

Richmond Conservation Commission

Tuesday, May 10, 2022 at 6:30 P.M.

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

POSTED 05/05/2022 3:30PM

Link: <https://us02web.zoom.us/j/88176528082?pwd=T2thTGZOWZZSVMrZE1RTHVvY0w3Zz09>

Meeting ID: 881 7652 8082 Passcode: 992377 Phone +1 646 558 8656

Recording Notification (See note (1) below).

AGENDA

1. **Review & approval of the minutes** of the April 12, 2022 meeting.
2. **DPW Items**
 - a. **Requests for Determination of Applicability: None**
 - b. **Notices of Intent**
 - i **Notice of Intent, DEP File # 271-0219:** Bundled Notice of Intent from Foresight Land Services on behalf of the Town of Richmond Department of Public Works. The property consists of various locations on local roadways in the Town of Richmond. The proposed work consists of routine maintenance and repairs to various elements of the roadway system. This public hearing will be conducted in accordance with the Massachusetts Wetlands Protection Act and the Richmond Local Wetland Bylaw. At the applicant's request, **continued from the January 11, 2022 meeting.**
 - c. **Emergency Certifications Ratification: None**
3. **Requests for Determination of Applicability New/Continued/Extensions (Non DPW):**
 - a. Request for Determination of Applicability from Berkshire Engineering on behalf of Thomas Casey, property at 311 Yokun Road, Map 404 Lot 52. The proposed work consists constructing an

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upgrade to a Subsurface Disposal System within the Buffer Zone of an Intermittent Stream. **Approved to be issued as a negative #3 upon receipt of revision showing erosion controls. Revision received.**

b. Request for Determination of Applicability from Kenneth E. Kelly, property at 76 Lake Road Extension, Map 102 Lot 36. Proposed work is reconstruction and/or extension of path, steps and railing downhill from Lake Road Ext. parking area to the Kelly family seasonal cottage. All work to be done in the outer 100 feet of the 200 ft. Buffer Zone around Richmond Pond.

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. **Continued from April 12, 2022.**

b. **Notice of Intent, DEP File # 271-0232** from SK Design Group on behalf of Charles Gowen, property at 525 Canaan Rd, Map 406 Lot 6. The proposed work includes construction of a garage as an addition to the existing house, related site work and maintenance of the existing fire storage impoundment. The Commission conducted a site visit on Thursday, April 7, 2022. **Continued from April 12, 2022**

5. **Certificate of Compliance (CoC) Requests:** At the Levy property, 20 Swamp Road, Map 102 Lots 53 & 54. Three Orders of Condition: DEP #271-0192; DEP #271-0202 and DEP #271-0210. The Commission conducted site visits on Thursday, April 7, 2022 with Matthew Puntin P.E. from S-K Design Group, Inc. **ConCom voted approval at April 12, 2022 meeting.**

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 with the expectation that DCR would present a restoration plan for acceptable to the Commission and which DCR is prepared to implement in the 2022 growing season. Awaiting more complete details including plantings and retention of a peer reviewer to advise the Commission. **Continued from February 8, 2022.**

b. **159 Willow Drive** Enforcement Order Status, awaiting status re: ZBA Filing for Special Permit as required by Building Inspector. **Continued from April 12, 2022**

c. **5 Walnut Rd, Town Beach Road,** Violation / Enforcement Order issued to Alex Haidar, Land Clearing in BVW and Buffer Zone. Site plan has been produced by Berkshire Engineering, and site visit has been conducted on May 9th by Tom Ingersoll pursuant to developing a restoration planting and stewardship plan.

7. Special Permits, Variances or Appeals Recommendations: None

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8. Open NOI/OOCs, RDAs: Status, Recent In-process Inspections and Action Items:

- a. 461 East Rd. Conservation Agent inspected erosion controls.
- b. Dublin Rd bridge post construction – awaiting completion of planting by the Town

9. Agent Report

- a. Site Plan reviews; b. Other Board Permit reviews c. Miscellaneous d. Open Issues

10. Richmond Pond Association: RPA Meetings will resume April 2022

- a. Report out by Tom Potter on April 26 the meeting

11. Discussion of Open Space and Recreation Plan action items:

- a. Resolution in support of Planning Board's proposed zoning bylaw amendment addressing usage of Conservation Land for recreation to be voted on at Town Meeting.
- b. Conservation Land/Fund Discussions: Richmond Shores Parcel 101.0-0142-0000.0, Corner of Shore & Beach Rd and Shore Line up to Town line approved for Conservation by Select Board and West Shore Proposed Lot Survey: Status.

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

13. Other discussions including items not reasonably anticipated prior to Agenda posting

- a. Awaiting response from DEP re an RDA from Wood Environment & Infrastructure Solutions on behalf of CSX Transportation seeking certification of resource area boundaries.

14. Bylaw/Process/Operating Instructions Change Discussions:

- a. Meeting time & Site Visit schedules
- b. Instructions for applicants
- c. Standard Conditions update

15. Adjournment

NEXT MEETING: June 14, 2022 at 6:30 PM

NEW SUBMISSIONS REQUESTED BY: May 25, 2022

- (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 to the extent permitted by law.