

Town of Becket Conservation Commission Meeting Minutes: May 25th, 2021

Meeting was held in compliance with the MA COVID-19 requirements. All applicants and their contractors and or consultants participated virtually. The conservation commissioners met at the Becket Town Hall or virtually.

Commissioners in Attendance: Chair David Johnson, Meredyth Babcock, Jim Schaefer, Doug Bessone, Henry Scarpo, and Conservation Agent Mary Stucklen

Guest in Attendance: none

Commissioners participating virtually: none

Not in Attendance – George Roberts, Henry Hagenah

Others in virtual attendance: Dominic Meringolo, Bill Maier, Ken Wagner, Purr McEwen, Preston Webb, John Hathaway

Chair Johnson called the May 25th, 2021 meeting to order at 6:05 p.m. having a quorum and indicated the meeting is being recorded.

The Chair opened the meeting to a 25-minute information session

The following items were discussed:

- Acknowledge Doug Bessone and George Roberts for receiving their MACC certificates
- Talked about Governor Baker's pending decision on requiring meetings to be open to the public starting in June

At 6:30 p.m. Chair asked each commissioner state their name for the record. Chair read the public meeting guidelines and procedural process for deliberation on applications.

Chair discussed the importance of reviewing and deliberating on applications based on the WPA and treatments approved by the DEP.

Meeting opened to public comment for items not on the agenda. Not hearing it was closed

NEW BUSINESS:

4. Request for Determination of Applicability submitted by Preston Webb for **49 Sioux Rd (Map 218 Lot 60)** for the extension of a deck in the buffer zone

Issue: extension of a deck in the buffer area, a continuance had been issued in April to determine if an RDA or NOI had been issued for the original construction of the house and driveway, agent located the RDA that was satisfactory

Motion: issue a negative determination number 3 for **49 Sioux Rd (Map 218 Lot 60)** for the extension of a deck in the buffer zone, Motion by Doug, seconded by Meredyth, five - yes, zero - no, Jim – abstention, motion carried by majority.

5. Request for Extension for Order of Conditions (**DEP File#102-0420**) issued to Sherwood Lakes District includes Little Robin Pond, Lancelot Pond, Nottingham Pond, Robinhood Lake, Excalibur Pond

Issue: extension of existing treatment plan as outlined in the renewal proposal, although chemical treatment was approved for the past four years and is included in this extension, Solitude indicated they would voluntarily submit a report to the BCC before going head with a future chemical treatment plan, Solitudes' application and Dominic's presentation provided the Commissioners with sufficient information to make a motion

Motion: Chair requested a motion on the application, made by Jim, seconded by Meredyth, for a two-year extension on the OOC, five - yes, zero - no, motion carried unanimously.

6. Request for Determination of Applicability submitted by Lauren Rosenblum of **325 Bonny Rigg Hill Rd (Map 218, Lot 165)** in the buffer zone for the reconstruction and extension of a deck

Issue: replacement and four-foot extension of a deck, most of the present an extension of the deck is just outside the 100-buffer zone, just the far-left corner is slightly in the buffer zone, new concrete footings will be prepared manually.

Motion: issue a negative determination number 3 for work within in a buffer zone at **325 Bonny Rigg Hill Rd (Map 218, Lot 165)** by Doug, seconded by Meredyth, five - yes, zero - no, Jim – abstention, motion carried by majority.

7. Request for Determination of Applicability submitted by John and Phyllis Hathaway **0 Alan A Dale Drive (Map 217, Lot 186&187)** for the construction of a house, and installation of a septic system and well in the buffer zone.

Issue: the house construction footprint is 50 feet or more away from the resource area, the septic system is about 90 feet from the resource area, the well will be about 40 feet from the resource area, the applicant provided a list of trees to be removed, a tree and plant remediation plan, water run-off from the house to prevent erosion plan was provided, erosion controls between the house and water resource area were provided, and disturbed areas will be reseeded as needed.

Motion: issue a negative determination 3 for work in buffer zone at **0 Alan A Dale Drive (Map 217, Lot 186&187)** by Meredyth, seconded by Jim, five - yes, zero - no, motion carried unanimously.

8. A - Yokum Pond Access Road – Potential WPA Violation

Issue: our agent received a complaint that someone had dumped gravel on the access road and was disturbing the habitat of the frogs (tadpoles) and could contain invasive species.

Discussions: the ownership of the access road is in question and it is a protected right of way per the Great Pond Act of MA, the material dumped were large stones about the size of a golf ball, no signs of dirt or gravel present, BCC doesn't have the authority to post restrictions of use on the access road per Great Pond Act, the effects of removing the stone would be more damaging to the water resource area and habitat than leaving them as is. BCC will endeavor to find the person responsible for dumping the stones.

Motion: Chair requested a motion to issue a cease-and-desist order, motion by Jim, seconded by Henry – five - yes, zero no, motion carried unanimously.

8. B – 956 Country Road

Agent received a complaint of a possible WPA violation. Agent viewed the location from the road side and was visually unable to determine if there was a possible violation. Agent to write a letter to property owner in response to the complaint to discuss the possible violation.

8. C – 229 South Cove Road – Certificate of completion

Agent visited the site and observed construction that appeared to exceed the work specifications approved by the BCC as was submitted on their application. Agent to schedule a site visit for the commissioners to evaluate.

9. Town of Becket requested up to \$500 (five hundred dollars) for the planting of trees and or bushes at the town beach and Maple Street land across from the school. The funds will be provided out of the \$3,000 received from Eversource.

Chair requested a motion to provide up to \$500 (five hundred dollars) as requested by the TOB, Motion by Jim, seconded by Meredyth – five - yes, zero - no, motion carried unanimously.

10. The Commission reviewed agent Mary Stucklen compensation and determined an additional \$5.00 per hour is appropriate. The Chair checked with other commissions in the Berkshires and found that the average rate for a good experienced agent with benefits is \$30 to \$35 per hour.

Chair requested a motion to increase agent Mary Stucklen's hourly rate by \$5.00 effective June 1st, 2021, Motion by Jim, seconded by Meredyth – five - yes, zero - no, motion carried unanimously

11. A – February Minutes, one notation regarding Indian Lakes drawdown beyond the November 30 is date is highlighted, Chair made motion to approve the minutes, seconded, carried unanimously

11. B – March Minutes, Chair made motion to approve the minutes, seconded, carried unanimously

11. C – April Minutes, one notation noting commissioner asked TOB to consider the posting of No ATV Allowed signs at the entrance to the trail, Chair made motion to approve the minutes, seconded, carried unanimously

12. General mail:

- a. Aquatic Vegetation Management update from Sherwood Greens
- b. Aquatic Vegetation Pre-Treatment Survey update from Indian Lakes

Note: Ken Wagner did address the issue DEP and Fish & Wildlife had over the Commission's approval at Indian Lake of the use of crayfish. The Commission had the authority to approve their use, but the issue of granting permission to transport the crayfish rest with Fish and Wildlife. For now, they are not going to be used as part of the lake treatment and management program.

Possible Site visits on June 19th, 2021

Next Scheduled Meeting: June 22nd, 2021 at 6:00 p.m.

Conservation Commission meeting minutes

Prepared by Dave Johnson, Chair

Date: 06/02/2021