

## **Town of Becket Conservation Commission 26 February, 2019 Meeting Minutes**

**Commissioners in Attendance:** Alison Dixon (Chair), Barbara Brand, Cindy Delpapa, Karen Karlberg and Agents Stacy Parsons & Mary Stucklen

**Commissioner not in Attendance:** -

**Members of the public:** Jackson Alberti, Meredyth Babcock, Kimberley Degutis (Jacobs Eng), Melissa Lenker (MA DOT), Diana Mott, Steve Salvini, Henry Scarpo, Maria Wallington, Thomas Wright.

Chair Dixon called the 26 February, 2019 Becket Conservation Commission meeting to order at 6:31 PM, read the meeting guidelines and asked if anyone was recording the meeting.

**Public input and comment for items not on the Agenda.** None offered

### ***New Business:***

***Ratification of Emergency Permit*** issued to the Town of Becket at 1379 Chester Road (Map 417, Lot 38) for the removal of an unsafe single family home structure. Agent Stucklen visited the site. No erosion controls were installed as the structure was adjacent to Rte 20 and sloped away from the resource area. Only the structure was removed and not any components of a septic system. Motion made to ratify the Emergency Permit issued to Town of Becket for the removal of an unsafe single family home structure located at 1379 Chester Road (Map 417, Lot 38) (Brand/Karlberg). MSV.

**A Request for Determination of Applicability** submitted by William Fiske of 494 King Richard Dr. (Map 216, Lot 353D) for the construction of a single family home. Commissioners visited the site. S Salvini was present to represent the applicant. S Salvini was asked if there would be excavation. He was not sure but thought it likely there would be a basement for the structure which would have a basement. Chair Dixon asked where the septic system would be located? S Salvini reported there was an existing septic system but the owner wishes to acquire an adjacent lot in the future to install an upgraded system. All excavate will be removed daily. Commission noted the narrative calls for erosion controls to remain in place until disturbed areas are revegetated. Motion made to issue a negative determination #3 for the construction of a single family house, debris on parcel should be removed, porta-a-potty should be available during the construction period, and excavated materials removed from site daily, (Brand/Karlberg). MSV.

**A Request for a Certificate of Compliance** for 0 Tanglewood Circle (Map 406, Lot 14-20, 37-47; DEP File # 102-0421) by Borrego Solar Systems. Order of Conditions was issued August 22 nd , 2017 for the installation of a solar facility. Agent Stucklen inspected the site. No representative from applicant was present. Agent Stucklen reported all of the installation work is complete and it appears the grass has grown in under the panels though the snow limited visibility. Some invasive plants were noted growing along the site's main road. The Commission discussed waiting until the growing season to be able to assess how well the site has revegetated. Commissioner Karlberg was concerned native wild flowers were not planted at the site. Motion made to table the request to issue a Certificate of Compliance for 0 Tanglewood Circle (Map 406, Lots 14-20, 37-47; DEP file number 102-0421) until the May meeting, (Brand/Karlberg). MSV.

**A Notice of Intent** application submitted by Joel Marcus and Carol Davis for a proposed single family house replacement and related site work at 19 Switter Lane (Map 203, Lot 22; DEP File # 102-0442). Commission visited the site. J Alberti of Foresight Land Services, representing the applicants, summarized

the proposed work and provide a highlighted plan showing the resource areas. He explained the project includes minimal excavation around the edges and no excavate will be stock piled at the site and any construction debris will be stored in a covered dumpster. Two trees are proposed to be removed. The erosion control will serve as the limit of work. In response to a question about the well and septic system, J Alberti confirmed the well is moving forward but have not done the perk for the proposed septic system. T Wright of Thomas Wright Design explained the owners wish to replace any lost trees to maintain the wooded feel of the parcel but the exact planting list and plant size has not been determined. The Commissioner expressed a preference for native species and trees as large as feasible to increase the likelihood of approval. Mark Stinson, DEP circuit rider, mentioned the dock as he could not find any filing relative to its installation. J Alberti was confident the owners will be pursuing a Chapter 91 permit which will require filing with the Commission. Motion made to issue an Order of Conditions to Joel Marcus and Carol Davis to remove and replace a single family house and related site work at 19 Switter Lane (Map 203, Lot 22; DEP File # 102-0442) as proposed in the NOI filed for the project with the addendum of a letter dated 26 February, 2019 outlining the replacement of lost trees with native species and Becket Standard Conditions, ((Brand/Karlberg). MSV. M Alberti request the OofC be sent to both Foresight and the owners.

