

Richmond Conservation Commission  
Minutes Meeting of Tuesday April 11,2023  
Held remotely on Zoom at 6:00 PM

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**Members Present:** Ernie Smith-Chair, Tom Potter-Vice Chair, Ron Veillette, Karen O'Donnell, Adam Weinberg, Rebecca Lord, Pat Seckler, Shep Evans (agent).

**Other Participants:** Jeff Collingwood, Marissa Kaplan (Eversource), Chris LaRose (Eversource), Jeremy Kessler, Emily Stockman (Stockman Associates)

Mr. Smith opened the meeting at 6:45PM. He read the Governor's Order concerning holding meetings remotely.

Ms. Lord made a motion to approve the March 14, 2023, minutes. The motion was seconded by Ms. O'Donnell and passed unanimously by roll call vote.

Mr. Smith stated that he was not going in order of the agenda due to the late start of the meeting.

1. **Enforcement Order of 706 Dublin Road:** Restoration Plan submitted on behalf of property owners, John & Robin Abbott by Jeff Collingwood, PE to be discussed and continued to the May meeting 5/9/2023.

Mr. Collingwood spoke on behalf of the applicants. He stated that he did visit the site and has created a restoration plan. He displayed the plan for the members to view and then explained the plan to them. He stated that the Abbotts wanted to get the area cleaned up and have improvements made to stabilize the area. He stated there will be no more destruction done between the house and Dublin Road. The goal is to restore the area back to a vegetated lawn surface. The drainage from the sump pump and surface rain runoff needs to be redirected to the southside of the drainage ditch so that it can run north. The ditches have some high areas which need to be cleaned out so that the runoff will run smoothly north, and a side berm which has been created over the years needs to be leveled off (it was created by removing silt and debris from the ditch). The ditch is just a side road drainage ditch not an intermittent stream. He has spoken to the contractor and cleaning up of the issues that they created are top priority, they have already installed the straw waddles to prevent any further erosion runoff. Several Commission members have seen the site and agree that the site appears stable as far as erosion runoff is concerned. Mr. Collingwood requested that the Commission approve his plan. Mr. Weinberg made a motion to approve the restoration plan with standard conditions and 1 special condition that conservation oversight is done by Mr. Evans to make sure restoration is being done correctly, the re-establishment of the access area. The motion was seconded by Mr. Veillette and passed unanimously by roll call vote.

2. **Notice of Intent (DEP 271-0234)** from BSC Group for Eversource, property is the Power Easement along East Road from Summit Rd. to Lenox Road. Proposed work includes installation of replacement power poles and new support Power Poles, new heavier power transmission cables and related infrastructure.

Marissa Kaplan spoke on behalf of the applicant. It is necessary to replace the old poles along with addition of midspan poles due to the increased weight of the new cables. Some of the new poles will be placed in jurisdictional regions (10 ft. from a BVW, buffer zones and brooks) and the removal of several trees will be required for placement of the poles and to prevent any branches from damaging the wires.

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Ms. Kaplan displayed the plan for the members to view. Ms. O'Donnell stated that she, Mr. Potter, Mr. Evans and Mr. Veillette had conducted a site visit. Ms. O'Donnell stated that during the site visit she noticed that several poles were to be placed in water runoff ditches. Ms. Kaplan stated that since they had the site visit, and it was mentioned by members about the placement of poles in the ditches, the poles will be moved slightly so as not to be within the ditch. Ms. Kaplan also stated that all work will be done from the road. Mr. Potter requested a copy of the Best Management Practices book that Eversource uses. Ms. Kaplan stated she would send a copy to the Commission. Mr. Veillette made a motion to approve the NOI with the standard conditions, no special conditions were added to it. Mr. Evans stated that the use of BMP's is already written into the NOI. Mr. Weinberg seconded the motion; it was passed unanimously by roll call vote.

3. **Request for Determination of Applicability (RDA)** from Jeremy Kessler, property is at 2533 Swamp Road, Map 411 Lot 52. Proposed work consists of removal of a large fallen Willow tree across Cone Brook, taking down a large dying Ash tree next to the brook and removal of invasive species including Multiflora Rose, Common Buckthorn and Japanese Honeysuckle, Etc.

