

**Richmond Conservation Commission Minutes**  
**Tuesday July 9, 2019 at 7PM. Richmond Town Hall 1529 State Road**

**Call to order and Introductions**

- Ron Veillette, Chair called the meeting to order at 7PM.
- Ron Veillette made this statement:

**Notice:** This meeting will be recorded by the Richmond ConCom (1) and if any other person will be recording the meeting they are to notify the committee at this time.

- Commission members present: Ron Veillette Chair, Dan Scorpa, Bob Dahlen, John Scorpa (associate member) Shep Evans (associate member and agent)
- Commission members absent: Adam Weinberg, Pat Seckler, Nick Martinelli
- Applicants and Others Present: Claudia Ryan (recording secretary) Shannon Boomsma (White Engineering, Inc)

**1. Review & approval of the minutes from the June 25, 2019 meeting.**

Ron Veillette asked if there were any comments concerning the minutes. There were none.

Shep Evans made a motion to accept the minutes, Ron Veillette seconded it and it passed unanimously.

**2. Notices of Intent: None**

**3. Request for Determination of Applicability**

**3A. WPA RDA from White Engineering on behalf Sally Chavarry**, property located at 78 Dublin Road, Map 402 Lot 47. The proposed work consists of constructing a 23 ft. by 25 ft. garage addition to a single- family residence located in the Riverfront Area between two perennial streams.

Shannon Boomsma from White Engineering Inc. spoke on behalf of the owners. She presented the plans for the proposed garage and explained to the Commission the location of the garage in relationship to the two perennial streams. Scace Brook will be to the south of the proposed building and an unnamed brook is to the north of the proposed building. Scace Brook will be 145 feet from and the other Brook will be 165 feet from the garage. The building will be built on a cement slab with a 4ft frost wall. There will not be any gutters on the roof but there will be an apron 2 feet wide by 2 feet deep of stone from the edge of the slab for erosion prevention from the roof runoff. There will be 575 sq. ft of land disturbance for building the garage (the dimensions of the slab) and they plan on putting in 695 sq. ft of native trees and shrubs to replace the disturbed land area. They will not have to remove any trees for this project. John Scorpa asked about the slope of the land. Ms. Boomsma stated that there is a slight slope but that it will be made level prior to pouring the slab. Shep Evans stated that there was an area down by Dublin Rd. where sediment did accumulate but that was actually on town owned land. Ron Veillette asked if there could be native plantings and shrubs

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placed there. Ms. Boomsma stated that they would do it if the town would allow it. Shep Evans wasn't very hopeful that the town would agree to that so Ron Veillette stated he would like to see the plantings put on the property owner's land adjacent to the town land.

Ms. Boomsma stated that the straw waddles that will be used to hold back any sediment will be 20ft from the excavation on the south and west sides of the garage and will act as the work limit line.

Ron Veillette asked Ms. Boomsma if the entire driveway will be made of gravel, a pervious material, and she stated that the entire driveway right up to the garage will be gravel, no black top will be used.

Shep Evans asked about the plantings that were to be used. Ms. Boomsma stated that the contractor was anxious to begin the job. It was decided that the contractor should supply a MA Native species plant list and plan prior to beginning construction to the ConCom/Shep Evans but they did not have to wait until the next ConCom meeting to begin work but only the appeal period.

Ron Veillette asked if this project should have been permitted thru an NOI not just an RDA. Ms. Boomsma stated that the DEP was aware of the project and made no comments to them about it. Shep Evans stated that an NOI was not necessary for this project. Ron Veillette told Ms. Boomsma that they were to make sure no pesticides or fertilizers were to be used and this would be included in the conditions.

The normal conditions will be required along with special conditions

1. A minimum of 690 sq. ft of MA native plantings and shrubs approved of by the ConCom
2. The area that is town owned where sediment build- up takes place (Southeast corner) be planted with native plantings and shrubs and if the town doesn't approve then the plantings be placed on the owner's property.
3. The use of herbicides, pesticides, fungicides, fertilizers or other chemical treatment is prohibited unless specifically allowed by the commission.
4. The driveway and garage apron will remain a permeable surface.

