

# Richmond Conservation Commission Minutes

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

This was a zoom meeting, it was done remotely due to the COVID-19 restrictions

## Call to Order and Introductions:

**Mr. Veillette** opened the meeting at 6:33 P.M. "Notice: This meeting will be recorded by the Richmond ConCom (1) and if any other person will be recording this meeting, they are to notify the Commission at this time."

Commission Members Present: Ron Veillette-Chair, John Scorpa, , Bob Dahlen (arrived late, associate member), Adam Weinberg, Ernie Smith, Kristian Marzotto, Tom Potter, Pat Seckler (arrived late),Shep Evans(agent)

Commission Members Absent: Dan Scorpa (associate member),

Applicants and Others Present: Charlie & Sue Gowen, James Scalise (SK Design Group), Holly & Dick Stover, Ken Kelly, Linda Kay

1. **Review and Approval of minutes:** No additional comments were provided from the Commission. Mr. Veillette made a motion to approve April 12, 2022 minutes. Motion seconded by Adam Weinberg and approved unanimously by roll call vote.
2. **DPW Items:**
  - a. **Requests for Determination of Applicability:** NONE
  - b. **Notices of Intent,**
    - i. **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 was 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**  
Mr. Veillette made a motion to continue to the June 14th meeting, it was seconded by Adam Weinberg and passed unanimously by roll call vote.
  - c. **Emergency Certifications Ratifications: 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 of constructing an upgrade to a Subsurface Disposal System within the Buffer Zone of an Intermittent Stream. This public hearing was conducted in accordance with the Massachusetts Wetlands Protection Act and the Richmond Local Wetland Bylaw. **This had been Approved and Continued to be issued as a Negative #3 contingent upon receipt of revised plan showing erosion controls with labels of type and location.**  
Mr. Veillette stated that the Commission has received the updated plans and Mr. Evans stated he will close out the item.

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- 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.

Mr. Kelly displayed a drawing of the project for the members. Mr. Kelly stated that the project would reduce the runoff into the pond. He stated that the steps and railing are needed due to a family member being unable to walk down to the cottage the way it is. Mr. Veillette made a motion for a Negative Determination #3 with standard conditions. It was seconded by Tom Potter and passed unanimously by roll call vote.

#### 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 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 reestablish control over pond water levels and related site work. This hearing was conducted under Mass. Wetlands Protection Act and the Richmond Wetland Bylaw. **Continued from April 12, 2022 meeting.**

Mr. Veillette made a motion to continue the hearing until the June 14, 2022 meeting since they must wait until they receive the water quality certificate prior to making any decisions. The motion was seconded by Mr. Marzotto and passed unanimously by roll call vote.

- b. **Notice of Intent, DEP File# 271-0232** from SK Design Group on behalf of Charles Gowen, property at 525 Canaan Road, 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

Mr. Scalise (SK Design Group) spoke on behalf of the applicant. He displayed a drawing of the project (which is attached to the minutes) and spent time detailing the project to the commission. He explained that they have discussed the project with DEP and there aren't any issues that DEP has since the project does qualify as a limited project, it is for a fire-pond which the town's fire chief has stated is necessary for the safety of the property. The plan details that they intend to remove 20 trees which he stated are either dead, in very bad shape or will impede impoundment excavator movement. Only two healthy pine trees will be removed. The plans call for the planting of 1 for 1, of non-invasive species of trees and vegetation.

Mr. Evans stated that the plans are very well detailed, and that Mr. Scalise did a very detailed and understandable explanation of the project. Mr. Scalise stated that they hope to start the project early this summer during the dry season for the pond portion and replanting of the project.

Mr. Veillette asked Mr. Scalise many questions concerning the project which he answered.

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Mr. Veillette made a motion to continue the hearing to the June 14<sup>th</sup> meeting to allow for the commission to decide on what special conditions this project will require. The motion seconded by Mr. Seckler and passed unanimously by roll call vote.

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

- a. At the Levy property, 20 Swamp Road, Map 102 Lots 53 & 54. Three Orders of Conditions: 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.**

Mr. Evans stated that the Certificates of Compliance will be issued and that members of the commission need to come to Town Hall to sign them.

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

- a. **View Drive Fire Tower Pole 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 the April 12, 2022 meeting.**

Mr. Evans stated he has spoken with Berkshire Engineering and they would be willing to do the peer review but there still isn't enough information from DCR to start the reviewing of the proposed project.

- b. **159 Willow Drive Violation: Enforcement & Ticket Status: ZBA filing as required by Building Inspector. Continued from April 12, 2022** Mr. Veillette stated they are waiting for the ZBA meeting concerning the property to take place. Mr. Evans stated that Mr. Bohlman has submitted his paperwork to the ZBA.

