

Richmond Conservation Commission

Wednesday, November 9, 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 11-3-22 at 2:30PM

Link: <https://us02web.zoom.us/j/86731397926?pwd=Q3hxWDIyV2x3eGI5VzVVNTlwU3hzQT09>

Meeting ID: 867 3139 7926

Passcode: 563904

Phone +1 646 931 3860

Recording Notification (See note (1) below).

AGENDA

- Review & approval of the minutes of the September 13, 2022 & October 19, 2022(Executive Session) meetings.

1. 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. **At the applicant's request, continued until further notice.**

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) New/Continued/Extensions (Non DPW):

a. **RDA from Jenifer Stover**, property at 495 Swamp Road, map 404 Lot 25. The work proposed will consist of constructing a garage addition (+/- 12' x 26') to an existing garage and single-family house within the buffer zone of a vegetated wetland.

b. **RDA under the Berkshire Scenic Mountains Act** regulations from Foresight Land Services on behalf of Paul Lennard, property at 234 East Slope Road, map 402 Lot 29. The work proposed consists of constructing a 560 sq.ft. footprint addition to an existing single-family house with garage below and living space above.

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- c. **RDA from John Mountain**, property at 1448 Dublin Road, map 408 Lot 77. The work proposed consists of removing 12 dead, diseased or dangerous trees in the Buffer Zone of an intermittent stream.
- d. **RDA from Carol Silverman**, property at 40 Lake Rd, Extension, map 102 Lot 41. The work proposed to be completed over the coming three years is all in the Buffer Zone of Richmond Pond and consists of removing 8 dead, diseased or dangerous trees and trimming two trees over-hanging a residence.

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 September 13, 2022.**

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 September 13, 2022.**
- b. **159 Willow Road** Enforcement Order Status: ZBA Filing for Special Permit was rejected for lack of detail. **Continued from July 12, 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 November meeting.**
- d. **Discussion and consideration of adopting “Rules for Hiring Outside Consultants Under General Law, Chapter 44, Section 53G”.**

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

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8. Agent Report

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

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

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

- a. 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.
- b. USDA Agricultural Land Preservation

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

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

14. Bylaw/Process/Operating Instructions Change Discussions:

- a. Filing Instructions for applicants-Approved update posted on Richmond Website
- b. Standard Conditions: Update in process
- c. Applicant to ConCom contacts written documentation

15. Adjournment

NEXT MEETING: December 13, 2022 at 6:30 PM, **NEW SUBMISSIONS DUE:** November 29, 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 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.