

Richmond Conservation Commission

Tuesday, December 13, 2022 at 6:30 P.M.

POSTED 12-8-22 at 4:15PM

Meeting to be held remotely due to the COVID-19 restrictions.

An Executive Order from the Governor of Massachusetts relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real time. In addition, all members of a public body may participate in a meeting remotely; the Open Meeting Law's requirement that a quorum of the body and the chair be physically present at the meeting location is suspended. All other provisions of the Open Meeting Law, such as the requirements regarding posting notice of meetings and creating and maintaining accurate meeting minutes, as well as the limited, enumerated purposes for holding an executive session, remain in effect.

Zoom.us

Join Zoom Meeting

<https://us02web.zoom.us/j/88902377899?pwd=a1o4dm5YWHR4Z0x4RWhRekU2K3ByUT09>

Meeting ID: 889 0237 7899

Passcode: 457948

Phone: +1 646 558 8656 US

Recording Notification (See note (1) below).

AGENDA

Review & approval of the minutes of the November 9, 2022 & November 17, 2022 meetings.

1. DPW Items

a. Requests for Determination of Applicability: None

b. Notices of Intent: None

c. Certificate of Compliance (CoC) Requests

i Notice of Intent, DEP File #271-0216; Dublin Road Bridge - Await final drawings

2. Emergency Certifications Ratification: None

3. Requests for Determination of Applicability (RDA) (Non DPW): None

4. Notices of Intent (New/Continued/Extensions):

a. Notice of Intent, DEP File # 271-0229 from White Engineering on behalf of Vincent & Shawna Stango, property at 951 West Road, Map 407 Lot 56. The proposed work consists of removing from a private pond on the property accumulated sediment and road material deposited by a hurricane in 2012, restoring the historic flow into the pond from Furnace Brook, restoring the dam and spillway to re-establish control over pond water levels and related site work. **Updated plans received - Continued from November 9, 2022.**

b. Notice of Intent under Berkshire Scenic Mountains Act Regulations, File #11-19-2022 from White Engineering on behalf of Joseph Pellegrino & Janet Akerley. Property at 754 Canaan Road, Map 406 Lot 17. The proposed work consists of constructing four additions to an existing single

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house plus a swimming pool and cabana and related site work.

5. Certificate of Compliance (CoC) Requests: NO NEW ONES

6. Discussion of Violations and/or Enforcement Actions, Superseding Orders:

a. View Drive Fire Tower Pole Line Easement Violation: Enforcement Order Status,

Continued from June 22, 2021. DCR has presented a proposed restoration plan which DCR is prepared to implement in the 2022/23 growing seasons. A Peer Review of the proposed restoration plan has been completed by Berkshire Engineering. **Continued from November 2022.**

b. 159 Willow Road Enforcement Order Status: ZBA Filing for Special Permit was rejected for lack of detail. **Continued from November 2022. Sending warning letter leading to start of Citations.**

c. 5 Walnut Rd & Adjacent Lots, Town Beach Road, Violation / Enforcement Order issued to Alex Haidar, Land Clearing in BVW and Buffer Zone at #5 Walnut Road. Site plan has been produced by Berkshire Engineering, and site visit was conducted on May 9th by Tom Ingersoll pursuant to developing a restoration planting and stewardship plan. Applicant switched to Guntlow & Associates for representation and preparation of restoration plan. Site Visit held 7/28/22. Guntlow & Associates has left the project. **Amended Enforcement Order issued 9-23-2022. At the request of the applicant, the hearing has been continued to the December 13, 2022.**

d. Discussion of request from Michael Parzych of Cable Care Construction of Scotia, NY on behalf of Spectrum Cable TV to replace a section of coaxial cable running in an existing under-ground conduit from view drive to a second pole +/- 380 ft. east to connect to a residential customer. The only disturbance will be shovel digging +/- 12 inches from pole to conduit.

7. Open NOI/OOCs, RDAs: Recent Inspections and Action Items: Rose Pond Outlet inspection and Malumphy request for cutting up dead and fallen trees off the south side of Rossiter Road.

8. Richmond Pond Association: Last meeting of year held October

12. Citizen Speak Time / Commission Speak Time / Press Speak Time

13. Adjournment

NEXT MEETING: January 10, 2023 at 6:30 PM, **NEW SUBMISSIONS DUE:** December 21, 2022

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

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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 to the extent permitted by law.