

Becket Conservation Commission
Meeting Minutes
11 April, 2017

Commissioners present: Alison Dixon (Chair), Barbara Brand, Cindy Delpapa, Karen Karlberg and Rebecca Perry

Commissioners not present: R Pryor

Members of the Public: Emily Stockman, Vernice Cowell, Kris Massim, Barb Wacholder, Ken Wagner, Peter Puciloski, Dean Smith, Mercedes Gallagher and Dominick Meringolo

Meeting called to order by Chair Dixon at 6:32 PM with a reading of meeting guidelines and introduction of Commissioners and Agent.

1. Minutes of the March 28th, 2017 meeting are not yet available. Motion to continue approval of March 2017 meeting minutes, (Karlberg/Brand). MSV.

2. Public input: Ken Wagner and Barbara Wacholder, on behalf of the Indian Lake Association, requested input from the Commission concerning the soon-to-expire Indian Lake drawdown Order of Conditions. The OofC has been continued twice. Dr. Wagner reported there has been no major changes in the make-up of the lake's vegetation as the 4-5 ft drawdown helps keep a good balance of plants around the perimeter of the lake. The lake is a shallow, created lake. Limited fish and invertebrate sampling has been done as the lake's plant composition has been the focus of most of the data collection. Prior to filing a NOI in July, the lake association would like to gather the Commission's input to inform their NOI. Commissioners recommended gathering information on downstream flow statistics for Walker Brook, consideration of multiple means of control, and a macroinvertebrate study of Walker Brook compared to a reference stream. The Commission agree to collect input over the next month and issue a letter with concerns and information requests at the 9 May meeting.

New Business

3. *Notice of Intent* for the construction of a small sand beach and the installation of a seasonal floating dock on a private created pond at 301 Beech Tree Lane, (Map 407, Lots 72&73). Chair Dixon opened the public hearing (DEP #102-0422) for the Notice of Intent for the installation of a floating dock and beach area at 301 Beech Tree Lane at 6:47 PM. Emily Stockman presented on behalf of the owner Bonnie L'Etoile. Commission performed a site visit. The site has had several projects before the Commission including an OofC for a 2.9 ft drawdown for flood control expiring in a year. The current project is to create a small sand beach area and install a seasonal floating dock. The design avoid impacts to BVW but does impact buffer and bank. In the future there will likely be impact to land under water as the sand shifts over time. The impoundment refill will be delayed to allow for the placement of the sand and dock installation. The dock will be anchored to posts in the upland area buffer zone with hanging weights to hold dock in place. Agent Larcom asked how the placement of the sand meets performance standards. Ms. Stockman explained the sand will be placed on the lower bank in the area exposed during the drawdown so the amount of sand with the potential to slough off into the pond is minimal. Some beach nourishment may be needed in the future but is not a part of this filing. No permanent monuments are planned to define the extent of the beach. The Commission will be notified of the source of sand when it is determined. Chair Dixon opened the hearing to the public. No comment offered. Hearing closed at 6:56 PM by Chair Dixon. Motion made to issue an Order of Conditions for the installation of a seasonal dock and a 40 linear ft sand beach at an

impoundment at 301 Beach Tree Lane with the following additional conditions: locally sourced sand will be used for the beach, beach will be delineated by suitable native plants, and sand will be raked back into position annually, (Perry/Brand). MSV.

Old Business:

4. *Request for Certificate of Compliance* from Gregory Cohen for work at 674 Benton Hill Road (Map 209, Lot 23- DEP #102-300). Commission performed a site visit. Agent Larcom located the original Oof C for the project but it was never recorded at the Registry of Deeds. The registry will not record the O of C now. M Stintson of MA DEP recommended the Cof C be issued and kept in the file. Motion made to issue a partial Certificate of Compliance for the construction of the house, the on-site system tank, some landscaping and the invalid Order of Conditions for work at 674 Benton Hill Road (Map 209, Lot 23/ DEP #102-300), (Karlberg/Brand). MSV.