**c. Walnut Rd, Town Beach Road, Violation / Enforcement Order issued to Alex Haidar, Land Clearing in BVW and Buffer Zone.** A 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.

Mr. Evans explained to the members what the issue was and what needed to be done by the owner. The owner hired Berkshire Engineering to survey the property and Mr. Ingersoll has been hired to create a planting plan for the property. Mr. Ingersoll wants to first stabilize the area with a conservation mix of seed to promote the stabilization of the site and mitigate against invasive plant species from taking root there. Mr. Veillette made a motion to direct the owner to seed with conservation mix per the recommendation of Mr. Ingersoll. Mr. Weinberg seconded the motion and it passed unanimously by roll call vote. Mr. Ingersoll told Mr. Evans that he would like to bring the property back to its natural state in terms of trees and plants that should be re-introduced into the site.

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7. **Special Permits, Variances or Appeals Recommendations:** None

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

9. **Agents Report**

- a. Site Plan: None
- b. Inquiries: none
- c. Permit reviews None
- d. Open Issues:

10. **Richmond Pond Association:**

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.

Mr. Veillette would like the Commission members to vote on sending to the Select-board the resolution that he wrote up affirming their support for the Planning Board's Open Space Recreation Zoning By-Law which will be voted on at Town Meeting to the Select-board. He made a motion for that, it was seconded by John Scorpa and Mr. Potter abstained from voting and all other members voted aye. Mr. Veillette stated he would send a letter with the resolution of support and include all the members names except for Mr. Potter's name.

- 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. No new information, Mr. Evans would speak with the surveyor.

12. **Citizen Speak Time/ Commission Speak Time/ Press Speak Time:** None

13. **Other discussions including items not reasonably anticipated prior to Agenda posting:** None

14. **Bylaw/Process/Operating Instructions Change Discussions:**

- a. Meeting time & Site Visit schedules

Mr. Marzotto asked if the Commission could set an earlier time on Saturdays for site inspections and consensus was set for 10AM for the Saturday site inspections.


- b. Instructions for applicants- Mr. Veillette is working on updated/new instructions.
- c. Standard Conditions update- Mr. Veillette stated that some of the Special Conditions should be incorporated into the Standard Conditions and would prepare a draft proposal.

**Richmond Conservation Commission Minutes**

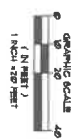
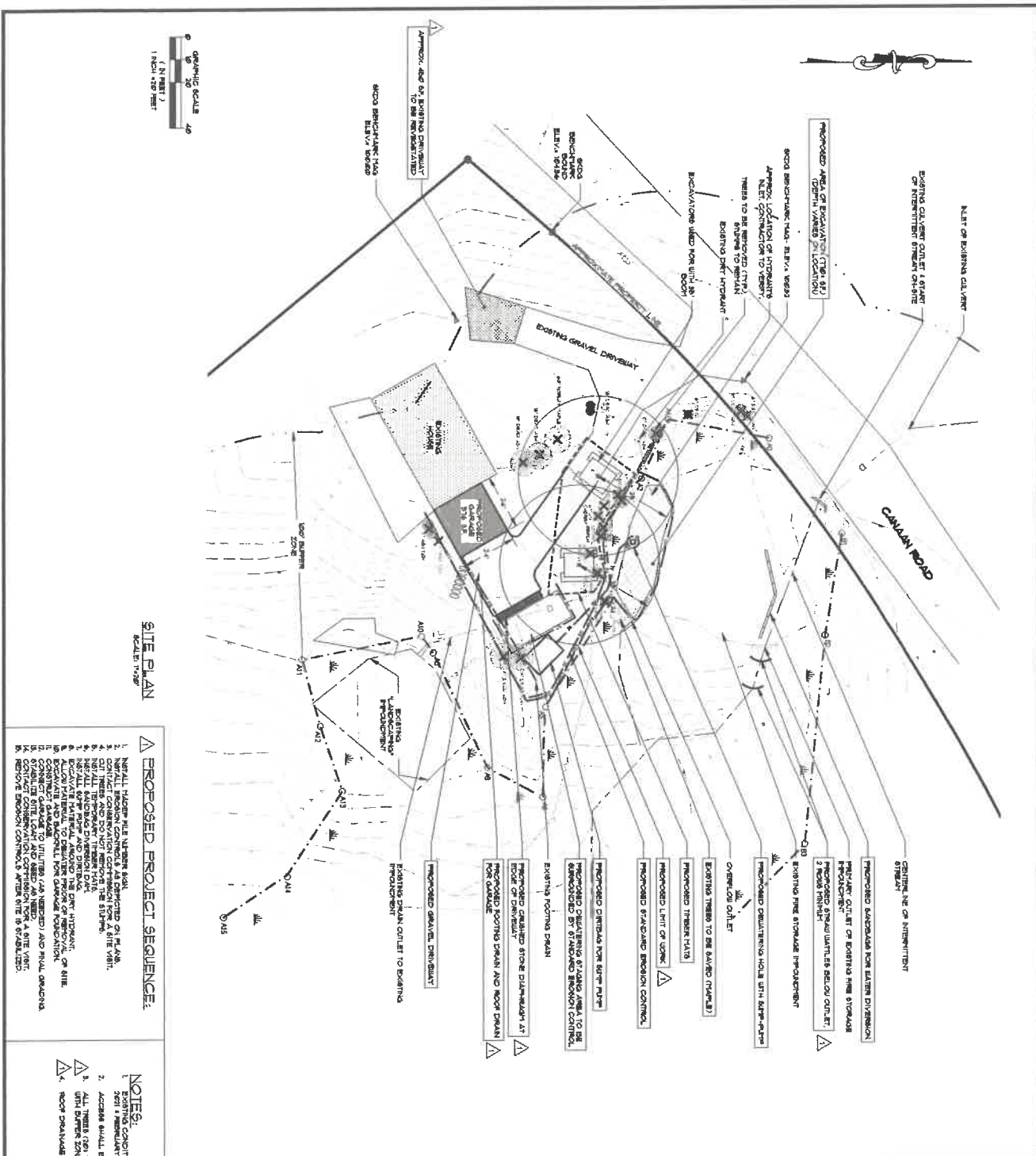
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15. **Adjournment:** Mr. Veillette made a motion at 8:33 PM to adjourn the meeting, it was seconded by Mr. Weinberg and passed unanimously.

