWV. Proposing 557 linear feet of temporary impact to land under water related to the stream diversion needed during the culvert repair. There will be 3,604 square feet of impact associated with the rip rap repair and guard rail installation. Commissioner asked if a long profile was done or a pebble count? Neither was done. The bank full width was also requested. L Krause reported none of this data was collected in the field. There was a question about vehicles at the site and if any would be in the riverbed. The shotcrete would likely be poured from above. A vehicle would need to be in the river channel to set the diversion and it was noted by the Commission that the diversion method was not stated in the NOI but up to the contractor. There was concern this is too vague for a contractor to prepare an adequate bid. Commissioners were asked to supply any additional comments, questions or requests by 3 March to Agent Stucklen. Vice Chair Dixon read the MA DEP comments, received today, on this filing. Vice Chair open the public hearing at 7:20 PM. Hearing kept open until the 24 March meeting. Motion made to continue the public hearing for DEP File #102-0450, the repair of a culvert at Werden Road, to the 24 March, 2020 Becket Conservation Commission meeting, (Scarpo/Babcock). MSV.

Continuing Business

A Request for Determination of Applicability submitted by Daniel & Sadie Mecca of 275 Maid Marion Lane (Map 217, Lot 254) for the installation of a replacement septic system. The project has encountered more issues with the Board of Health and will be before the BOH at their early March meeting. Motion made to continue the RDA for the installation of a replacement septic system at 275 Maid Marion Lane, (Map 217, Lot 254) to the 24 March, 2020 Becket Conservation Commission meeting, (Babcock/Scarpo). MSV.

A Request for a Certificate of Compliance submitted by Sergey Kaletin of 0 Yokom Pond Road (Map 409, Lot 3; DEP File #102-0431) for the construction of a driveway. The owner has been unable to reach the original engineer to obtain his sign-off on the completed work. Agent Stucklen assisted applicant in finding an alternative engineer. Motion made to continue the RCC for DEP File #102-0431 to the 24 March, 2020 Becket Conservation Commission, (Delpapa/Babcock). MSV.

Additional Items

Update Re: Enforcement Order for A. and V. Bleier, 819 Bonny Rigg Road (Map 416, Lot 23), for unpermitted work impacting bordering vegetated wetland wetland, buffer zone, and intermittent stream; and Enforcement Order issued to L. and N. Dean, 765 Bonny Rigg Road (map 416, Lot 22), for unpermitted work impacting bordering vegetated wetland wetland, buffer zone, and intermittent stream. White Engineering has been hired and the Bleier's have submitted their proposed timeline. Commissioner's noted the work was suppose to be completed by May 2019 with this project failing to meet any of the timelines in the Enforcement Order and the landowner's failing to inform the Commission of delays. This submitted, proposed timeline will stretch the restoration work to late into 2020. There was a miscommunication relative to letting the Bleier's know S Boomsma was approved as an appropriate nominee to oversee the restoration work. Commissioners discussed the proposed timeline and expressed concern the identification of any issues would come late in the growing season potentially complicating measure needed to rectify problems such as some of the bank deficiencies noted during the autumn site visit. Commission made several changes to the proposed timeline. Agent Stucklen will send a certified letter and email with these changes to the Bleier's, S Boomsma will be cc'd on the email, and a copy will be mailed to the Dean's. The letter will mention the lien on the two properties related to the enforcement order so those involved are aware of the implications of an EO on their property.

Update Re: Enforcement Order issued to K. Avale of 318 County Road (Map 409, Lot 20) for unpermitted work in the Riverfront Area. E Stockman was present representing K Avale. The required documents were submitted on the 18 Februart. E Stockman asked to record the meeting so she could provide the recording to her client. Recording of the meeting began at 8:21 PM and Commissioners introduced themselves once again. E Stockman went through the proposed restoration plan. Additional survey was completed by Hill

Engineers and based on this additional detail, E Stockman concurs there was impacts within the Riverfront Area. The proposed plan includes returning upland to lawn, maintaining the privacy fence which will not impact wildlife passage, stockpiled materials will be removed allowing a soil profile to be done to more accurately identify the boundary between the upland and BVW. BVW would be allowed to revert to its natural state. Requested an exemption to allow a camper to be stored on site during the winter only. Documentation was provided to verify agricultural activities on site. E Stockman requested the Commission establish a 100 foot Riverfront zone under 310 CMR 10.58(2)(b) relative to agriculture activities. The area would still be BVW and not mowed except next to the fence. Agent Stucklen noted the regulation requires the resource area impacts must be directly related to the agriculture activity. Also documentation of agricultural activity was provided for previous years but not for the current year. Aerial imagery provided by E Stockman showed the 'old' barn predated the RPA. She also assured the Commission the landowner intends to adhere to the timeline in the EO and she will relay any commentary to the landowner. Recording stopped at 8:45 PM.

Update Re: Potential Violations reported to the Agent: Agent Stucklen reported erosion controls are in place at 221 Carter Road. The RDA did require the applicant to update the Commission on the piers being used. There was mix of piers used, mostly techno post but some supports were pinned to ledge. The reported possible violation on Leonhardt Road has not been checked yet.

Update Re: Site Visit to 37 Shore Road (Map 204, Lot 18.5). Agent Stucklen visited the site. It is a constrained site outside of the lake's buffer zone but within Riverfront Area with only the river bank vegetated. The old structure burned down and two trees and the burnt building were removed. The landowner wanted to build a boat house but Becket regulations prohibit stand-alone structure. Such structures must be associated with a residential unit. The landowner is now proposing a house above the boat house. The building is before the Planning Board currently. Commission reached consensus the structure would need to file an NOI because of the amount of activity in the Riverfront Area.

Discussion Re: Potential bylaws and public education opportunities: Chair Johnson sent out a summary of the education and outreach meeting. He proposed further discussion at the next meeting.

Discussion Re: MACC Conference: Attendance, travel and other details. Commissioners discussed car pooling opportunities and signed the form assuring there would be no deliberations conducted during travel or participation at the MACC Conference. Commissioners thanked Agent Stucklen for dealing with all of the registration tasks.

Minutes: Motion made to accept the 28 January, 2020 Becket Conservation Commission minutes with the addition of chemicals to the potential for hydrologic impacts of growing operations, correction of spelling of M Stinson's name and add in the agenda items not discussed, (Babcock/Scarpo). MSV.

Conservation Commission Vacancies: H Hagenah has a pending application. Could advertise vacancies at Town Meeting.

General Mail: Received a notice from Planning about a tier II growing operation proposed for Tanglewood Circle. This proposed project is not in a WPA jurisdictional area. Membership to Mass Municipal Conservation Officials organization is available for \$20. Commission agreed to renew this membership. There will be an open space conference in Worcester at the end of March. Multiple forest cutting plans have been received. Agent Stucklen emailed the DCR forester, T Ryan, asking for him to meet with interested Commission members to explain the forest cutting plan process.

Motion made to adjourn the meeting, (Babcock/Scarpo). MSV. Vice Chair Dixon adjourned the 25 February, 2020 Becket Conservation Commission meeting at 10:14 PM.

Action Items:

- K Wagner to send the basic assessment/survey to be undertaken at Sherwood Green to Agent to share with Commissioners. Commissioners to send their comments and additional survey requests to Agent Stucklen.
- Commissioners to send to Agent any additional comments, questions or requests about the Werden Road culvert project by 3 March.
- Agent Stucklen will send a certified letter and email with changes to the Bleier's, S Boomsma will be cc'd on the email, and a copy will be mailed to the Dean's.