



# Lynch Scrimo

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May 31, 2022

Becket Planning Board  
Becket Town Hall  
557 Main Street,  
Becket, MA 01223

Re: Hit the Road RV, LLC  
Proposed Campground at 1402 County Road

Dear Members of the Planning Board:

HTR RV, LLC submits its rebuttal to the comments and letters received in opposition to its Special Permit Application. Accompanying this letter are the following documents:

1. Response to Proposal for new connector road between Yokun Pond Rd. and County Rd.
2. Definition of Camp
3. Definition of Camping Unit
4. Foresight Land Surveyors Response to Water Use and Septic System Design
5. Fuss & O'Neil's Response to Traffic Study
6. ConnectOne Design's Response to Lighting Plan
7. Proposed Conditions / Stipulations that can appended to the Special Permit

Also, for clarity of the record the applicant is **Hit the Road RV, LLC, Daniel Weinstein Manager**

Thank you for your continued review and consideration.

Sincerely,  
LYNCH SCRIMO

Jeffrey R. Lynch

Village Center | 68 Main Street  
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A connector road between Yokun Pond Rd and County Road is not viable. The map below shows wetlands and a stream. It would be very difficult to permit a new roadway through the wetlands.

HTR RV, LLC questions whether improvements could be made to the Y-intersection with some minor Right of Way alterations?

HTR RV, LLC is happy to discuss other traffic mitigation measures, seasonal speed bumps, rumble strip, signage that the Town of Becket DPW recommends.



## **Definition of Camp**

Opponents to the application have questioned the definition of Camp as used in the Town of Becket Zoning Bylaw.

In ascertaining the meaning of a zoning ordinance or bylaw a court must give the words used by the town their common and approved meaning. See Falardeau v. Woupio, No. 2002-1272 (Mass. Super 11/28/2003) (citing 1A N.J. Singer, Sutherland on Statutory Construction S 30.6 (6<sup>th</sup> ed. 2002). “When the words have a plain and ordinary meaning, they should receive that same meaning from a court unless there is a strong reason to believe that another and different meaning was intended.” Id. (citing Iodice v. City of Newton, 397 Mass. 329, 332-333(1986)).

There is no reason for this Board to look for dictionary definitions when there is a state regulation right on point. Massachusetts has established the Minimum Standards for Development of Family Type Camp Grounds pursuant to 105 CMR 440. This regulation defines **Camp**.

Family Type Camp Ground, Camp Ground, or Camp means a tract or parcel of land, either privately or publicly owned, (a) which is used wholly or in part for recreational camping or group activity purposes, or for accommodation for overnight or longer periods, and (b) which accommodates for profit or under philanthropic or charitable auspices three or more families or camping groups. Without limiting the generality of the foregoing, the family type camp ground may accommodate tents, motor homes, expandable camping units, and such other devices as may be developed and marketed for the camping trade. The term family type camp ground does not include a children's day camp, recreational camp for children, mobile home park or picnic area.

The Board may also rely upon its own life experience to find that HTR is proposing the construction of a campground that offers amenities that a commonly found in commercial campgrounds.

Additionally, the Concerned Residents of Becket, Inc. a Massachusetts nonprofit comprised of not a single Becket resident, said the Board should look to Bonnie Rigg Campground for an example of what defines a campground and presumably what the Concerned Residents of Becket, Inc. would prefer: Bonnie Rigg Campground offers:

200 sites, include allowing the driving and parking of Recreational Vehicles. This has the potential for 800 plus guests which per the concerned citizens is a 40% increase in the Town's population.

Overnight guest Cabins

4 Community buildings

An inground swimming pool

Recreational areas including playgrounds and volleyball court(s)

Open year round

Permits and encourages the use of ATVs, dirt bikes and snowmobiles throughout its site and to adjacent public trails.

Plus it is built along an environmentally sensitive river front area.