5. *Abbreviated Notice of Intent for the installation of a solar facility at 0 Tanglewood Circle* (Map 406, Lots 14 – 20 & 37 –47/ DEP #102 0421). Chair Dixon opened the public hearing at 7:12 PM for the Abbreviated Notice of Intent from Borrego Solar Systems, Inc. for the installation of a solar facility at 0 Tanglewood Circle (Map 406, Lots 14 – 20 & 37 –47). P. Puciloski, attorney for the project, and D. Smith, PE were present on behalf of the applicant. The project is for a 7 MW DC/5 MW AC solar array. The project site was approved for a subdivision. The solar array will be placed on a majority of the sub division lots encircled by fencing. Disturbed areas will be planted with a meadow mix and mowed as periodically through the growing season. Agent Larcom visited the site with the project's wetland consultant to view the five flagged wetlands. All work within buffer areas will remain a minimum of 50 feet from the resource area. The solar array area will be cleared and grubbed (0.7 acres of the 25 acres of clearing and grubbing is within the 100 foot buffer) and some trees outside the fenced solar array will be cut to prevent shading (6.55 acres - 1.5 acres is within buffer zone). Adding the new wetland area means an additional 0.06 acre of buffer impact..

The site survey is being finalized. Access roads will be gravel. The proponent is willing to place small wildlife passage gaps in the fence if requested. Erosion controls are planned for all down slope areas with diversion berms placed to maintain pre-project runoff. A stormwater plan was submitted. The Commission voted at the last meeting to undertake a PEER review of the stormwater plan. Agent Larcom summarized the town's pertinent bylaw allowing for the charge of a reasonable fee to complete a PEER review and noted there is an option for (limited) appeal. Agent Larcom received a quote of \$3,800 for the review from ESS. If the outside PEER reviewer can obtain the hydrological modeling already done by applicant's consultant the review costs would likely be reduced. Agent Larcom will email details on the information the PEER reviewer requested. Applicant will be filing for an NPDES stormwater general permit closer to the start date. Commission requested the applicant provide a copy of the final Stormwater Pollution Prevention Plan. Motion made to formally require a \$3,800 lump sum deposit to the Town of Becket to complete an outside PEER review of the stormwater plan for 0 Tanglewood Circle, (Perry/Brand). MSV.

Chair Dixon opened the hearing to the public. A question was asked about grass watering. Mr. Smith explained the area will be planted with drought tolerant fescues and the initial planting will be encapsulated hydroseed so watering will not be necessary. Some additional organic material may be brought in to enhance existing soils and areas will be reseed as needed. The next query was about the number of solar panels and the the recipient of the generated electricity. Mr. Smith reported the electricity would go to the electric grid. The project will not move forward until the state incentives come into play in January 2018. The array will be 20,268 panels. Mr. Smith was asked if the panels would be visible from Jacobs Ladder Rd. He reported the small entrance way would provide little if any view of the array. A questions was raised about the needed NPDES permit. Mr. Smith explained the

permit request for a general stormwater permit would be done a few weeks. The final question asked how the property was identified for the solar installation. Mr. Smith explained the company has experts looking for properties with 'solar friendly' attributes. Agent Larcom noted the Commission received the forest cutting plan for the site submitted by the property owner and not by Borrego Solar. Motion to continue the public hearing for DEP #102-0421 to the 9 May, 2017 meeting, (Brand/Perry) MSV.