 6/14/22  
Mr. Veillette- Chair      Date

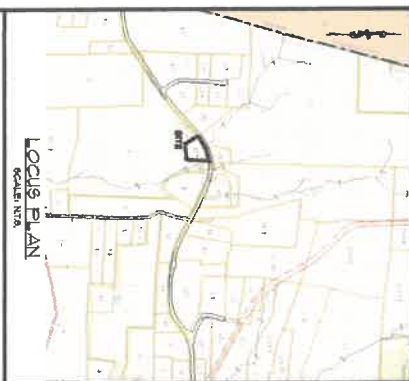
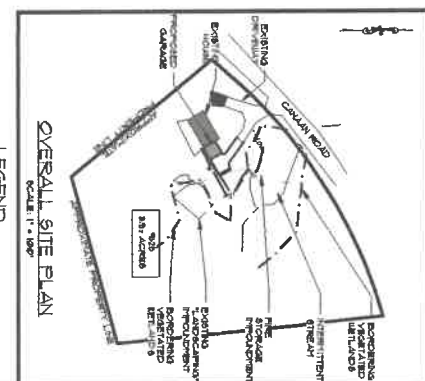
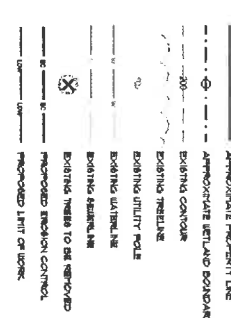
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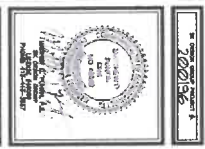
**SITE PLAN**  
SCALE 1/8" = 1'-0"

- PROPOSED PROJECT SEQUENCE:**
1. INITIAL VISIT TO THE PROPERTY
  2. INITIAL EXCAVATION CONTROL AS DEPICTED ON P. 4/18.
  3. CONTRACTOR OBTAIN PERMITS FOR A SITE VISIT.
  4. CONTRACTOR OBTAIN PERMITS FOR A SITE VISIT.
  5. INITIAL EXCAVATION CONTROL AS DEPICTED ON P. 4/18.
  6. INITIAL EXCAVATION CONTROL AS DEPICTED ON P. 4/18.
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  19. INITIAL EXCAVATION CONTROL AS DEPICTED ON P. 4/18.
  20. INITIAL EXCAVATION CONTROL AS DEPICTED ON P. 4/18.

