

**Town of Becket  
Conservation Commission  
Tuesday, August 9<sup>th</sup>, 2016**

**Commissioners in Attendance:** Barbara Brand, Alison Dixon, Cindy Delpapa, Karen Karlberg, Rebecca Perry, Richard Pryor and Agent Mallory Larcom.

Public in attendance: Jason Lacourciere, Henry Lancourciere, Mark LeVasseur, Mark Stoughton, Carol Fletcher, Marilyn Grochowski, Paul Merrill, Steve Turner, Elisabeth Goodman, Robert Ronzio, Dan Lovett, Patricia and Robert Maratea, David Corriveau, Shannon Boomsma, Randy Christensen, Cain Hubbard.

Meeting called to order by Chair Dixon at 6:36, meeting guidelines read and Commissioners introduced.

**1. Approval of the minutes**

Motion made to accept the July 12<sup>th</sup>, 016 meeting minutes, as corrected, (Pryor/Karlberg). MSV.

- 2. Request for Determination of Applicability from Carol Fletcher, represented by Ray Fletcher** for the proposed work of the spreading of fill in the Riverfront Area of Shales Brook, project location is 150 Otis Road, (Map 44, Lot 13). Commissioners conducted a site visit. The home owner has a letter from a Town of Becket official stating the fill, a byproduct of town road work and placed at the site by the town DPW staff, was free of contaminated materials. The landowner would like to regrade the fill, which is in the Riverfront Area of Shales Brook, toward the house and Otis Road - away from Shales Brook and the fire pond at the rear of the property. Agent Larcom reported the town has agreed to remove the fill. This work will not require an NOI as the work is a removal, not spreading, of fill. The homeowner is prepared to seed the disturbed area but would like timely removal to allow time to establish a vegetated cover. Motion made for a positive #3 Determination for the spreading of fill in the Riverfront Area of Shales Brook at 150 Otis Road (Map 404, Lot 13), (Karlberg/Brand). MSV.  
Motion made to issue an Enforcement Order against the Town of Becket regarding the placement of fill in the Riverfront area of Shales Brook at 150 Otis Road requiring the removal of the fill, (Perry/Karlberg). MSV.

R Ronzio and Agent Larcom are both recording the meeting.

- 3. Request for Determination of Applicability from David Corriveau** for the proposed construction of a 16'ft x 20'ft addition located on Lancelot Lake at 29 Lancelot Lane (Map 217, Lot 77D). Commissioners conducted a site visit. Agent Larcom reported Mr. Corriveau was adjusting his plan to accommodate changes required by the Planning Board. The width of the addition will be reduced one foot to 15 feet to provide for the minimum 20 foot set back from a property line. Mr. Corriveau confirmed techno piers will be used. A double silt fence will serve as the limit of work and the storage of materials will be limited to the area next to the Lancelot Lane. Mr. Corriveau initialed the plans regarding the changes. Motion made for a negative determination #3 for a 15 foot by 20 foot addition to be constructed at 29 Lancelot Lane, with Becket Standard Conditions, (Brand/Pryor). MSV.
- 4. Request for Determination of Applicability from Jason Lacourciere** for the proposed work of the installation of a dock on Shaw Pond at 525 Otis Road (Map 204, Lot 148). Commissioners conducted a site visit. The proposed work is for the installation of a seasonal 40 foot aluminum removable dock. The dock will be stabilized by 11 posts touching land under water. There will be an 8 foot ramp to the dock and an 8 foot floating swim platform at the end. Motion made to issue a Negative Determination #2 for the installation of a seasonal dock at 525 Otis Road over and on the waters of Shaw Pond with Becket standard conditions, (Pryor/Brand). MSV.