6. Public Hearing continued on the Notice of Intent submitted by Sherwood Forest Lakes District, represented by Dominick Meringolo of SOLitude Lake Management for various vegetation management methods to occur within the five lakes that abut the homes of residents of the Lake District, methods include herbicide treatment, lake dredging (hydro-raking), and hand- pulling of both nuisance and invasive weeds (Maps 216-218). Filing fee issue has been resolved and the corrected forms were submitted to the Commission on 10 April. An addendum was supplied illustrating *Phragmites* treatment areas. Mr. Meringolo explained *Phragmites* sp. treatment has been inconsistent between years and some private landowners do not allow treatment on their parcels but will try for a more concerted effort in the future. A map of spiny naiad treatment areas in Robinhood Lake was provided. Since the plant matures late followed but rapid seed production, treatment may not be happening at the optimal time.

The Lake District will be re-energizing their education and outreach on lake and pond stewardship. The Lake District has agreed to undertake more water quality sampling-have SOLitude sample the center of the pond (mid-depth) once this year for the parameters listed on addendum. A MA certified lab will be used for analysis but sampling will not be under an approved QAPP. Timing was an issue raised at the last meeting. Mr. Merigolo reported the one sampling proposed for this year will target July or August. Dissolved oxygen is taken during SOLitude's post-application assessment of treatment effectiveness. A question was raised about having consistent data collection to capture the impact of the chemical treatment such as DO sampling in the early morning for several weeks post application to ascertain if the decaying plant materials cause an anoxic event. Commission is also interesting in data collection to determine if the reduction of the target invasive allows another invasive to flourish. Hearing opened to the public. M. Gallagher explained the hand pulling done at Lancelot is done by snorkeling. Using scuba divers is the more effective hand harvesting method. Ms. Gallagher estimated the cost to use this method in Lancelot at \$1000. B. Wacholder expressed concern about Indian Lake and upstream Miscunnunah Pond being impacted by chemical treatments in Nottingham Pond. She also thought Excalibur Lake drains to a wetland that feeds their lake. Mr. Merigolo explained the herbicide dosage is based in the volume of the pond and in Excalibur Pond the application is a series of small doses of fluridone over a long period of time to control bladderwort. He does not believe this would result in a concentration of herbicide in the downstream waterway. Phragmites control uses an exfoliant. Ms Wacholder requested testing in Indian Lake or the outflow from the wetland into Indian Lake. M. Gallagher mentioned bladderwort can be managed with a seine net when the plant is in its floating phase thus reducing plant biomass and removing in-lake nutrients. Mr. Merigiolo explained that a survey is planned prior to hydroraking. The hydroraking will remove branches, plant material and debris in the area within 15 feet of the shoreline. Commission had an extended discussion about hydroraking. Motion made to continue the hearing until the 9 May, 2017 meeting, (Karlberg/Brand).MSV.

Request for Determination of Applicability from CSX Transportation for the work of herbicide treatments in the railroad right-of-way as it occurs within the boundaries of and throughout the Town of Becket. This is a continuance from the December, 2016 meeting to the 11 April 2017 meeting. Agent Larcom reported CSX did not return a call requesting a site visit. CSX representatives were not present. Motion made to issue a positive determination for the RDA filed by CSX Transportation for herbicide treatment under 2b- boundaries listed are not confirmed by the RDA, (Perry/Brand). MSV.

Commissioner Karlberg left the meeting at 9:27 PM.

Public Hearing for by the Becket Conservation Commission Fee to amend and create fee amounts and regulations as collected by the Conservation Commission. Agent Larcom suggested the Commission consider a percentage of the original NOI fee for renewals with the percentage increase for each additional request for an extension. Also recommended the Commission consider a filing fee for town projects, (these are exempt from state NOI fees) and fees for site visits as these can be time intensive. Commission discussed these possibilities but decided to move forward with the previously voted fees at this time. Motion to close the public hearing, (Brand/Perry). MSV.

Motion made to adjourn meeting, (Perry/Brand). Chair Dixon adjourned meeting at 10:02 PM.

Action Items:

- * Commissioners supply Agent with comments and concerns relative to Indian Lake drawdown.
- * Agent Larcom will email the information the PEER reviewer requested for 0 Tanglewood Circle solar array to applicant's consultant.