**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**August 18, 2016 7:30PM**

*Present: Peter Delaney, Lana Spillman, Paris Beckett, Frank Di Luna, Mark Mitsch, Alan Fowler*

*Absent: Natasha Grigg, Minutes Sec’y Judi Stickney*

*Others Present: Conservation Director Ross Povenmire, Craig Zeltsar, John Morin, Greg Hochmuth, Greg Paul, Justin & Betsy Hirsch*

**Meeting Called to Order:**

With a quorum present, Chairman Delaney called the meeting to order at 7:34PM.

**7:34PM PUBLIC HEARINGS AND SCHEDULED DISCUSSION ITEMS:**

* **Water Restrictions**

**Documents Submitted:**

* + **Report on Fire Hydrants:** The Chair advised there are no hydrant problems that he is aware of, although there has been no new report from the Fire Department.
* **DNI 29016-20: 56 Surrey Lane, 38-2-9.4, Zeltsar**

**Documents Submitted:**

* + **Letter from Craig and Heidi Zeltsar to the Conservation Director:** Re: Determination Negligible Impact to Cut Four Trees, 8/15/16
  + **4 Photos**

Craig Zeltsar met with the Conservation Commission seeking a Determination of Negligible Impact to cut down four trees on the property line that pose a danger to the house. He added that Mayer Tree has viewed the trees and there was a concern about one of the trees falling onto the children’s bedroom. Zeltsar provided photos for the Commissioners to view as he made his presentation. The Conservation Director made a site visit and contributed to the discussion, providing information on the Bordering Vegetated Wetland.

On a **MOTION** made by **Spillman**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact for the removal of four trees in the buffer zone at 56 Surrey Lane, under the Bylaw.

* **NOI 114-1232: 19 Stonecleave Road, 31-1-6, Caperonis:**

**Documents Submitted:**

* + **Plans: Sanitary Disposal System Repair Plan:** 19 Stonecleave Road, Boxford, Mass.; prepared for Serena Caperonis, prepared by The Morin-Cameron Group, Inc., stamped by John M. Morin, dated 7/29/16
  + **Notice of Public Hearing:** To remove an existing septic tank, abandon an existing leach field and install a new septic system upgrade with associated site improvements, as well as a sump pump extension and tree removal not associated with septic system upgrade
  + **WPA Form 3 – Notice of Intent:** 19 Stonecleave Road, Boxford, Mass.

The Director collected proof of abutter notifications and read aloud the public meeting notice. John Morin, of The Morin-Cameron Group, representing the homeowner, appeared before the Conservation Commission with a Notice of Intent for a new septic system. Morin provided the Commissioners with plans and photographs to view as he made his presentation. Morin noted that they would also be removing a tree, not associated with the septic system installation, within the 25-foot No Disturb zone, as it presents a hazard to the property. After a brief discussion, the Commissioners decided to schedule a site visit for Thursday, August 25, at 5:30PM, and Morin requested to continue the hearing to September 1.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1232, 19 Stonecleave Road, to September 1, under the Act and the Bylaw.

* **NOI 114- : 41 Woodcrest Road, 20-9-12, Gould**
* **Enforcement Order Arbor Care Tree Company**

**Documents Submitted:**

* **Plan to Accompany Notice of Intent:** 41 Woodcrest Road, prepared by Williams & Sparages, stamped by Richard L. Williams, dated 8/3/16
* **Notice of Intent Packet:** Prepared by Williams & Sparages, dated 8/2/16, prepared for applicant Josh Gould, 41 Woodcrest Road, Boxford, Mass.
* **2 Photos**
* **Notice of Public Hearing:** to add fill material, patio, shed, and swing set within 100 feet of Bordering Vegetated Wetlands.

The Director proceeded to read aloud the public notice and collected proof of abutter notifications. Greg Hochmuth of Williams & Sparages, representing the applicant, appeared before the Conservation Commission with a Notice of Intent to add fill material, patio, shed and swing set within 100 feet of a Bordering Vegetated Wetland. Hochmuth provided photos and plans for the Commissioners to view as he made his presentation. After a brief discussion, the Commissioners decided to schedule a site visit for Thursday, August 25, at 6:00PM, and Hochmuth requested to continue the hearing to September 1.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-, 41 Woodcrest Road, to September 1, under the Act and the Bylaw.

