

Richmond Conservation Commission Minutes Jan 8, 2019

Tuesday, January 8, 2019 at 7:00 P.M.

Richmond Town Hall, 1529 State Road

[NOTICE: This meeting will be recorded by the Richmond Con Com (1)]

1. **Call to Order** and Introductions.

1.A The Co-Chairperson Ron Veillette called the meeting to order at 7PM

1.B (1) Commission members present: Freya Segal(Co-Chair), Ron Veillette(Co-Chair), Shep Evans (Member & Agent), Adam Weinberg, Robert Dahlen, Pat Seckler, John Scorpa (Associate member) Dan Scorpa (Associate Member)

1.B (2) Commission members absent: Nick Martinelli

1.B (3) Applicants and others present: Thomas Drain, Carl Foote, Claudia Ryan (recording secretary)

2. **Review & approval of the minutes** of the December 11, 2018 meeting.

2A. Draft minutes having been circulated previously, Ron Veillette asked if there were any comments or corrections from members. Hearing none, he stated that a letter of Dec 7, 2018 from S&K Design about the Levy Property should be attached to the minutes. Motion by Ron Veillette to approve the minutes, it was seconded by Shep Evans to approve as modified. Unanimous approval.

3. **Notices of Intent:**

3A. Ron Veillette requested that the follow-up letter of Dec 18 from S&K Design documenting the design agreements made during the 11 Dec 2018 hearing on the Levy property be included as an attachment in this month's minutes. It was noted that the Permit/Order of Conditions will not include the beach portion of the proposed project. A new application will be required for the beach portion if still desired by the applicant addressing the concerns identified in the 11 Dec 2018 hearing.

4. **Requests for Determination of Applicability (RDA):**

4.A **RDA from Thomas Drain**, property located at 21 Willow Road, Map 104 Lot 23. The proposed work includes installing four new Techno Metal Posts and a 4 ft. X 4 ft. deck at the rear of a residential structure on the property and a new 10 ft. X 16 ft. deck on existing footings at the front of the structure.

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4A1. It was noted that the project is located in the Riverfront area of the river(also known as Inlet) leading from the marsh, (know as Nordeen Marsh) into Richmond pond. The riverfront is considered a critical resource area. At a recent site visit it was apparent that the work had already been completed. Ron Veillette stated that since the work was completed over the past summer the Commission could not, due to the fall leaf and other litter, easily determine if any erosion or other alterations had occurred.

4A2: Thomas Drain, the contractor, stated that on May 25, he got an approved building permit for the new concrete piers under the house that he installed. After that work was completed and he wanted to add the two decks that is RDA is for, and that were not included in the original permit. He stated that he called Paul Greene (building inspector) and was told that all he had to do was submit another permit and that it would be okay, and he should just go ahead with the project. He completed the project because he thought he had permission to do so. Paul Greene passed the information on to the ConCom since the work was being done near a running stream (river front). That was when the ConCom requested that he file the RDA and conducted the site visit. To their surprise the Commission found the job had already been completed. It was pointed out to Mr. Drain that a building permit does not encompass a Wetlands Protection Act Permit and it should never be assumed so. A separate review and permit id required from the ConCom.

4A2: Adam Weinberg asked what was the original permit for? Mr. Drain answered that it was for replacing the A-Frame portion of the house's old piers with new piers. The consensus of the Commission was that the original building permit request should have been referred on to the ConCom since it concerned work to be done adjacent to the river. The Wetland Regulations state that any work to be done within 200 feet of a perennial stream requires the filing of a Notice of Intent(NOI)

4A3. Shep Evans suggested that since the work was already completed the ConCom should respond with an affirmative determination. Ron Veillette made the motion to issue a Positive Determination. The motion was seconded by Freya Segal and passed unanimously. The Commission told Mr. Drain that for any future work, including landscaping, that the property owner must file a Notice of Intent prior to any work. The ConCom requested that Mr. Drain relate this information to the owner. Mr. Drain requested that the ConCom send its determinations along with the need to file a Notice of Intent for future work to the owner. The Commission agreed.

