

**Town of Becket  
Conservation Commission Minutes  
Tuesday, December 19<sup>th</sup>, 2017**

*Commissioners in attendance:* Alison Dixon (Chair), Barbara Brand, Cindy Delpapa and Karen Karlberg.

*Commissioners not in attendance:* all present

*Members of the public:* Rita Furlong, Emily Stockman, Robert Akroyd, Philip Williams, Purr McEwen, Kate Wilkins, Alex Kaletin, Sergey Kaletin, Edward Gibson

Chair Dixon called the meeting to order at 6:30 PM, introduced Commissioners, read meeting guidelines and asked if anyone was recording the meeting.

**Public input and comment for items not on the agenda.**

R Furlong contacted Chair Dixon regarding the Becket Park & Recreation Committee wish to build a new structure at the town beach to house 'port-a-potties' and lifeguard supplies. The Committee's intent is relocate the building farther from wetland resource areas and consolidate structures in spring 2018 before the summer season.

**New Business:**

**Public Hearing: DEP# 102-0434- Notice of Intent from Geraldine and Stephen Galliher submitted in response to the Enforcement Order issued for violations at 1035 Benton Hill Road, (Map 207, Lot 79).** Commissioners visited the site. The homeowner was represented by E Stockman of Stockman Associates. The NOI was filed in response to an Enforcement Order issued by the Becket Commission related to the building of a patio, retaining wall and landscaping within the Riverfront area of Yokum Brook. There is also an intermittent stream to the north. Hill Engineering was called in to determine mean high water and the amount of disturbance within 50 feet of the MHW of Yokum Brook, (77 square feet). E Stockman explained the restoration plan calls for planting 12 native shrubs in a 1100 square feet restoration area. Commissioner asked about erosion controls explained in the NOI but not shown on the plan set. E Stockman added the planned location of erosion controls on the plan and initialed the change. Commissioner Karlberg inquired if the brush onsite might remain as it is likely serving as habitat for small mammals and/or birds.. E Stockman explained the brush in the restoration area was moved there at the request of the Agent but agreed the material could be dispersed in the inner riparian when the planting is done. Commissioners proposed site visits in the summer of 2018 and 2019 to check the progress of the restoration planting. Chair Dixon opened the hearing to public comment at 6:49 PM and closed the public hearing at 6:50 PM. Motion made to issue an Order Of Conditions for restoration planting at 1035 Benton Hill Road (Map 207, Lot 79/ DEP # 102-434) with Becket Standard Conditions, erosion control as shown at on the modified 11 by 17" plan (dated 12/2017), site inspection in summer of 2018 and again in summer 2019 to determine the success of the restoration planting, and the existing brush in the restoration area to be distributed within the inner riparian zone of Yokum Brook to the greatest extent practicable, (Karlberg/Brand). MSV. E Stockman noted the homeowner does not use email and should be contacted by phone to arrange a site visit.