The main objective of the applicant is the removal of the fallen Willow tree, all the other proposed work is secondary and not needing a vote at this time, it is work he would like to do sometime in the future. Mr. Evans stated that an **Emergency Certification** for Removal of the fallen tree should be issued. Mr. Kessler stated work will be done by Mr. Ingersoll. Ms. O'Donnell made a motion for an Emergency Certification to be issued for the removal of the fallen Willow tree with one special condition, that all work be done from outside of the bank and streambed. The motion was seconded by Ms. Lord and passed unanimously by roll call vote.

4. **Enforcement Order at 159 Willow Road** continued from the March meeting and the site visit conducted during the intervening period. Stockman Associates has represented the property owner and has submitted a revised plan reflecting comments received during the site visit as well.

Ms. Stockman spoke on behalf of the applicant. She stated that on March 30, 2023, Mr. Evans, Mr. Veillette, Mr. Smith and Ms. Lord along with the applicant and herself were present for the site visit. She stated they reviewed the work that Mr. Bohlman had done (all the work was done without any permits) on his home and property. She stated that after the site visit the members had requested a revised site plan that included the enclosed portion of the deck along with the dock. The plan was revised on April 1<sup>st</sup> and submitted to Mr. Evans and the Commission members. Mr. Veillette had many issues and questions about both the proposed work that Ms. Stockman had submitted along with the unpermitted work that Mr. Bohlman had already done. One of Mr. Veillette's main issues is that the deck Mr. Bohlman built is mostly non pervious, the boards are so close together that rainwater cannot drain down through them onto the ground below. Ms. Stockman stated that her plan focuses on creating wildlife habitats with the planting of shrubs and no mow grass area. Ms. O'Donnell stated that the planting area Ms. Stockman presented already existed and that they are including this in their representation of restoration/ mitigation area. Mr. Weinberg asked about the size of the shrubs that are to be planted. Ms. Stockman stated she is planning on putting in shrubs that are at least 3ft. in height with mulching to keep

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down any invasive species. The planting will be done by hand within the lawn area. Mr. Veillette asked about what was happening with Mr. Bohlman's permits with the building inspector. Ms. Stockman stated Mr. Bohlman is still working out issues with the building inspector. Mr. Veillette stated he doesn't think that the Commission should approve a project while Mr. Bohlman is still dealing with the building inspector because it could set a bad precedent. Ms. Stockman stated that the restoration and mitigation plan is well defined in the narrative she sent to the Commission. Several members stated that they never received the narrative to review. There was more discussion about what special conditions might be put into the approval, but it was decided that the meeting should be continued to allow time for all members to review the narrative that Ms. Stockman has provided. Mr. Seckler made a motion to continue to allow time for all members to review the narrative; it was seconded by Mr. Veillette and passed unanimously by roll call vote.

5. **Discussion** of DCR's Restoration Plan for violations on Lenox Mountain.

Mr. Evans stated that Ms. Putnam (DCR) is consolidating all the different plans and proposals, hiring contractors and getting ready to start the work. She is in contact with the abutters about when the project will start.

6. **Continued** discussion on the Restoration Plan for Haidar property on Walnut Rd.

The members asked Mr. Evans if the letter was ever sent to Mr. Haidar that was discussed in the March meeting. Mr. Evans stated the letter wasn't sent. Mr. Evans stated that he drew up a schematic of what he thought showed how many trees would need to be planted for replacement of the trees that Mr. Haidar had removed without any permits. He stated that approximately 30 large shade trees and 30 smaller trees and/or shrubs would need to be planted on Mr. Haidar's properties as a replacement for the removed trees and undergrowth in a BVW. Mr. Potter stated that he and Mr. Veillette had just received the schematic that day and had not had time to review it or send it on to the other members. Mr. Weinberg stated that number could scare off Mr. Haidar and maybe a more reasonable number should be presented to him. Mr. Evans stated he used aerial photos from the winter of 2021 for determining the number of trees removed.

Ms. O'Donnell made a motion at 9:07 to adjourn the meeting, it was seconded by Ms. Lord.

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Mr. Ernie Smith -Chair

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Mr. Tom Potter-Vice Chair

\_05/09/23\_

Date

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Date