*A Notice of Intent application submitted by the Massachusetts Department of Transportation Highway Division for the completion of culvert replacements and drainage structure improvements for seven locations along the Massachusetts Turnpike (Mile Marker/MM 17 Eastbound/EB, MM 17.6 EB, MM 17.7 EB, MM 19 EB, MM 19.5 EB, MM 19.8 EB, and MM 20.1 EB).* No site visit was performed because of the safety and logistical challenges to accessing the sites. M, Lenker of MA Department of Transportation and K Degutis of Jacobs Engineering were present to discuss the NOI explaining the repairs proposed are part of a larger project to repair drainage structures across the district. The projects include both temporary and permanent impacts to BVW, band and riverfront area resource areas. There will be 1:1 replication. Chair Dixon opened the public hearing at 7:16 PM. Chair Dixon asked the representatives to provide some detail on what the proposed replication areas, proposed for 5 out of the seven project locations, currently look like. K Degutis explained there would be in-kind replacements. Several of the projects include replacing failed headwalls. The failures resulted in separation of the pipe infrastructure and the reroute drainage created wetlands. In some area the flows are channelized. The proposed riprap to replace the grouted splash pads may result in some infiltration depending on underlying conditions as some areas may be perched. Repairs will include excavating to the same elevation, excavate soils to create a sub-base, finish the project, loam and seed. Erosion controls will remain in place until the vegetation is well established. At this time the mitigation will be done. The vegetation will be willow and dogwood as these species have proven to be best suited to the conditions. All fill brought to the site will be clean fill. Commissioner Karlberg noted one of drainage areas is tributary to Shaw Pond which has listed species. K Degutis explained the Heritage polygon for Shaw Pond does not intersect also the work will be done in summer and autumn. K Degutis was asked if any of the sites lend themselves to the installation of rain gardens? K Degutis explained the rip rap may allow some infiltration. In response to concerns about invasive species, it was noted *Phragmites spcs.* Is already present and it is hard to eradicate. Agent Stucklen explained it is the Commission's standard practice to inspect erosion controls before work begins on any wetland filing and asked how this might be possible for this project. Commission would also be interested in inspecting the mitigation areas after the replication is completed and for the next several years to monitor the success of the replication. Commission's consensus was to have at least one inspection during the work period and this can be written into the Order of Conditions. K Degutis reported the phasing of the project will not be known until the contractor is selected. Inspecting the site would be dangerous as access is from the highway and a police escort is recommended. Chair Dixon open up the hearing to public input. M Babcock asked about the fee paid as if this was one project and not each work site a separate project. Agent Stucklen mentioned M Stinson, DEP circuit rider also brought up this question. Babcock also asked if the fees could be used to restore and monitor the sites. Agent Stucklen explained the fees were split between the town and the state (DEP) and the town's fees go into a

dedicated wetland account. There was a discussion about the potential ramifications of how the Commission characterized the Mass Pike work- as one or seven projects- and if this might set a precedent, if the work was considered seven projects could one or more be denied without denying all the work, and if there was enough information to vote this evening. The Commission opted to wait until the additional information was submitted including: the MA DOT storm water phase II NPDES permit, velocity changes related to sizing the rip rap and the need to accommodate climate resiliency, how the rip rap is sized, maintenance, and spill contingency. Motion made to continue the hearing for the Notice of Intent submitted by the Massachusetts Department of Transportation Highway Division for the completion of culvert replacements and drainage structure improvements for seven locations along the Massachusetts Turnpike (Mile Marker/MM 17 Eastbound/EB, MM 17.6 EB, MM 17.7 EB, MM 19 EB, MM 19.5 EB, MM 19.8 EB, and MM 20.1 EB) until the requested information is supplied to the Commission, (Karlberg/Brand). MSV.

*A **Notice of Intent** application submitted by the Town of Becket for construction of a UV water treatment system including an 8' x 10' precast building to house public water system treatment equipment and modification of existing water pipes at the Route 20/Chester Road Becket Spring (Map 417, Lot 1900; DEP File # 102-0441).* The town has not provided a formal request to withdraw this NOI. Motion made to submit a request to the Becket Board of Selectmen withdraw the NOI , DEP file # 102-0441 for the construction of a UV water treatment system at RTE 20/Chester Road (Lot 417, Lot 1900). (Karlberg/Brand). MSV.

#### Additional Items

*Conservation Commission vacancies.* H Scarpo and M Babcock expressed interest in serving on the Commission. H Scarpo provided a brief introduction noting he and his wife owned property on two lakes in Becket. He is semi-retired and enjoys fishing. Both interested residents were provided with the necessary application form to send to the Select Board.

*Received copy of Superseding Order of Conditions for Lancelot Dam, Sherwood Forest Lake District from MA DEP.* Agent Stucklen noted the Order contained a great many special conditions. The applicant also has to provide the wetland mitigation plan to DEP. Commissioners Dixon and Delpapa expressed interest in reviewing the superseding OOC.