5. Requests for Extensions of Orders of Conditions:

5A. No new requests

5B. There was some discussion about the Levy property at 20 Swamp Rd. concerning when the Commission needed to have the permit request in for Levy's work on the beach. Mr. Evans stated that the ConCom can set a date for when a permit request should be submitted and that under no circumstances should any work on the beach commence until the Commission issues a permit(Determination or Order). Ron Veillette suggested that the date bet set for May 2019 as this would be prior to the start of the swimming season.

6. Enforcement Orders (EO)

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6.A Enforcement Order of 11-02-2018 John Scorpa, property at 300 Shore Drive, Map 101 Lot 146.
Continued from the meeting of December 11, 2018.

6A1. Mr. Scorpa has hired Forsyth Land Services to evaluate his drainage system and other Best Management Practices for restoring/enhancing the lost buffer zone. Discussion of the EO was continued to the meeting of February 12, 2019.

7. Recommendations to permit granting authorities on Special Permits, Variances & Appeals: NO NEW

7A. Mr. Evans will be meeting on Wednesday morning 1/9/19 to discuss the maps and drawings for the purposed barn on the Rufo property at 1455 State Rd. (The ConCom had provided an input to the Board of Selectmen on Dec 9, 2018 with concerns on the lack of a specific location of the proposed barn with respect to 3 separate resource areas located on the property)

8. The Richmond Conservation Fund

8A. No activity, waiting to hear about funding from BNRC and the Richmond Land Trust for the joint purchase of the Berkshire Farm school property.

9. Ethics & Open Meeting Law Certifications

9A. It was mentioned that all members must complete the trainings.

10. Open Space and Recreation Plan – Discussion, Action Items, Conservation related matters. **None**

11. Periodic review of Local Wetland Bylaw and Local Regulations under Scenic Mountain Act.

11A. Mr. Veillette stated that he would like to create a simple brochure to be mailed to residents explaining the town's Wetland Regulations, Bylaws and the Scenic Mountain Regulations.

12. Richmond Pond Association – items of interest, meeting attendance.

12A. The RPA meeting for Jan 8th was postponed until February 26th. The meeting will be devoted to controlling the Canada Goose issues on the pond. John Scorpa stated that one solution might be to introduce Mute Swans to the pond, they seem to keep geese out of ponds in other areas.

13. Periodic review of filing instructions – web site posting and general circulation & handouts.

13A. New edited versions are online

14. Open Orders, Conditions & Certificates of Compliance. No discussion. Shep is still working on consolidating a list.

15. Recent inquiries to Con Com about future / potential new applications: NONE

16. Citizen speak time: None

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17. Other items not reasonably anticipated prior to Agenda posting. (1)

17A. Ron Veillette stated that he, Freya Segal and Shep Evans were working on the budget for 2020. The actuals from 2019 today includes money for Shep's phone which Shep reports he is not receiving. Ron also stated that there is money in the budget for educational purposes.

17B. Ron passed out a list of online courses concerning conservation to the members for them to possibly do to further their understanding of the issues.

18. Adjournment (time)

18A. At 8:07, Ron Veillette made a motion to adjourn the meeting. Shep Evans seconded the motion. Unanimously approved.

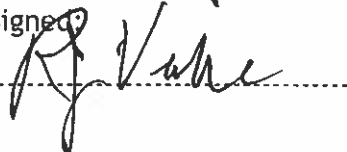
DATA SUBMITTED: Agenda item 3A (Levy): UPDATED Ltr. dated December 18, 2018, # Group\2016\180113, from SK Design Group, Inc., Sarah M. Gapinski, Project manager to Shep Evans, Conservation Agent,

**Next Meeting: Tuesday, 2/12/2019 at 7:00PM
3:00PM**

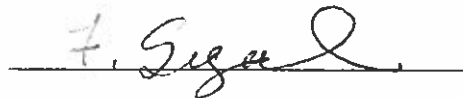
New submittals requested by, 01/23/2019 at

(1)NOTE: Pursuant to MGL. 7c. 30A sec. 20(f), after notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body or may transmit the meeting through any medium. At the beginning of the meeting, the chair shall inform other attendees of any such recordings. Any member of the public wishing to speak at the meeting must receive permission of the chair.

The listings of agenda items are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion.

Signature 

Ron Veillette, Co-Chair



Freya Segal Co-Chair