- 5. Request for Determination of Applicability from Heather Anello** for the proposed work and boundaries of a proposed parking lot in or near the Riverfront Area of Yokum Brook as well as additional activities related to the conversion of a single-family home to a multi-use store/building. Project location is 3235 Main Street, (Map 207, Lot 66).  
Proponent wishes the Commission to confirm the boundaries of the Riverfront Area. Proponent or representative was not present. Motion made to continue the Request for Determination of Applicability by Heather Anello to 13 September, 2016, (Brand/Karlberg). MSV.
- 6. Notice of Intent from the Town of Becket** for the proposed work of culvert replacement and related work, at Bonny Rigg Hill Road over the West Branch of Walker Brook, a NHESP Estimated & Priority Habitat (Map 414, Roadway).  
Mark LaVasseur of Foresight Land Services was in attendance as the town's representative. Commissioners conducted a site visit. Mark Stinson, MA DEP circuit rider, requested input from the MA Division of Ecological Restoration which he shared with Chair Dixon. DER staff raised several issues including a question about the depth of the materials under the crossing and material proposed to cover the rip rap. The rip rap is extra protection for the footings in the case of an extreme flood event. A copy of the DER comments were provided to Mr. LaVasseur. Question about the diversion of water was answered by Mr. LaVasseur who provided a sketch of the dewatering plan. The dewatering area will include jersey barriers for containment and a fabric layer at the discharge point. A request was made to ascertain if the existing overflow pipe is sized for flood flow. Mr. LaVasseur anticipated the work will begin in mid-October and last a couple of weeks. A question was asked about the time of year restriction relative to the timing of the construction. Mr. LaVasseur explained an application has been made to the Army Corps of Engineers for permission to work in October. Question asked if a wildlife inventory has been done to determine if the work and timing of work will impact wildlife. Mr. LaVasseur stated the culvert does not offer any habitat so the study is not needed. Because a response from MA Heritage has not been received, this hearing needs to be continued. Motion made to continue the hearing on the NOI for the Culvert Replacement on West Branch of Walker Brook at Bonny Rigg Road, (Pryor/Brand). MSV.
- 7. Notice of Intent from Chimney Corners YMCA** for the proposed project of an access road reconstruction in a vegetated wetland. The project is a modified resubmittal related to an expired Order of Conditions, (DEP#102-0390). Project location is at Hamilton Road (Maps 212 & 211, Lots 43 & 1).  
Commissioners conducted a site visit. Randy Christiansen (Stantec) and Steve Turner (YMCA) were present to represent the YMCA. The initial filing involved a landfill capping, an access road and a well installation but only two of the items were completed before the OofC expired. No significant changes from initial filing with one exception- the amount of wetland disturbance is less. The road upgrade is needed to increase the road's width to accommodate the traffic needed to service the well. This widening will result in 692 feet of impact. Wetland replication is proposed by regrading a lawn area adjacent to an existing wetland area to meet depth to groundwater. The area will be planted with a native seed mix and 24 items of nursery stock. The replication will likely need supplemental top soil as the reclaimed soils from the road area may not be sufficient or of good quality. The replication plan calls for two years of monitoring, at a minimum, with an annual report to the Commission and MA DEP. Construction is expected to start in late September and end by Thanksgiving allowing for the replication area to be seeded this year (year one). The YMCA will also be upgrading the drainage to better meet DEP BMP guidelines while not impacting the area to any extent. Question was raised about the work in the field area which is near a wetland resource area. Mr. Christiansen said a silt sock could be used as a traditional erosion barrier would not be effective in this level area, (the plan shows a double erosion barrier). Commissioners inquired about a white PVC pipe, noticed during the site visit, draining off of the field. The plans call for the pipe to be replaced with a 24 inch pipe. There is a maintenance plan for the sediment forebay. Chair Dixon opened the meeting for public comment. None offered. Chair Dixon closed the public comment. Motion made to approve the Notice of Intent from Chimney Corners YMCA (MA DEP #102-0415) for proposed access road, wetland replication and drainage improvements and issue an Order of Conditions with Becket Standard Conditions, (Pryor/Perry). MSV.

8. **Request to Amend the Order of Conditions issued to John and Patricia Dicke, DEP# 102-0406**, project is located at 266 Tyne Road, (Map 203, Lots 52 & 53). Shannon Bosman, representing the proponent, presented new plans covering the requested amendment to the issued Order of Conditions to place the driveways in a different location and shift the placement of the house. Overall this changed orientation will result in less resource disturbance. Chair Dixon opened the hearing for comment. None offered. Chair Dixon closed the public comment period. Motion to approve amendments to the May 2, 2016 Order of Conditions #102-0406 for work at 266 Tyne Road to allow a different driveway orientation and house location to reduce wetland resource alteration, (Karlberg/Perry). MSV.