**Public Hearing: DEP# 102-435- Notice of Intent from Yokum Pond Association** for the proposed management of native large-leaf pondweed by manual control and the installation and maintenance of a spillway protective flow device to address beaver activity. **Project location is Yokum Pond.** Commissioners visited the site. E Stockman, representing the Association, was present With Association member P McEwan. E Stockman explained the history of lake management in Yokum Pond to control nuisance aquatic vegetation. She also requested the portion of the NOI proposing the installation of a beaver deceiver be dropped from this NOI. An aquatic survey was done this past summer using the historic transects. The survey reported an excessive density of large leaf pond weed. The native large leaf pond weed is present throughout the pond with the littoral areas supporting many other aquatic species. No control is proposed in the littoral area with treatment reserved for deeper water where plants will be cut leaving at least two feet of the plant and one small 2 acre test plot where plants will be hand pulled. The cut material will be removed via three identified access points and will be composted at three upland sites. In the field the Commissions expressed concern about erosion at the grassed access sites with the increased traffic associated with the project. Commissioners asked how the cutting will increase species diversity. E Stockman explained the hope was the reduction in large leaf pond weed would allow other aquatic species to grown. The proposed work will avoid the small area with Eurasian Milfoil which could be spread by cutting. Commissioners asked about the implementation schedule. E Stockman explained the rate of cutting depended on the machine selected. One machine is able to cover 2 acres per day and the other 12 acres with the ability to keep up with debris removal and weather conditions also influencing the schedule. Currently the Association is budgeting 25 days. The Association considers this first season as a pilot project and may exercise an option to hire professionals for future years. A Commissioner expressed concern about the harvesting disrupting a food source for waterfowl. E Stockman explained the harvesting will be done slowly along linear transects. E Stockman shared the response letter sent to MA DEP regarding their input on the project. DEP noted this project could be submitted as a Restoration limited project and this suggestion resulted in the Association pursuing this option and submitting the project to MEPA, (MA Environmental Project Act). The letter to DEP also included a proposed monitoring plan. The Association would like a five year OOC. A Commissioner requested a special condition requiring all boats and equipment be thoroughly cleaned if they are used on any another water body. E Stockman, in response to a question about the hand pulling removing all large leaf pond weed in the proposed hand pulling area, said the hand pulling is a trial and the aim would be to pull all plants. This would not denude the area as the plants would grow back. Concerns were expressed about not native aquatic species taking advantage of the openings made by the removal of the large leaf pond weed. Chair Dixon opened the public hearing at 7:25 PM and closed public comment at 7:26 PM. Motion made to issue an Order of Condition for DEP# 102-0435 for lake management on Yokum Pond with the following special conditions: all access areas will be stabilized at the end of each day, the first year is a pilot year and the project will be assessed after this first season, the Association will submit annual monitoring reports on the status of the pond weed management efforts using the protocol contained in the 18 December, 2017 response letter to MA DEP, the Association will monitor throughout the seasons for opportunistic growth in the harvest area, the harvesting will be monitored to ensure a minimum of 2 feet of plant remains after plants are cut, any boats or equipment used in the harvest be thoroughly cleaned if used in any other water bodies, the installation of the beaver deceiver is not a part of the OOC, the OOC will be good for 5 years, (Karlberg/Brand). MSV.

## **Old Business:**

**Continued from 11/21/2017: Public Hearing: DEP# 102-0432- Notice of Intent from the Town of Becket,** for beach improvements at Center Pond. **Project location is Mecum Way, (Map 413, Lot 15).** Chair Dixon noted the enforcement order addressed only the rocks within the resource area and buffer zone. P Williams of Foresight Engineering provided an updated plan to the Commission and summarized the changes made since the last meeting including adding water bars to help slow and redirect runoff. Commissioners noted the swales at the beach edge of the car park are in poor condition. P Williams also provided an explanation on why it is not possible to pull the fabric back more than 5 feet- this would cause instability in the upper beach. The plan is to bring in 15 yards of coarser sand for more stability. E Gibson noted this work will likely be done in the autumn of 2018. Chair Dixon opened public comment at 7:45 PM and closed the public hearing at 7:46 PM. Motion made to issue an OOC for DEP #102-0432 for beach improvements at Becket Town Beach on Center Pond following the updated plans and site maps submitted by Foresight Engineering (dated 12/15/2017) with Becket Standard Conditions, the existing swale is maintained in functioning condition, erosion control is installed before work begins and native seeding be done as soon as possible if permission is obtained from Camp Greylock the land owner, and medium to coarse sand will be used to increase beach stability, (Karlberg/Brand). MSV.

