

**Town of Becket Conservation Commission  
28 May, 2019 Meeting Minutes**

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

**Commissioner not in Attendance:** Karen Karlberg

**Members of the public:** Marc Bellard, Vernice Cowell, Sherri Ellsworth, Raymond Ellsworth, Bill Elovirta, Madelaine Elovirta, Rita Furlong, Dean Lagrotterig, Michael Lavery, Robert O'Brien, Dean Smith, Chris Swindlehurst,

Chair Dixon called the 28 May, 2019 Becket Conservation Commission meeting to order at 6:35 PM, read the meeting guidelines and asked if anyone was recording the meeting. No recording was being made.

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

***New Business:***

***A Request for Determination of Applicability*** submitted by Raymond & Sherri Ellsworth of 818 Surriner Road (Map 402, Lot 24) for repair of a residential driveway and storm water culvert. The Commission visited the site. The driveway is in the resource area of Mountain Pasture Brook with the closest point of the driveway 51 feet from the stream. R Ellsworth provided a summary of the project and an updated plan for the driveway repair incorporating requests made by the Commission during the site visit. The driveway will remain in the same footprint and not be expanded. Staked straw waddles will be installed between the driveway and the stream extending from the house to the road. The erosion control will remain in place until the project is completed. All excavated materials will be taken off-site for disposal. R Ellsworth provided a sample of the mix to be used on the driveway surface. The existing culvert beneath the driveway will be replaced. A flat stone will be placed below the downstream end of the new culvert to help dissipate water velocity to reduce erosion. The swale adjacent to the driveway will be cleaned then lined with gravel. A Commissioner asked if the driveway mix will remain semi-permeable after it is rolled. R Ellsworth reported this materials, unlike recycled asphalt, retains porosity. Motion made to issue a negative determination #3 for repair of a residential driveway and associated drainage at 818 Surriner Road with the following conditions: Becket Standard Conditions, check dams will be added to the gravel lined swale to reduce water velocity at no greater than 10 foot intervals and erosion controls will be inspected by the Conservation Agent or Commissioner prior to the start of work, (Brand/Johnson). MSV.

***A Request for a Determination of Applicability*** submitted by Garth and Marianne Klimchuk of 31 Rosner Lane (Map 402, Lot 26) for replacement of an existing dock and replacing with a seasonal floating dock. Agent Stucklen visited the site. No representative was present. Agent Stucklen explained the existing dock is tethered to a tree on the bank. The new 16' by 4' dock will be in three sections and have an aluminum frame with cedar planks supported by six extendable legs. The installation will require no machinery and the dock will meet the shoreline at a rock cluster to minimize impacts. Motion made to issue a negative determination #3 for the removal of an existing floating dock and the installation of a seasonal 16' by 4' dock, (Johnson/Babcock). MSV.

***A Request for a Determination of Applicability*** submitted by Peter Giano of 260 Sherwood Drive (Map 215, Lot 206) for the replacement of piers for a residential house and the replacement of deck posts. The Commission visited the site. R O'Brien, contractor, was present on behalf of the owner. R O'Brien explained the house would be raised to allow replacement of the support piers. The old supports will be removed using an excavator and taken off site. The insulation beneath the house will also be removed. Excavate will be used to fill low spots in the landscape. The deck will use techno posts for support which require no excavation. Disturbed areas will be reseeded with a conservation seed mix. The owner sent a letter requesting permission to remove two dead maple trees to be replaced with two new trees and a perimeter

hedge. It was noted one of the trees warranted removal. Agent Stucklen summarized DEP policy which allows a Commission to require vegetated buffers during the RDA process. Commission was inclined to have at least 8 feet of tree trunk of the maples left in place to prevent erosion. The replacement trees must be native tree species suitable for the conditions at the site and planted in the buffer area to the lake as vegetation at the lake edge will help discourage Canada geese from using the site and improve in-lake conditions. Motion made to issue a negative determination #3 for the replacement of piers for a residential house, replacement of deck posts with techno posts, and the removal of two dead maple trees at 260 Sherwood Drive (Map 215, Lot 206) with the following conditions: Becket Standard Conditions, staked straw wattles will be used for erosion control as shown on the plan, all trees removed will be replaced with suitable native trees and shrubs at a 3:1 ratio and planted in the buffer zone to the resource area, (Scarpo/Band). MSV with one abstention.

During the site visit Commissioners noted the techno posts had already been installed and a significant amount of debris was left on the site. R O'Brien reported erosion control measures were in place before the work began. Agent Stucklen explained an Enforcement Order was issued today, (26 May, 2019) requiring all work to stop. The Enforcement Order was issued to emphasize work at a site under WPA jurisdiction cannot begin prior to a Conservation Commission decision- having filed the required paperwork does not allow work to begin. Motion made to ratify the Enforcement Order issued to Peter Giano for a violation at 260 Sherwood Drive involving approximately twelve feet of alteration in a buffer area and debris left at the site, (Johnson/Babcock). MSV.