*Update on the stream crossing replacement on Beaver Brook Road, (Map 204, Lot 42; DEP #102-0439).* The applicant M Tosch has contacted the Commission several times concerning sediment coming from upstream and is sure the Commission will not pursue the source of this sediment and issue an enforcement order. Agent Stucklen has reaffirmed to M Tosch the Beaver Brook Road stream crossing does not meet stream crossing standards and acting as a constricted point. Agent Stucklen did map the stream crossing at Routes 20 and 90. John Deacon also contacted the Commission to express serious concerns about the stream crossing and the proposed fix not adequately taking into account the amount of water carried by the stream. He feels the Commission needs to do its job. Agent Stucklen informed J Deacon the appeal period is over for the issued OOC but he is welcome to write to MA DEP. She also informed him about the controls required to be in place when working on the rehabilitation of the crossing. The Commission discussed to upcoming March first time-of-year restriction related to the state list species in the area. It appears the work will be deferred until October when the restriction on work is not in place. The owner asking his neighbors to contribute to the road work.

*Review and approval of January 15 th, 2018 Conservation Commission Meeting minutes.* Motion made to approve the 15 January, 2019 Becket Conservation Commission minutes with minor corrections, (Brand/Delpapa). MSV with one abstention.

*Discussion about the upcoming MACC Conference on March 2 nd from 8am-4:30pm.* Those who wish to car pool should meet at the Town Hall on Saturday at 6:30 AM.

Commissioner Brand left the meeting at 9:02 PM.

*Town Culvert Projects Update.* Chair Dixon requested an update about upcoming culvert work in the town. Agent Stucklen talked with DPW head C Bouchard. He reported the town is applying for funding to be able to replace a culvert on Benton Hill Road and has already received funding for a small bridge at Werden Road. It was noted that the Westfield River Wild and Scenic Committee supplied funding and managed the contract to do the initial assessment and concept design work for the Benton Hill crossing over Center Pond Brook. The consultant also prepared a grant application for funding last year. Commissioner Delpapa will send Agent Stucklen the assessment and design work and the funding application.

*Center Pond Weed Project Trainings.* M Babcock provided an update about the busy season ahead. M Straub from the state's lake and pond program (DCR) was asked to provide a presentation to interested volunteers in the town on 18 June. Mercedes Gallagher's power point presentation could also be shown at the meeting and it would be great to be able to explain what is allowed under the WPA in terms the volunteers could fully understand. M Babcock is also keen to have a field component/training perhaps through the Westfield River Wild & Scenic there could be a training and a paddle around Center Pond. Laurie Rock is willing to do trainings. M Babcock asked if Conservation might be willing to fund a training and some equipment (skimmers). There is a still a great deal to do including soliciting volunteers, preparing a plan for the divers, and locating a place to bring the harvested plants.

Forrest Cutting Plans Review – next steps. Commissioner Karlberg is willing to be the point person for reviewing the plans. She would like to get the plans electronically. It was agreed it would be best for Commissioner Karlberg and Agent Stucklen to meet with the DCR Regional Forester soon.

*Eversource VMP Update.* Agent Stucklen, per request of the Commission, prepared color-coded noting the resource areas near or contiguous to the power lines. The mapping highlighted to 'hot spots' including one area that is a MA Heritage and Endangered Species listed polygon. Agent Stucklen will find the comment period end date for Eversource management plan. Consensus of the Commission was to contact Eversource to request their work avoid the two hot spot identified by Agent Stucklen.

*Update: Letter to Board of Selectman re: MVP.* Chair Dixon attended the BOS meeting. The Select Board had some concerns as the process requires the participation of a town employee and there is no one with the time to spare. M Babcock has reached out to the towns of Washington and Chester about the possibility of having a joint planning process. Perhaps the Wetland funds could help pay for staff time.

*Equipment purchases.* Commissioner Delpapa researched equipment and found a laser distance finder with a range of 250 feet for about \$200. The GPS units are closer to \$500 and this may be a helpful but not critical tool for the Commission depending on the funds available. Consensus was to purchase the distance finder only at this time.

## 20. General Mail

a. Notice of Public Hearing from the Planning Board for 19 Switter Lane on Apr. 10 th at 7pm.

Motion made to adjourn the 26 February, 2019 Becket Conservation Commission, (Brand/Delpapa). MSV. Chair Dixon adjourned the meeting at 10:12 PM.

## Action Items:

1. Letter to BOS requesting a formal notice about the disposition of the UV Disinfection System NOI.

- 2.** Agent Stucklen to send a digital copy of the DEP superceding OOC fro Lancelot Dam to AD and CD.
- 3.** C Delpapa to send the Benton Hill Road stream crossing materials to Agent Stucklen
- 4.** Meeting with Parks and Recreation/R Furlong on 5 March at 10:30AM to discuss upcoming projects.
- 5.** Arrange for a meeting with KK, MS and the DCR Regional Forester.
- 6.** Find the closing date of the comment period fro the Eversource management plan and contact EverSource requesting their work avoid the two sensitive areas in Becket. Chair Dixon will provide