John, a representative from Arbor Care Tree Company, was also in attendance, as required by the Enforcement Order, and agreed to work with the homeowner.

* **NOI 114-1233: 36 Andrews Farm Road, 38-3-35, Conn**

**Documents Submitted:**

* + **Water Connection Options:** Andrews Farm Water Co., Connection to Topsfield Water, July 2016
  + **WPA Form 3: Notice of Intent:** Andrews Farm Water Co., Inc., 36 Andrews Farm Road, Boxford, Mass.
* **Grading & Drainage Plan:** Andrews Farm, Boxford, Mass., prepared by Hancock Survey Associates, stamped by A.F. Sharry III, dated 11/2/89, revised 12/20/89, 1/24/90, 7/20/16
* **Notice of Public Hearing:** to provide a permanent connection water line to the Town of Topsfield Water Service within the 100-foot buffer zone to a bordering vegetated wetland.

The Director read aloud the public notice and collected proof of abutter notifications. Patrick Seekamp of Seekamp Environmental Consulting, representing the applicant, appeared before the Conservation Commission with a Notice of Intent to work within the buffer zone to allow an underground connection from the hydrant in Topsfield to provide a water supply to the Andrews Farm subdivision. Seekamp provided photos and plans for the Commissioners to view as he made his presentation. There ensued a lengthy discussion on the use of the term “permanent connection”. The Conservation Commission agreed on adding a finding, “The Conservation Commission makes no finding with regard to the validity of the connection and/or whether the connection is permanent or temporary.” After the lengthy discussion, the Commissioners were satisfied that there would be findings in the Order of Conditions to indicate the Conservation Commission is not approving a permanent solution to the water issues, and the applicant requested to close the hearing.

On a **MOTION** made by **Di Luna**, second by **Spillman,** the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1233, 36 Andrews Farm Road, under the Act and the Bylaw.

After the vote, it was determined that the packet did not include a valid plan to accompany the Notice of Intent.

On a **MOTION** made by **Di Luna**, second by **Mitsch,** the Conservation Commission **VOTED** unanimously to rescind the motion to close the hearing, under the Bylaw.

On a **MOTION** made by **Di Luna,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to require plans submitted that comply with the provisions of the Bylaw.

Seekamp expressed his concern that the Conservation Commission is just noticing now that the proper plans were not submitted and that the Director did not alert him. The Chair advised that, with the proper plans submitted, they could issue the OOC at the next meeting.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1233, Andrews Farm Road, to September 1, under the Act and the Bylaw.

* **COC 114-1022: Lot 14D Burning Bush Drive, 40-1-34.1, Golub:**

**Documents Submitted:**

* + **Letter from The Morin-Cameron Group:** Re: Request for Certificate of Compliance, DEP File 114-1022, Lot 14D Burning Bush Drive
  + **WPA Form 8A: Request for Certificate of Compliance**
  + **As-Built Plan of Land:** 45 Burning Bush Drive, Boxford, Mass., prepared for Matthew Wheeler, prepared by The Morin-Cameron Group, Inc., stamped by John M. Morin, dated 7/6/16

The Director advised the Commissioners that the applicant has requested to continue this to the next meeting.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for COC 114-1022, Lot 14D Burning Bush Drive, to September 1, under the Act and the Bylaw.

**8:41PM OTHER BUSINESS**

* **Andrews Farm Water Issue:** There were two residents in attendance who expressed concern over the Conservation Commission’s decision to not issue the Order of Conditions for the water pipe connection to Topsfield’s water supply. The Chair explained that a plan is needed and once the plan is received, the Order of Conditions would be issued at the next meeting.

**8:48PM ADJOURN**

On a **MOTION** made by **Mitsch**, second by **Di Luna**, the Conservation Commission **VOTED** unanimously to adjourn at 8:48PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*

(via publicly posted meeting video at https://boxfordcabletv.viebit.com/#1nQeUbYD3fZE)