

Town of Becket Conservation Commission Meeting Minutes: April 26th, 2022

The Becket Conservation Commission Meeting was held at the Becket Town Hall in compliance with the MA hybrid open meeting laws allowing applicants, contractors, and consultants to participate in person, virtually, or by audio.

Commissioners in Attendance: Chair David Johnson, Vice Chair Hank Hagenah, Henry Scarpo, Jim Schaefer, Doug Bessone, and Nic Pietroniro Conservation Agent

Guest in Attendance: John McElwain and Fredrika Alper

Commissioners participating virtually: none

Commissioners Not in Attendance: none

Others in virtual or audio attendance: Meredith Babcock, Stuart Offner, Cindy Delpapa, Fred Sears, Wendy Gendron, Joe Ornato, for others that did not speak their names were not requested per open meeting law

The Chair Johnson called the April 26th, 2022 meeting to order at 6:00 p.m. having a quorum and indicated the meeting is being recorded. Chair emphasized that the meeting agenda included introduction comments that wouldn't be read and it is the responsibility of each applicant and all others in attendance to review.

The meeting was opened for public comment for items not on the agenda: Not hearing anymore questions, it was closed for public comment.

SPECIAL MOTION:

Chair asked for a motion to suspend the automatic inclusion of the approved list of the "RDA Order of Conditions" for this meeting. The OOC needs to be reevaluated. Motion by Hank, Seconded by Henry, carried unanimously.

CONTINUANCE:

1. **Enforcement Order Update:** Issued to Jason Lacourciere, Fred Sears asked for a continuance to 05/24/2022 to present the restoration plan due to difficulty in finding 8-10 tree replacement.

Motion: by Hank, Seconded by Henry, motioned carried unanimously

2. **Appealing BCC decision:** Dan and Melissa Sbrega of 402 Sherwood Drive (Map 215, Lot 193) Appealing to cut down a White Pine that was brought before the commission in a previous RDA.

Issue: Property owner submitted a letter from an arborist that the tree would eventually fall down. However, the letter didn't indicate that the tree was in any distress or dead. On two separate site visits, the Commission observed the tree as appearing healthy.

Motion: to deny the appeal and to provide the Sbrega's with information on vista pruning by Hank, seconded by Jim, carried unanimously.

3. **Order of Conditions Amendment Request:** Submitted by the Indian Lake Association for the amendment of an issued Order of Conditions (MassDEP#0102-0457) to include spot treatments using the herbicide Diquat to treat regrowth of Bladderwort (*Utricularia purpurea*).

Issue: There was considerable discussion about the safety in the lake and the down-stream affects using Diquat. Wendy Gendron and Joe Ornato's presentation provided satisfactory information for the Commission to make a motion.

Motion: allow the NOI to be amended to use Diquat by Hank, seconded by Henry, then further discussion

Amendment to the Motion: require testing within 48 hours of treatment on the lake side of the spillway by Hank, seconded by Henry, voted yes – Hank, Henry, John, voted no Doug, Dave, Jim abstained. Due to a six-member quorum an affirmative minimum vote of four was required, the motion failed. The amended motion lacked measurables and what would be a remediation.

Vote on original Motion: voted yes, Hank, Henry, John, Dave; voted no, Doug; Jim abstained, carried by majority.

4. **Order of Conditions Extension Request:** Submitted by the Indian Lake Association for a three-year extension of an issued Order of Conditions (MassDEP#0102-0428) to continue as needed water level draw downs.

Issue: There was considerable discussion about excessive water draw-down amounts and effect on the spawning of various species downstream. However, the report being used to challenge an extension was from 2017. It was NOT relevant to 2021 measures. Wendy Gendron and Joe provided satisfactory information that the current drawdown measures were appropriate and within the DEP guidelines.

Motion: to permit a three-year extension on draw-downs by Hank, seconded by Henry; voted yes, Dave, Doug, Hank, John, Henry; Jim abstained, carried by majority.

5. **Order of Conditions Extension Request:** Submitted by Stuart and Susan Offner for a three-year extension of an issued Order of Conditions (MassDEP#102-0391) to commence the construction of a single-family home on Algeria Road (Map 219, Lot 229).

Motion: to permit a three-year extension of the Order of Conditions by Hank, seconded by Doug; voted yes, Dave, Doug, Hank, John, Henry; Jim abstained, carried by majority.

Note: the applicant was reminded that the original OOC required a shrub and tree planting plan be submitted to the BCC. Applicant will be reapplying for permitting with the Board of Health reference the septic and well for approval.

NEW BUSINESS:

6. **Request for Determination of Applicability:** Submitted by John McElwain and Fredrika Alper for the manual removal of invasive plant species at 32 Nocher Road (Map 410, Lots 13 & 14) within the Riverfront Area of Walker Brook.

Motion: to issue a three-year permit to remove invasive species within the 200-foot resource area as located, the retro-active permitting of cutting down of an invasion tree that was within the 200-foot resource area, and replacement of the tree with a non-invasive species by Hank, seconded by Jim, carried unanimously.

Note: it was recommended to the applicants that they consider doing multiple plantings on the hill slope and lawn area in front of the house to help prevent significant erosion. Nic Pietroniro (Conservation Agent) and Meredyth Babcock with her interns will be making recommendations to assist the applicants with this project.

ADDITIONAL ITEMS:

7. Tetrahydra Agtek LLC NOI Submission Update – NOI file number issued by DEP and received
8. Review of Becket RDA Standard Order of Conditions – continuance to May 24th meeting
9. Brief Discussion on Conservation Commission Website – continuance to May 24th meeting
10. Ratified the February 22nd Minutes by all Commissioners who were present at that meeting
11. Ratified the March 22nd Minutes by all Commissioners who were present at that meeting

Next regular meeting Tuesday May 24th, 2022, in the Community Room, at 6:00 pm.

Motion to Adjournment at 7:56 p.m. - carried unanimously

Conservation Commission meeting minutes

Prepared by Dave Johnson, Chair

Date: 05/02/2022