### **Definition of Camping Unit**

The persons opposed to the application argue the park units and mounted tents are prohibited under section 6.2.3 of the Town of Becket Zoning Bylaw. This argument must be rejected by the Board.

Again, in ascertaining the meaning of a zoning ordinance or bylaw a court must give the words used by the town their common and approved meaning. See Falardeau v. Woupio, No. 2002-1272 (Mass. Super 11/28/2003) (citing 1A N.J. Singer, Sutherland on Statutory Construction S 30.6 (6<sup>th</sup> ed. 2002). “When the words have a plain and ordinary meaning, they should receive that same meaning from a court unless there is a strong reason to believe that another and different meaning was intended.” Id. (citing Iodice v. City of Newton, 397 Mass. 329, 332-333(1986)).

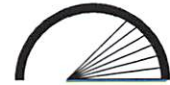
Massachusetts regulation 105 CMR 440 defines Camping Unit.

Camping Unit means any vehicle or object on wheels which is so designed and constructed, or reconstructed, or added to by means of accessories, as to permit the vehicle to travel over the highways, and as to permit the use thereof for camping purposes, including, without limiting the generality of the foregoing, travel trailers, self-powered camping units, expandable camping units and similar camping devices. Tents are also considered camping units whether mounted on a trailer or not.

To reiterate, HTR did but is no longer (1) proposing the use of refurbished Airstream and Shashta Travel trailers, and (2) equipping the cabins with a kitchen. HTR will accept both restrictions as a permanent conditions tied to the grant of the Special Permit.

Cabins and platforms tents are not restricted by the Town of Becket Zoning Bylaw. Cabins and platformed tents as proposed by HTR are not dwellings. The Commonwealth of Massachusetts in its regulation of Camp Grounds has clearly set forth the types of units that may occupy a common campground. The park units and platform tents fit squarely with this definition.





Steven A. Mack, P.E.\*  
Marc S. Volk  
Marc A. LeVasseur

May 26, 2022

Becket Planning Board  
Becket Town Hall  
557 Main Street,  
Becket, MA 01223

Re: Cain Hibbard & Myers PC Comments on Application for Special Permit by Hit the Road  
RV, LLC  
Proposed Campground at 1402 County Road

Dear Planning Board,

On behalf of the applicant, Hit the Road RV, LLC, we are providing the following response to comments received from Cain Hibbard & Myers PC (CHM) dated April 11, 2022, specifically comment II. B. Municipal Impact Report "Water Use Analysis" for the above referenced project. Additional comments received by CHM are addressed by others.

CHM's comments are listed below, followed by our response in *italics*.

[II.B.] The Application states that the water use for the Project is expected to be 9,990 gallons per day. This statement is disingenuous, falling as it does just below the 10,000 gallons per day water withdrawal level that requires a state permit. Estimates vary, but, on average, each person uses about 80-100 gallons of water per day, for indoor home uses. <https://www.usgs.gov/special-topics/water-science-school/science/water-qa-how-much-water-do-i-use-home-each-day>  
100 campers X 100 gpd = 10,000 gallons per day. If 2 campers at each site, 20,000 gallons per day of water needed; if 4 campers per site [sic], the usage [sic] can be estimated at 40,000 per day. And, this does not consider the saunas, hot tubs, swimming pool, office, garage, laundry and other uses. If the Planning Board believes that this Application, as presently submitted, warrants further review, it must retain its own expert to conduct a review of the stated water usage.