**Continued from 8/8/2017: Public Hearing: DEP# 102-0431 Notice of Intent from Sergey and Olga Kaletin,** for the construction of a gravel driveway with a length of 1,400 linear feet and a width of 10 feet in the Riverfront Area of Yokum Brook with associated vegetation removal. **Project location is 0 Yokum Pond Road, (Map 409, Lot 3).** R Akroyd, S Kaletin and A Kaletin present. Commissioners visited the site. R Akroyd noted the challenge of determining what is an intermittent stream, a wetland or runoff. A new packet was presented to the commissioners showing the delineation by a wetland scientist. Mr. Akroyd explained the driveway is a limited project requiring some resource impact to allow access to the upland. The alternatives analysis strived to find the route with the least impact. The preferred alternative, # 2, involves only BVW disturbance and keeps the access farther away from the stream. Commissioners would like to see the site and asked if it would be acceptable to allow Commissioners to walk the site when convenient. The applicant was agreeable. Proposing 6" rip rap for the driveway. Motion to continue the public hearing for DEP #102-0431 NOI to 16 January, 2018 meeting, (Karlberg/Brand). MSV.

**Public Hearing continued from 8/8/2017: DEP# 102-0430- Notice of Intent from Sherwood Forest Lakes District,** for Lancelot Lake Dam Improvements. **Project Location is Sir Galahad Drive (Map 217, Lots 66 & 255).** K Wilkins of Tighe & Bond was present to represent the applicant. Tighe & Bond was asked to involve the Lake District's attorney. A new plan was provided showing a new route for the diversion pipe through the Jekot property. K Wilkins outlined the proposed pipe installation which would involve denuding the pipe route of trees and using timber mats at the existing wetland adjacent to the lake. The size of the diversion pipe is proposed to be increased from 10" to 12". Commission asked for the elevation of the invert to the pipe at the intermittent stream, the invert at the outlet into the lake at Maid Marion Lane and the spillway elevation. The spillway elevation is at 93' and the pipe at Maid Marion is at a higher elevation (95 feet), and the invert at the stream is 98.6 feet. This 5.6' drop in elevation suggests water diverted from the stream during high flows is likely flowing over the

lower spillway. The NOI does not address the impacts to the downstream resource areas in the intermittent stream. What would be the frequency and volume of water diverted and how would this impact resource areas in the intermittent stream downstream of the diversion? The NOI does not address if the diversion during high flows will augment the lake level or just spill over the dam. Given this diversion pipe will result in wetland and BVW disturbance, the proponent has not shown the need for the diversion. The intermittent stream will likely have no flow in late summer, when lake levels are lower and augmentation is desired, so the diversion will not function as proposed. Water through the diversion during spring freshet and rain events would not be needed to raise the impoundment's water level as Lancelot Lake would be full and in most cases spilling water. Chair Dixon opened the hearing for public comment at 8:40 PM and closed the public hearing at 8:41 PM. Commissioners felt the applicant did not show how this proposed diversion pipe is in the interests of the Wetland Protection Act. Motion made to issue an OOC for DEP #102-0430 for the maintenance and repairs to correct Lancelot Lake dam deficiencies but **not** for section 3.2.5 of the NOI relating to the diversion pipe replacement with Becket Standard Conditions, void all work related to the diversion pipe replacement and an operation and maintenance plan will provided before work begins for review by the Commission, (Karlberg/Brand). MSV.

**Ratification of the Emergency Certification issued to Mark Boomsma for work at 29 Chester Road.** The area is part of a larger wetland complex where an emergency certification for flooding related to beaver activity was issued earlier this year. The beaver trapping has been done. This emergency certification relates to a gradual breach of the beaver dam using hand tools. Motion made to ratify the emergency certification for the breaching of two beaver dams off 29 Chester Road using only hand tools, (Karlberg/Brand). MSV.