*A **Notice of Intent** application submitted by Peter Shore for the replacement of support piers with a concrete wall foundation at 18 Bruce Roy Rd (Map 204, Lot 127) . Agent Stucklen received a letter from the applicant stating he was not moving forward with this application at this time for a variety of reasons.*

*A **Notice of Intent** application submitted by the Town of Becket for the installation of a parking lot, repair and replacement of fencing, and grading at 21 Maple Street (Map 206, Lot 86, DEP file number 102-0455). Commission visited the site. B Elovirta announced Becket Selectboard members were present and their attendance at the meeting was publicly advertised. He also expressed the full support of the Selectboard for this project. M Elovirta outlined the history of the site. The parcel was purchased by the town and the existing structure removed but the contractor left the site in a substandard state. The Parks and Recreation Committee hopes to augment the North Becket Park with a portion of this newly acquired parcel and add a 50 foot by 75 foot car parking area as there is currently no dedicated parking for the park. The proposed work also includes regrading, some clean up of debris, the cutting of several Norway maples to open the area to discourage illicit activity, and the repair and installation of new fencing. Per the suggestion of the Commission, the request to remove the cedar tree included in the NOI is rescinded. Commissioner asked how many parking spots are planned and, if the parking area will be plowed, where will the snow be placed? M Elovirta anticipates 8-10 spaces. Snow will be pushed to the back of the parcel. Commission felt moving the snow as far as possible from Yokum Brook would be preferable. Commissioner expressed concern about the ability to permit the car park under the WPA regulations as the parking area is far greater than 10% of the riverfront resource area at the site- the maximum disturbance allowable under the regulations. Commission discussed if a smaller footprint would meet regulations. The footprint would have to be less than 1500 square feet, 10% of the riverfront area, which might be enough area for a handicap space. The public hearing was opened at 7:53 PM by Chair Dixon. B Elovirta stated when the town voted to purchase the parcel at Town Meeting it was understood this parcel would become a parking area. M Elovirta asked if the proposed work could move forward if the parking area was eliminated. C Swindlehurst suggested the fencing not extend around the entire site to reserve the option of parking in the future. Commissioner expressed interest in continuing to explore the possibility of acquiring a portion of the old sawmill property at the end of Maple Street to create parking and access to the park. Commission reached consensus to allow for the repair and moving the fence to prevent parking on the lot, invasive plant removal including cutting down of 5 Norway maples with replacement plantings of native species, trash removal and minor regrading of the site. Motion made to issue an Order of Conditions to the Town of Becket for the repair and installation of fencing, debris and invasive plant removal, the cutting of five Norway maples, and regrading at 21 Maple Street, (Map 206, Lot 86; DEP file number 102-0455) with*

the following conditions and additions: Becket Standard Conditions, no parking lot will be created, the fence will be moved to the road edge to prevent parking, the entrance sign for North Becket Park may be relocated, five native species trees will be planted, and all disturbed areas will be immediately reseeded with a conservation seed mix, (Scarpo/Brand). MSV. Chair Dixon closed the public hearing at 8:22 PM.

***Continuing Business:***

***A Request for Extension of the Order of Conditions*** (DEP File #102-0420) for Sherwood Forest Lakes District issued on 06/02/2017 for the continued maintenance of aquatic vegetation in Sherwood Forest due to expire on June 2<sup>nd</sup>, 2019. M Bellard of SoliTude Lake Management was attending to represent the applicant. V Cowell of the Sherwood Forest Prudential District was also in attendance. M Bellard provided a summation of past aquatic vegetation control efforts for the Sherwood Forest waterbodies explaining management involved an integrated program of herbicide treatments and mechanical harvesting. M Bellard also felt the existing OOC was exceptionally extensive. Chair Dixon noted the OOC requires notification of an application to the downstream Indian Lake Association, (special condition 24) but she saw no mention of notification in the report. M Bellard explained notification was not necessary last year since there was no herbicide treatments to Nottingham Pond which flows into Indian Lake. Another special condition required post-treatment monitoring of dissolved oxygen but the report had data only from Lancelot Lake, which did experience a DO depression though not below state water quality standards, and not from other treated lakes. Also the dissolved oxygen data was also poorly documented as there was no indication of time of day the reading was taken, water depth of the reading, weather conditions during sampling or the date of last herbicide treatment- all information needed to interpret the data. This meta data should be included with all water quality measurements. M Bellard explained data from Big Robin may not have been collected because only 10% of the lake was treated. He was not sure if data was collected after the 2017 treatment in Excalibur Lake. Commissioner asked for clarification about mechanical harvesting- if this included hydroraking as this is not allowed under the existing OOC. M Bellard reported there was no hydroraking done, only mechanical harvesting and this work is undertaken by the Lakes District. Since it is not done by SoliTude the information would not appear in the SoliTude annual reports. Commissioner asked what triggers mechanical harvesting in lieu of hand harvesting? M Bellard explained the density of the plants is the major factor in the decision to use mechanical harvesting coupled with the plant species of concern. For example hand harvesting is not suitable for some species such as the European naiad. When asked if all treated species were non-native, M Bellard reported there are several native species which have reached nuisance status likely because the waterbodies in Sherwood Forest are man made impoundments. Agent Stucklen inquired if the planting of a diverse array of native aquatic plants has been tried in an effort to crowd-out the non-natives and create a more balanced native plant assemblage. M Bellard does not know of anyone in this state using this method but knows of efforts in other states in natural waterbodies. He also reported a new herbicide is due to be approved by the State in June. The targeted herbicide works on milfoil species and is proving to be effective. Commissioner asked if an aquatic life assessment is done prior to herbicide treatment. M Bellard explained there is varying degrees of assessment depending on the waterbody. In response to a question about public outreach and notices, V Cowell noted there has never been a complaint about the lakes explaining announcements are placed on the District's website along with water quality information. Commissioners discussed the possibility of an information presentation to the Prudential Committee. Agent Stucklen recommended the Commission note any additional conditions they feel would be beneficial to consider before the next request for an extension is made. Motion made to extend the OOC for lake management activities for the Sherwood Forest lakes district (DEP File number 102-0420) until 2 June, 2021, (Johnson/Brand). MSV with two abstentions.