*FLS Response:*

*Water usage design estimates are based on 310 CMR 15 State Environmental Code, Title 5 for the campground application. For campgrounds with showers and toilets (310 CMR 15.203) the Title 5 flow estimate is 90 gallons per day (GPD) per site.*

*Therefore 100 camp sites x 90 GPD = 9,000 GPD. An additional 990 GPD is estimated for other uses including the Lodge and Back of House offices (75 GPD/1000 square feet floor area), the Lodge Tavern (20 GPD/seat), the Lodge Showers (20 GPD/shower), the Maintenance Shed (15 GPD/person), the Artist Tent (110 GPD/bedroom) and the Forest Lounge (15 GPD/seat). Saunas, hot tubs and swimming pools are anticipated to be refilled*

**FORESIGHT LAND SERVICES, INC.**

*and maintained by licensed outside portable water source(s). There are no proposed onsite guest laundry services. A local onsite laundry service will be contracted for the facilities.*

*A new onsite Public Water Supply Well is proposed and will be permitted and reviewed through the MassDEP Bureau of Resource Protection – Drinking Water Program for a New Transient Non-Community (TNC) Groundwater Source. The anticipated state permit that will be submitted is: BRP WS 37 Approval of Transient Non-Community Source Less than 7 Gallons per Minute.*

We trust that this information is sufficient. If you have any questions, please don't hesitate to contact us.

Sincerely,  
Foresight Land Services, Inc.



Marc A. LeVasseur,  
Vice President  
Foresight Land Services, Inc.



FUSS & O'NEILL

May 10, 2022

Daniel I. Weinstein  
Managing Partner  
HTR Investors

RE: Traffic Review  
Dream Away Lodge, Becket, MA  
Fuss & O'Neill Reference No. 20210848.A10

Dear Mr. Weinstein:

Fuss & O'Neill is in receipt of the comments of the Concerned Residents of Becket on the subject special permit application, and offer the following responses regarding traffic impacts:

### III. TRAFFIC FLOW, SAFETY AND NEIGHBORHOOD IMPACTS

#### Comment #1:

- County Road and Becket Road/Yokum Pond Road, the only roads leading to the proposed glamping resort complex, are exclusively residential in nature. Both roads are, at various places, narrow, windy and very hilly, having limited sight distance, with speeding already too frequent.

#### Response:

Query of the MassDOT crash database has identified only two reported crashes on County Road for the most recent four years of data available: one in 2019 and one in 2022. This frequency of occurrence does not indicate a hazardous condition.

#### Comment #2:

- Furthermore, applicant's conjecture that "traffic will be reduced when compared to the prior operation of the Dream Away Lodge", even if true, applies only in the context of a special event attended by guests interested in staying overnight at the event venue. Both statements ignore the reality that vacationing resort guests will make at least one and perhaps multiple daily trips to and from the resort in order to enjoy the arts, cultural, entertainment and recreational destinations that attract visitors to the Berkshires, not to mention going out to eat.

#### Response:

Due to the remoteness of the location and distance to likely tourist destinations and attractions in the area, it is more likely that guests will either be staying at the resort to enjoy the amenities or will

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California  
Connecticut  
Maine  
Massachusetts  
New Hampshire  
Rhode Island  
Vermont





Daniel I. Weinstein

May 10, 2022

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be gone most of the day and return in the evening. The availability of a restaurant on site will serve to capture most dining related trips.

**Comment #3:**

- Such concerns cannot be overstated. As estimated by Becket resident Barry J. Dichter in his submission to the Planning Board, during just the 12-week “high season” alone, the glamping resort may generate an additional 31,000 vehicle trips along Becket/Yokum Pond and County Roads, with thousands of more trips during the rest of the year.

**Response:**

Over the same period, the existing single-family homes on County Road are generating over 20,000 vehicle trips, and nearly 100,000 over a full calendar year. While the development of the proposed project will result in a significant increase in the level of traffic activity on County Road during the peak tourism season, it will not alter the functional classification of the facility as a low volume local rural road.

**Comment #4:**

- Becket residents Bob and Lee Hirsh (409 County Road) similarly expressed in their letter to the Planning Board their very real concerns about what they projected as 480 additional car trips per day, ALL making the dangerous hairpin turn at the intersection of County Road and Yokum Pond Road (Photos 1-3). That intersection has traffic merging from three directions all at once, and is especially dangerous at peak times (and at night) and for drivers unfamiliar with it, not to mention cyclists who share those roads. No amount of “signage” will make this intersection safe for the amount of additional car and truck traffic that the glamping resort will generate.

