

## ***Town of Becket Conservation Commission Meeting Minutes: October 24<sup>th</sup>, 2023***

The Becket Conservation Commission (BCC) 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, Jim Schaefer, John Verity, Doug Bessone, Henry Scarpo, Chris Clapper, and Nic Pietroniro Conservation Agent

Commissioners participating virtually: none

Commissioners Not in attendance: none

Others in Attendance: Rob Ackroyd, Jeff Smith, Matt Puntin, Grethel Requillo, Scott Pinkus

Others participating virtually: Emily Pfeiffer, Mike Parson, Luis Popkin

The Chair called the October 24<sup>th</sup>, 2023 meeting to order at 6:00 p.m. having a quorum of seven (7) Commissioners and indicated the meeting is NOT being recorded. The chair emphasized that the meeting agenda included introductory comments that wouldn't be read and that it is the responsibility of each applicant and all others in attendance to review the meeting protocol.

The Chair opened the meeting for public comment for items not on the agenda.

Public Comment:

1. Robert Alaire: Informed the Commission of the Dark Sky Event on November 4<sup>th</sup>
2. Public Comment Closed

### **New Business:**

**1 Request for a Determination of Applicability:** Submitted by Scott Pinkus for the removal of the existing garage (the foundation will remain), the construction of a new garage with an apartment on the original garage foundation, and the installation of a new septic system to service the apartment within the Buffer Zone of the bank of Upper Upper Goose Pond and a BVW at 337 Loose Tooth Rd. (Map 404, Lot 22).

Issues: None - site visit and engineering documents gave the Commission sufficient information to deliberate.

Motion: to approve a Negative 3 Determination for work in the Buffer Zone by Hank, seconded by Jim, carried unanimously 7-0-0

**2 Request for a Determination of Applicability:** Submitted by Eleanor Metrick for the work associated with upgrading an existing septic system within the Buffer Zone of the bank of an intermittent stream at 108 Iroquois Dr. (Map 218, Lot 171).

Issues: none

Motion: to approve a Negative 3 Determination for work in the Buffer Zone, by Hank, seconded by Henry, with the condition that a native tree is planted where the unpermitted removals took place, carried by majority 6-0-1, Jim abstained

**3 Request for a Determination of Applicability:** Submitted by Colin Buechel for the installation of a ground mounted solar PV system within the Buffer Zone of a BVW at 162 County Rd. (Map 208, Lot 2).

Issues: none

Motion: to approve a Negative 3 Determination for work in the Buffer Zone by Jim, seconded by Hank, with the Condition that Erosion Control is installed at the limit of work, carried unanimously 7-0

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- 4 Request for a Determination of Applicability:** submitted by Jesse Giardina for the work associated with the replacement of a septic system within the Buffer Zone of the bank of Longbow Lake at 151 Long Bow Ln W. (Map 213, Lot 71).

Issues: Unpermitted tree removals were observed during the site visit.

Motion: to approve a Negative 3 Determination for work in the Buffer Zone by Hank, seconded by Jim, with the Condition that 6 replacement trees are planted behind the house in the area that the unpermitted trees were removed, carries unanimously 7-0.

- 5 Request for a Determination of Applicability:** Submitted by Grethel Requillo for the removal of trees within the Buffer Zone of a BVW and Riverfront Area of W. Walker Brook at 0 King Richard Dr. (Map 217, 225).

Issues: sufficient information provided to deliberate

Motion: to continue to the November 28<sup>th</sup> meeting by Jim, seconded by Doug, carried unanimously 7-0-0

- 6 Notice of Intent:** Submitted by Salvini Associates, LLC on behalf of Jonathan Barrows for mitigation measures to offset any inadvertent impacts to the Resource Areas resulting from clearing within the Buffer Zone of a BVW and partially within the outer 100 feet of the Riverfront Area at 0 Quarry Rd. (Map 416, Lot 30).