- NOTES:**
1. ALL EXCAVATION SHALL BE OPEN THROUGH THE YEAR. CONSTRUCTION SHALL BE COMPLETED BY 12/31/2007.
  2. ALL EXCAVATION SHALL BE OPEN THROUGH THE YEAR. CONSTRUCTION SHALL BE COMPLETED BY 12/31/2007.
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DATE	BY	REVISION
APRIL 11, 2007	CSX	1
APRIL 11, 2007	CSX	2

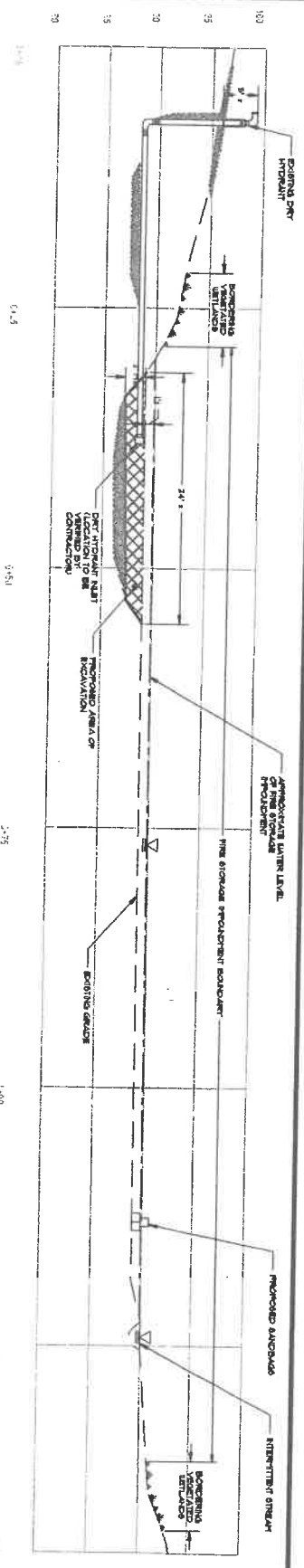


**Design Group, Inc.**  
Civil Engineers • Surveyors • Consultants

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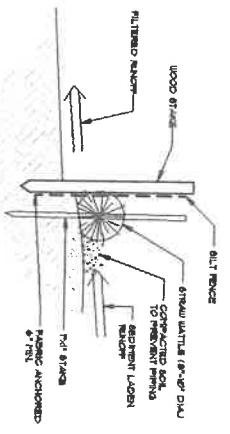
**SITE PLAN**

PLANS TO ACCOMPANY NOTICE OF INTENT  
PREPARED FOR:  
**CHARLES GOWEN**  
LOCATED AT:  
525 CANAAN ROAD  
RICHMOND, MASSACHUSETTS

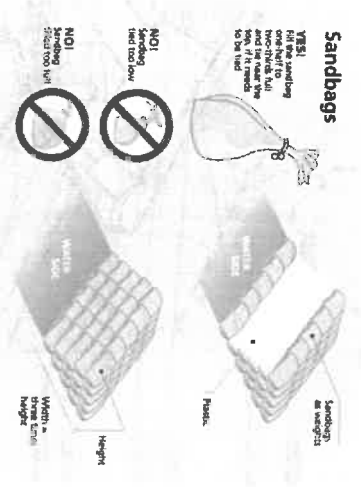


1 SITE PROFILE  
SCALE: 1" = 4'

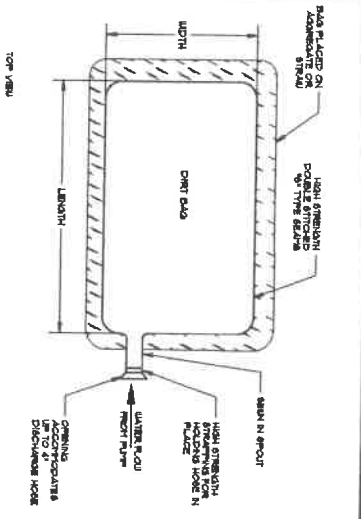
NOTE: EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES SHALL NOT BE ALLOWED TO FAIL UNDER ANY CIRCUMSTANCES.



2 DETAIL - STANDARD EROSION BARRIER  
SCALE: N/A



3 DETAIL - WATER DIVERSION SANDBAGS  
SCALE: N/A



4 DETAIL - DIRTBAG FOR DEWATERING  
SCALE: N/A

NO.	DATE	BY	REVISION
1	10/20/06	ASB	ISSUE FOR PERMIT
2	10/20/06	ASB	ISSUE FOR PERMIT



**Design Group, Inc.**  
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www.designgroupinc.com

FOR RECORD  
**DETAILS**

PLANS TO ACCOMPANY NOTICE OF INTENT  
PREPARED FOR:  
**CHARLES GOWEN**  
LOCATED AT:  
525 CANAAN ROAD  
RICHMOND, MASSACHUSETTS