**Response:**

Site generated trips oriented to and from the north and east will not be turning on or off Yokum Pond Road. Query of the MassDOT crash database has identified no reported crashes at this location for the most recent four years of data available. While the Y-shaped geometry of the intersection is not ideal, it has not created a hazardous condition. A notable characteristic of the photos provided is the lack of vehicular activity shown.

Sincerely,

Stephen J. Savaria, PE, PTOE  
Senior Project Manager



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## BASALT / ASPEN

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350 MARKET STREET #307, BASALT, CO 81621 | 210 N MILL STREET #B, ASPEN, CO 81611

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June 1, 2022

Daniel Weinstein  
Managing Partner  
HTR Investors

Re: Lighting at the Dream Away Lodge, Becket, MA

Dan,

Connect One Design offers the following summary responses to the comments provided from the public regarding the Dream Away lighting plan.

### Lighting Plan Approach:

The lighting plan for the Dream Away has been designed to provide sufficient light for night-time guest and staff safety at the campground, while avoiding light trespass onto other properties and maintaining the views of the night-sky and the ambiance of the campground.

### Overall response to comments regarding lighting controls:

The lighting plan submitted is a high-level plan intended to communicate the lighting approach and aggregate impact of the property lights to the planning board. Timing and control of individual fixtures or groups of fixtures is not addressed at this plan level.

### Response to comments regarding automatic shutoff of pedestrian lighting late at night:

As mentioned above, lighting control is not addressed at this plan level, but this a lighting approach the applicant is comfortable considering for non-primary guest circulation.

### Response to comments regarding lighting at individual patios:

The purpose of the patios at each cabin is to encourage campground guests to dine or relax outdoors. Low-level lighting provides guests the flexibility for a variety of evening activities on the patios. Guest control of these lights will be provided.

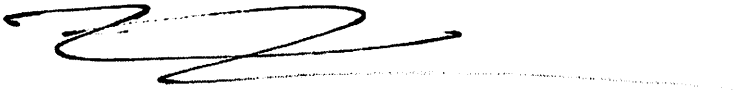
**Response to comments regarding lighting of main circulation:**

The "driveways" referenced in the comments are the primary guest circulation paths around the property. Their width is determined by the need for fire truck access, but their primary use will be pedestrian and biking. The goal of lighting on these paths is to provide sufficient lighting for guest safety after dark while not overwhelming the feeling of the campground at night. The light fixture is low to the ground with higher lumens for a wider side to side throw to reduce the overall number of fixtures needed for lighting the main circulation.

**Response to comments regarding MLO BUG rating for the main circulation lighting:**

The applicant is comfortable considering alternative fixtures with a U and G of 1 or less.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Tie', with a long horizontal line extending to the right.

Sara Tie,  
Partner

Hit the Road RV, LLC

1402 County Road

**PROPOSED STIPULATIONS / CONDITONS** that may be appended to the Town of Becket's grant of a special permit for a 100-unit camp ground pursuant to Becket Zoning Bylaw Section 9.3.5.

1. No Recreational Vehicles will be placed on-site;
2. Customers are not permitted to bring their own tents or recreational vehicles;
3. The platform tents and camp unit models will not include kitchen appliances;
4. The Campground will not be open from November 15 through April 1. These dates may be modified by application to the Planning Board.
5. All campfires will only be permitted in designated centrally monitored areas maximum of 5 locations. Campfires at the units will use Solo smokeless campfires- or other alternative- which are available from the operator.
6. Security Patrols will occur 24 hours a day during the period of operation; and during the offseason the site will be monitored and subject to patrols and professional property management.
7. Owner to work with Town of Becket DPW to create traffic and speed mitigation controls.