

# Richmond Conservation Commission

Tuesday, September 13, 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 09/08/2022 2:30PM**

**Link:** <https://us02web.zoom.us/j/85749838826?pwd=T1NUbm4zUW1VSFA0NWw0eFpzSzJPdz09>

Meeting ID: 857 4983 8826

Passcode: 945748

Phone +1 646 558 8656

**Recording Notification (See note (1) below).**

## AGENDA

- **Review & approval of the minutes of the August 16, 2022 meeting.**

### 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. 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. At the applicant's request, **continued from the January 11, 2022 meeting.**

**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 Guntlow & Associates, Inc, on behalf of Alex Haidar, property at 0 Walnut Road, Map 101 Lot 7. Proposed work includes the installation of a split-rail fence along the northern property line of this parcel. Also proposed is removal of any dead trees only within Wetland Buffer Zone and not in any delineated wetlands or Priority Habitat. Continued from August 16, 2022**

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- b. **RDA** from Richard Seligman, property at 200 Shore Road, Map 101 Lot 161. Proposed work consists of cutting and removing a large dead deciduous tree +/-20 foot from Richmond Pond.
- c. **RDA** from Pete Killeen on behalf of the Branch Farm Condo Association, property at Branch Farm Road, Map 102 Lot 2. The proposed work consists of cutting down and removing several dead, diseased and/or dangerous Hemlock, Pine and other trees within the Buffer Zone of 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 at applicants request from July 12, 2022**
- b. **Notice of Intent, DEP File # 271-0228: Amendment to original approved permit filed for building footprint expansion** from White Engineering on behalf of Vincent & Shawna Stango, property at 951 West Road, Map 407 Lot 56. The proposed work consists of partial demolition and construction of an addition to an existing single-family house in the Buffer Zone of a private pond. This hearing will be conducted under the Mass. Wetlands Protection Act and the Richmond Wetland Bylaw. **Continued from August 16, 2022: Awaiting final buffer planting plans and Operation and Maintenance Plan for Buffer Strip and Drainage Swales.**
- c. **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. **Approved at the June 14, 2022 meeting subject to receipt of final planting plan indicating the number of trees versus shrubs, acceptable to the Commission, before issuing the Order of Conditions and subsequent start of work.**

#### 5. Certificate of Compliance (CoC) Requests:

- a. **Levy property**, 20 Swamp Road, Map 102 Lots 53 & 54. Three Orders of Condition: DEP #271-0192; DEP #271-0202 and DEP #271-0210. **Certificates of Compliance issued on 8/26/2022.**
- b. **King Property** 916 Lenox Rd., Map 241 Lots 57 & 81. Order of Conditions SMA File #5-10-2016 and Enforcement Order of 7-1-2018. **Certificate of Compliance issued 9-01-2022.**

c.

#### 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 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 July 12, 2022. Awaiting DCR advance to cover ConCom Peer Review Consultant.**

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- 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 has been conducted on May 9<sup>th</sup> by Tom Ingersoll pursuant to developing a restoration planting and stewardship plan. Applicant has switched to Guntlow & Associates for representation and preparation of restoration plan. Site Visit held 7/28/22.  
**Hearing continued to 13 September 2022.**
- 7. Open NOI/OOCs, RDAs:** Status, Recent In-process Inspections and Action Items:
- a. Dublin Rd bridge post construction – awaiting receipt of final planting drawings
- 8. Agent Report**
- a. Site Plan reviews;
  - b. Other Board Permit reviews: Fox Homes
  - c. Miscellaneous:
  - d. Open Issues
- 9. Richmond Pond Association:** RPA Meetings will resume April 2022
- a. Report out by Ron Veillette on August meeting
- 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**
- a. MACC Conference October 15th
  - b. Mowing along Town Beach Rd
  - c. 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. Filing Instructions for applicants-Approved update to be put on Richmond Website- Status
  - b. Standard Conditions: Update
  - c. Applicant contacts documentation

## **15. Adjournment**

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**NEXT MEETING:** October 11, 2022 at 6:30 PM, **NEW SUBMISSIONS DUE:** September 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 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.