***A Request for a Certificate of Compliance*** for 0 Tanglewood Circle, (Map 406, Lot 14-20, 37-47; :DEP File #102-0421) by Borrego Solar Systems. Order of Conditions was issued on August 22<sup>nd</sup>, 2017 for the installation of a solar facility. Site visited completed. D Smith was present representing Borrego Solar. It was noted the *Phragmites* spcs along the road is in the subdivision right-of-way but the applicant will try to work with the landowner on the problem. Commissioner suggested this could be an opportunity to plant a native wildflower seed mix. D Smith requested some suggestions for wildflower seeds. Commissioners recommend using a local mix and discussing the site conditions and soil preparation with the nursery

owner or a local plant expert. Agent Stucklen observed wood chips still dominate some areas (30-40%) between the rows of solar panels having not decomposed as quickly as anticipated. The three culverts were inspected. Two were functioning and the filter socks working as the discharges were clear. At one culvert runoff had created a channel between the fence and the culvert resulting in the runoff flowing over the filter sock. Agent Stucklen expressed concern there may be an unanticipated problem developing upstream causing this erosion. D Smith noted there was a water treatment system at the base of the solar array. It was suggested the applicant install check dams above culvert #2 to dissipate velocity to prevent a worsening of the erosion. Live willow stakes would be another alternative. D Smith agreed to plant some willow stakes and wildflower seed mix at the site. Agent Stucklen also noted she observed some debris, including rebar and small metal fence clippings, and a sparsely vegetated area near the entrance to the site. D Smith assured the Commission these issues will be taken addressed. Motion made to issue a Certificate of Compliance to Borrego Solar Systems for their solar array installation at 0 Tanglewood Circle (DEP file #102-0421) with the following conditions: remaining debris removed from the site, live willow stakes will be planted above culvert #2 to reduce erosion, and bare patches will be reseeded with a native meadow seed mix per recommendation of a local native flower expert, (Scarpo/Johnson) MSV.

***Additional Items:***

*Review and approval of March and April 2019 Conservation Commission Meeting minutes.* Due to a lack of a quorum of members present at the March meeting, the vote to approve the March minutes will be tabled to the June 2019 Conservation Commission meeting. Motion made to approve the 23 April, 2019 Becket Conservation Commission minutes, (Brand/Delpapa). MSV with 1 abstention.

*New Conservation Commission Members & Vacancies.* There will be a vacancy on the Commission when B Brand's term expires in June. There is one person who has expressed interest in becoming a Commissioner.

***General Mail:***

CSX rail notified the Commission about upcoming rail right-of-way maintenance measures.

Yokum Pond Association submitted their pond management report to the Commission.

A study from UMass was sent to the Commission quantifying the money saved by a community by preserving open space.

A forest cutting plan was filed for a parcel abutting an existing cutting plan area. A road will be extended to allow access to this new parcel. The road will not intersect any wetland resource areas.

Commission discussed site visit schedule. June visits will be the 14<sup>th</sup> and/or 15<sup>th</sup> of June.

Motion to Adjourn, (Johnson/Scarpo). MSV. Chair Dixon adjourned the meeting at 9:43PM.

***Next meeting:*** June 25<sup>th</sup>, 2019 in the Berkshire Room at 6:30 pm.

***Action Items:***

1. Disseminate the Yokum Pond pond management report to Commission.
2. Follow-up about the possibility of an informational meeting with Sherwood Forest Prudential Committee about lake management.