Shep Evans stated that this project can go forward with a Negative Determination #5.

This is a redevelopment of Riverfront with improvements being made to it. It falls with-in the 10% threshold or 5,000 sq. Ft. There is 56,625 sq. ft. of Riverfront area and the house, garage and driveway will only be 3625sq. ft.

Ron Veillette made a motion to approve the RDA with these conditions. Bob Dahlen seconded and it was passed unanimously.

#### **4. Discussion of Enforcement Orders:**

**4A. 159 Willow Road:** After the minutes of June 25, 2019 meeting are approved and signed, the Notice of Enforcement Order approved at that meeting will be notarized, attested to by the Town Clerk, and recorded by the Conservation Agent.

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Shep Evans told the Commission that the interim Town Administrator is looking into who in the town is authorized to approve and give out the fines that are in the bylaws. Shep Evans spoke with a representative from SK Design about the project and he was told by the person from SK Design that none of the work being done meets code. Shep Evans told the commission that he will get the Notice of Enforcement Order recorded at the Registry of Deeds.

**5. Recommendations to permit granting authorities on Special Permits, Variances or Appeals.**

**5A. Variance Request:** Richmond Volunteer Fire Department proposed Garage Building.

**5B. Variance Request:** Richmond DPW's proposed Storage Shed replacement

Ron Veillette Chair stated that he wrote letters to be sent to the ZBA with the Commission's recommendations. Shep Evans made a motion that the letters be sent to the ZBA. Dan Scorpa seconded it and it passed unanimously.

**6. Discussion of the status of the Conservation Fund. None**

**7. Discussion of the status of action item(s) in the Town OSRP. None**

**8. Status of planned review of Richmond Local Wetland Bylaw (Ch.XII) and Town of Richmond Regulations under the Berkshire Scenic Mountains Act (MGL Ch 131 Sec. 39A). No discussion**

**9. Richmond Pond Association update. No recent meeting**

**10. Instructions for Applicants update. No discussion**

**11. Open NOI/OOC's & RDAs Status and Action Items**

**11A. Discussion of Levy property beach at 20 Swamp Road re planting and sand Spec.**

Ron Veillette Chair said he spoke with Sarah Gapinski from SK Design about the plan that was submitted at last month's meeting concerning the sand and the planting plan and has no problems with what they are going to do. She indicated that the clean sand would come from Northeast Paving in Lenox. Also that the plantings specified were the minimum and Sarah indicated that the owner would add plantings in the future as necessary to protect the shoreline. Ron Veillette asked Shep Evans to put a copy of the beach plan into the records.

**11B. Discussion of 144 Shore Road RDA Positive Determination: Tree removal tied to shoreline planting.** It was discussed that the owner needs to provide a plan of the shoreline plantings that covers a minimum of the same square footage as that of the trees that are proposed to be taken down. The Con Com will conduct a site visit upon completion of the project.

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**12. Inquiries to ConCom about future/ possible applications.**

12A. Received two potential RDA inquiries for tree removals on the Richmond Pond waterfront from Chris Wechter of the Richmond Shores Civic Association (RSCA).

A land owner has requested that he be able to remove 1 tree from his property and also on behalf of the Richmond Shores Civic Association requested that several trees from their beach be removed. The trees on both properties have apparently died.

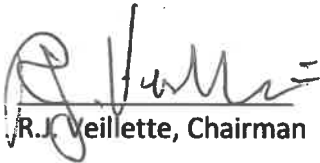
Ron Veillette also requested from Shep Evans their names and contact information for the RSCA so he could contact them to provide them some educational material on Shorefront and Buffer Zone/Riverfront management.

**13. Citizen Speak time. None**

**14. Mail received, and other topics not reasonably anticipated prior to Agenda posting.**

Shep Evans mentioned 1 item of interest. The Town of Richmond received a beaver permit for the breaching of a beaver dam and adjustment of the flow control device at 945 Lenox Road. It was causing flooding on the road. Shep Evans and John Olander (BOH) signed the permit.

**15. Adjournment.** Ron Veillette made a motion at 7:55 PM to adjourn it was seconded by Shep Evans and passed unanimously.

  
R.J. Veillette, Chairman