**Old Business:**

9. **Continuance from the July 12<sup>th</sup> Meeting: Request for Determination of Applicability from Mark and Denise Stoughton** for the proposed work of an 8'x46' addition, deck replacement and related activities at 21 Lady Lucille Lane (Map 215, Lot 182D). Mr. Stoughton provided a copy of the deed and a revised map of the proposed work. The requested wetland delineation has not been completed yet. Concerns were raised about the proposed machine (a five ton excavator) access along the stream side of the house. Property owner explained access from the other side of the house would put the machine over the septic field. Concerns were raised about the removal of the tree on the bank of the stream especially without a wetland delineation. The consensus, based on the presented plan, was the proposed work would result in more than minimal impact thus needing an NOI unless the amount of work was scaled back. Mr. Stoughton explained the footing drain, which will be redone for the entire house, will now daylight adjacent to but not directly into the stream. There is a small depression on the side of the house opposite the stream that the property owner would like to fill with top soil and seed to lawn. This would be considered fill in Riverfront Area. Property owner is willing to forgo filling this depression and the removal of the dead yellow birch to minimize disturbance in the Riverfront Area. Propose to cut the 22 inch maple in the backyard which is a threat to the house. Commission requested a replacement native tree or shrub be planted. Commission asked the limit of work and erosion control be placed at the wetland delineation line. Motion made to issue a negative #2 Determination, with Becket Standard Conditions, for an addition to the house at 21 Lady Lucille Lane on footings where there is currently a concrete slab, a deck built on techno posts only, the removal of a 22 inch maple tree at the back of the house leaving the stump and a replacement native tree planted on the property within one year, (Delpapa/Brand). MSV with 5 in favor, 1 in opposition. Work cannot begin until wetland is delineated and erosion control is inspected by Conservation Agent.
10. **Continuance from the July 12<sup>th</sup> Meeting: Enforcement Order issued to Robert Ronzio and Restoration Plan Discussion**, located at 88 Nottingham Court (Map 216, Lot 752). Elizabeth Goodman, representing Mr. Ronzio, summed the work to date. A trench was dug in one area to ascertain the extent of the wetland and shear strength of the fill material. There were two geotechnical engineers at site who provided a letter stating the strength of the fill material. The area has been resurveyed and slope is now 2 to 1. Motion made accept the restoration plan as completed with conditions that the erosion control material stay in place until 70% vegetation coverage is established, the partially buried rug in the buffer area is removed, the vegetation will be monitored for at least three growing seasons or until vegetation is re-established, and the Commission can access the site with reasonable notice, (Perry/Pryor). MSV. Motion made to amend the Enforcement Order to remove the stipulation that the wetland must be restored to its original state, (Karlberg/Perry). MSV.
11. **Ratification of the Emergency Certification Issued to Chris Swindlehurst** for the removal of a dangerous tree, located at 62 Osceola Road (Map 211, Lot 17). Commissioners performed a site visit. Motion made to ratify the Emergency Certification as issued for the removal of a dangerous tree located at 62 Osceola Road, (Pryor/Karlberg). MSV

**12. Discussion and review of Mass DOT Storm Water Pipe and Catch-Basins**, site visit review at 525 Otis Road (Map 204, Lot 148/ Roadway).  
Images were provided by Agent Larcom of drainage pipes associated with a section of Rte 8 drainage system. The property owner at 525 Otis Road, with one of the Rte 8 drainage pipes discharging at the lake edge on his property, has concerns about the material discharging into Shaw Pond. This pipe has been recently fixed by MA Dept. of Transportation. Chair Dixon will try to meet with MA DOT staff and continue the discussion.

**13. Ratification of the Enforcement Order Issued to the Town of Becket**, for

**14.** the Town Beach, 0 Mecum Way (Map 413, Lot 15).

A town lifeguard is working on a 'restoration' at the Town Beach to deal with an erosion issue pushing angular rocks into the beach area. Agent Larcom researched the plan for the beach work from 2011 and found much of the plan was not followed. The town wishes to resolve the gravel issue prior to submitting a full NOI for some additional work at the beach. Issuing an enforcement order will allow and condition this work. The plan is to pull up the matting and remove underlying gravel up to 8 feet from the lake edge. The matt will be tucked beneath the remaining gravel. Motion made to ratify the Enforcement Order issued to the Town of Becket for removal of nuisance gravel at the town beach, (Perry/Karlberg). MSV with 1 abstention.

Chair Dixon allowed a change in the agenda to allow the Maratea's to discuss their concerns: Patricia and Robert Maratea received an Enforcement Order regarding the creation of a sand beach on Lancelot Lake. Mr. Maratea explained he did not know he needed to get a permit for replenishing a beach the previous owner had allowed to become overgrown. The Maratea's need an extension to either submit a restoration plan or an NOI to install a beach. A site visit is also needed. Motion made to extend the Enforcement Order for filing a restoration plan for Robert Maratea of 109 Lancelot Lane to 23 September, 2016, (Pryor/Perry). MSV.

**15. Ratification of the Enforcement Order Issued to Sherwood Forest Road District**, stream-crossing located at Maid Marion Lane (Map 217, Roadway).

Motion made to ratify the Enforcement Order issued to Sherwood Forest Road District for an unauthorized stream crossing at Maid Marion Lane, (Karlberg/Brand). MSV.

**16. Continuance from June 14<sup>th</sup> Meeting: Request from the Chair to discuss and adopt meeting guidelines for the Conservation Commission.**

Chair Dixon provided revised meeting introduction and guidelines. Motion to continue discussion and adoption of guidelines for the Conservation Commission until 13 September, 2016, (Perry/Delpapa). MSV.

**17. Continuance from June 14<sup>th</sup> Meeting: Request from the Chair to discuss a potential public hearing for a filing fee increase.**

The current fees do not cover the basic costs of processing a filing. The Commission will need to have a public hearing should the Commission propose a new fee structure. Agent Larcom will provide the Commission with the costs currently incurred to process a filing. Motion made to continue the discussion on a potential public hearing for a fee increase for commission RDA fees to our next meeting, (Perry/Brand). MSV.

Motion to adjourn at 10:19, (Brand/Perry). MSV>