**The Becket General Store Enforcement Order:** The Commission issued an enforcement order at the September 2017 meeting but Agent Larcom just sent the letter in December. The enforcement order had a wrong date, 2017 instead of 2018, relative to the deadline to file an NOI for restoration work. The Enforcement Order included only the driveway expansion and fill and did not include some of the other issue noted during the summer site visit including the recently installed propane tank and trenched supply pipe to the building and waste oil barrels stored without containment berms all in the riverfront area of Yokum Brook. Motion made to rescind the 12/4/2017 enforcement order issued to Heather Anello Spencer for work in the riverfront area at 3235 Main Street, (Karlberg/Brand). MSV. Motion made to issue an Enforcement Order to Heather Anello Spencer regarding fill and other activities in the riverfront area at 3235 Main Street, the installation of a propane gas tank on a poured slab and associated trenching to run a supply pipe to the building and the storage of waste oils within the riverfront area of Yokum Brook requiring the filing of an NOI by 2 February, 2018, (Karlberg/Brand). MSV.

**Approval of the minutes from the November 21<sup>st</sup>, 2017 meeting.** Motion made to accept the minutes of 21 November 2017 with one correction, (Karlberg/Brand). MSV.

***Other matters:***

Chair Dixon passed out the job description for the agent position and announced the town administrator had scheduled several candidate interviews. Chair Dixon asked Commissioners for

input on the interview questions and consider the scope of work in the job description and weigh-in on the job duties listed relative to the hours available for the position.

The Conservation FY2019 budget is due January 3<sup>rd</sup> at the latest. Chair Dixon provided a draft budget and highlighted the proposed increase in the agent' hourly rate to make the salary a bit more competitive with other towns. Commissioners supported the budget as proposed.

Meeting schedule for 2018: Jan. 16, Feb 20, Mar 20, Apr 17, May 15, Jun 19, July 17, Aug 21, Sep 18, Oct 16, Nov 20, and Dec 18.

Borrego solar reports have been coming in.

Yokum Pond tree cutting RDA will likely be coming in January.

Site visit report- Commissioner Delpapa visited two sites to inspect erosion controls. One site has some issues with a collapsed silt fence (Winter Road porch expansion). Chair Dixon reported this project will be now not be using the screw supports because of underlying rock issues.

Center Pond wishes to start a conversation with the Commission at the January meeting about aquatic plant management but will not be filing by January. Chair Dixon shared a memo by K Wagner about Center Pond.

The annual report- Chair Dixon will revise last year's and submit.

Commissioner Karlberg left the meeting at 9:33 PM.

### **Ratification of the Enforcement Order issued to Mike Tosch**

Former Agent Larcom issued two enforcement orders before she left. One required the filing of an RDA for regular road maintenance, (note the wrong year was placed on the Enforcement Order 2017 instead of 2018). The second enforcement order requires the removal of gravel associated with the repair of the failed culvert from the stream. Motion made to ratify the Enforcement Order dated 4 December 2017 issued to Mike Tosch to remove the gravel from a stream flowing under Beaver Brook Road, (Delpapa/Brand). MSV. Motion made to ratify the Enforcement Order issued 4 December, 2017 to Mike Tosch, for unauthorized road maintenance, requiring the filing of an RDA by 30 December, 2017, (Dixon/Brand). MSV

### **Ratification of the Emergency Certification issued to Mike Tosch**

Former Agent Larcom issued an emergency certification before she left for the dredging of sediment accumulated at the pipe inlet of the Beaver Brook Road and installing a fence at the culvert to prevent clogging by debris. MA Dept. of Fish & Wildlife issued a response to the Emergency Certification authorizing emergency action, (NHESP File No. 17-37374). Motion made to ratify the Emergency Certification issued to Mike Tosch for the dredging of sediment accumulated at the pipe inlet of Beaver Brook Road and the installation of a fence to prevent large woody debris from clogging the pipe on Beaver Brook Road, (Delpapa/ Brand). MSV.

Motion to adjourn, (Brand/Delpapa). MSV. Chair Dixon adjourned the meeting at 9:55 PM.

**Action Items**

- Suggested Agent position interview questions to Alison ASAP (all)
- Review Agent job description (all)
- Revise and submit annual report (Alison , Cindy with statistics)