Issues: None

Motion: to issue an Order of Conditions for MassDEP#102-0479 by Jim, seconded by John, with the condition that the restoration is monitored over two years for a minimum 75% success rate and dispersal of the piled wood chips, Carries unanimously 7-0-0

Motion: to release enforcement order on 0 Quarry Road (Map 416, lot 30) by Chris, seconded by Hank. Carries unanimously 7-0-0

Order of Conditions: the restoration is monitored over two years for a minimum 75% success rate and the dispersal of the wood chip

### **Continuing Business:**

- 7 Request for a Determination of Applicability:** Submitted by David Levenfeld for the work associated with replacing a gravel driveway with permeable pavers within the Buffer Zone of the Bank of Center Pond at 229 South Cove Dr. (Map 211, Lot 41).

Issues: the applicant didn't provide the engineering documentation from the manufacturer to allay the Commissioners of the efficacy and long-term sustainability of the proposed resolution to the driveway erosion issues. This had been requested at the prior meeting. The Commissioners had to decide if it was better to approve the proposal and hoped it worked based on the consultant's assurances or decline the proposed work. Erosion in the driveway has been an issue since its original construction. The work was to start immediately and be completed by Thanksgiving.

Motion: to approve a Negative 3 Determination for work in the Buffer Zone by Hank, seconded by Henry; carried by majority 5-0-2, Jim and John abstained

Note: The consultant wanted to know why Jim and John abstained. The Chair stated that he could not require a commissioner to explain why they abstained from voting per MA Open Meeting Laws.

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- 8 Request for a Certificate of Compliance:** Submitted by Kim Bergland for completion of the work associated with MassDEP#102-0069 issued 3/15/1990 at 151 Long Bow Lane W. (Map 213, Lot 7)

Issues: None

Motion: to issue the COC by Jim, seconded by Hank, carried unanimously 7-0

- 9 Request for a Certificate of Compliance:** Submitted by Kim Bergland for completion of the work associated with MassDEP#102-0223 issued 12/09/2001 at 151 Long Bow Lane W. (Map 213, Lot 7)

Issues: None

Motion: to issue the COC by Hank, seconded by Chris, carried unanimously 7-0

- 10 Request for a Determination of Applicability:** Submitted by Sally Eldred for the work associated with the installation of a new septic system, leach field and pump chamber within the Buffer Zone of the Bank of Robinhood lake located at 460 Wells Road (Map 216, Lot 454).

Issues: Incomplete information and no formal easement with the road district

Motion: approve a continuance 12/28/2023 meeting by Chris, seconded by John, carried unanimously 7-0

- 11 Request for a Determination of Applicability:** Submitted by Kathryn Strohmenger for the removal of four (4) trees within the Buffer Zone of the Bank of Center Pond at 303 Old Pond Rd. (Map 210, Lot 54).

Issues: site inspection revealed only one (1) deteriorated tree, the other three (3) appeared healthy, Commission require a letter from an arborist identifying trees that need to be cut down due to unhealthy condition

Motion: approve a continuance 12/28/2023 meeting by Hank, seconded by Henry, carried unanimously 7-0

- 12 Enforcement Order Update:** Issued to Jonathan Barrows for road, tree clearing, placement of gravel/rock, storage of fill material, and possible grading has occurred within the Buffer Zone of a Bordering Vegetated Wetland and possibly within the resource area. Unpermitted work occurred at 0 Quarry Road (Map 416, Lot 13).

Issues: approve item 6 at this meeting was acceptable in place of the Enforcement Order

Motion: move to void the Enforcement Order by Chris, seconded by Hank, carried unanimously 7-0-0

### **Additional Items:**

- a. Safety equipment update: yellow vests and hard hats
- b. Eversource Improvement Projects
- c. Thomas Brook Conservation Area Proposal
- d. Shaker Mill Brook Conservation Land
- e. MACC Convention

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- f. Discussion of fee schedule deferred to next meeting
- g. Correspondence/Items needing attention
- h. BCC minutes deferred to next meeting – 09/26/2023, 10/11/2023

**Next meeting** Tuesday November 28<sup>th</sup>, 2023, in the Community Room, at 6:00 pm.

**Motion for Adjournment:** motion to adjourn at 7:44 pm – carried unanimously 7-0

Prepared by Dave Johnson, BCC Chair, 12/03/2023 edit

RATIFIED