**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**September 15, 2016 7:30PM**

*Present: Peter Delaney, Lana Spillman, Natasha Grigg, Paris Beckett, Frank DiLuna, Alan Fowler*

*Absent: Conservation Director Ross Povenmire*

*Others Present: Minutes Sec’y Judi Stickney, Anthony Lauria, Larry Goldstein, Tricia Tsoutsouras, Michael Sokolowski, Denise Sokolowski*

**Meeting Called to Order:**

With a quorum present, Chairman Delaney called the meeting to order at 7:35PM.

**7:35PM PUBLIC HEARINGS AND SCHEDULED DISCUSSION ITEMS:**

* **DNI 2016-21: Lot 14D Burning Bush Drive, 40-1-34.1, Wheeler (Re: Equalization Culvert)**
* **Continued COC 114-1022: Lot 14D Burning Bush Drive, 40-1-34.1, Golub (c/o Wheeler)**

**Documents Submitted:**

* + **Letter from The Morin-Cameron Group, Inc.:** *Re: DEP File No. 114-1022, 7/15/16*
  + **As-Built Plan of Land:** *45 Burning Bush Drive, Boxford, Massachusetts, prepared by The Morin-Cameron Group, Inc., prepared for Matthew Wheeler, dated 7/6/16, stamped by John M. Morin*

The Chair advised there was a request from the applicant to continue the hearing to October 6.

At the request of the applicant and on a **MOTION** made by **DiLuna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to continue the hearing for DNI 2016-21, Lot 14D Burning Bush Drive to October 6, 2016, under the Bylaw.

At the request of the applicant and on a **MOTION** made by **DiLuna**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for Continued COC 114-1022, Lot 14D Burning Bush Drive, to October 6, 2016, Under the Act and the Bylaw.

* **DNI 2016-22: 22 King George Drive, 20-5-30, Sokolowski**

**Documents Submitted:**

* + **Letter from Michael & Denise Sokolowski,** *Re: Tree Removal*

Michael Sokolowski met with the Conservation Commission with a Request for Determination of Negligible Impact to remove two trees from the property, at the request of his insurance company. Sokolowski provided photos for the Commissioners to view as they discussed the trees. After discussion:

On a **MOTION** made by **Grigg**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact for DNI 2016-22, 22 King George Drive, 20-5-30, to remove two trees, a dead pine, and an oak tree leaning over the house, under the Bylaw.

* **RDA 2016-18: 68 Herrick Road, 24-2-13, Rice, Loam and Hydro Seed** (After-The-Fact Application)

**Documents Submitted:**

* + **Notice of Public Hearing:** *Placement of loam and hydro seed within 100 feet of a bordering vegetated wetland.*
  + **WPA Form 1 –** *Request for Determination of Applicability*
  + **2 Photos**

The Chair read aloud the Notice of Public Hearing and provided some background information on the work that’s been done on the property. After a very brief discussion, the Commission took the following action:

On a **MOTION** made by **DiLuna,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, for RDA 2016-18, 68 Herrick Road, 24-2-13, under the Act and the Bylaw.

* **Continuation RDA 2016-16: 45 Towne Road, 33-3-7&8, Goldstein, Remove Trees** (Site Walk Held 9/7/2016)

**Documents Submitted:**

* + **Notice of Public Hearing:** *To remove 17 trees as identified in the field and on a plan submitted within 100-feet of a Bordering Vegetated Wetland.*
  + **WPA Form 1:** *Request for Determination of Applicability*
  + **E-Mail from 51 Towne Road:** *Re: Removal of 17 trees from 45 Towne Road, 8/31/16*

Larry Goldstein met with the Conservation Commission to review the request to remove 14 very large pine trees from the property. The Chair reviewed the site walk that was held on September 7, noting that some of the flags were missing. After a brief discussion, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Spillman,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2016-16, 45 Towne Road, under the Act and the Bylaw.

On a **MOTION** made by **DiLuna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, for RDA 2016-16, 45 Towne Road, 33-3-7&8, under the Act and the Bylaw.

* **Continuation RDA 2016-17: 31 Rock Brook Way, 10-2-29.4, Johnson, Remove Trees** (Site Walk Held 9/7/2016)

**Documents Submitted:**

* + **Notice of Public Hearing:** *Removal of seven trees by crane within 100 feet to bordering wetland.*
  + **WPA Form 1:** *Request for Determination of Applicability*

The applicant and his arborist met with the Conservation Commission to review the site walk that was held on September 7. The Commissioners reviewed the plans and calculation of the canopy of trees that would be removed. After a brief discussion, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Spillman,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2016-17, 31 Rock Brook Way, under the Act and the Bylaw.

On a **MOTION** made by **DiLuna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, for RDA 2016-17, 31 Rock Brook Way, under the Act and the Bylaw.

**8:03PM PENDING ACTION ITEMS:**

* **Continuation Amended NOI 114-1214: 42 Topsfield Road, 33-1-16/16.1/6.2, Higley, Revised Parking Area** (Awaiting evidence of abutter notification only)

**Documents Submitted:**

* + **Notice of Public Hearing:** *To modify the location of a parking area located within the 100-foot Buffer Zone to a Bordering Vegetated Wetland. An associated structure is located outside the Buffer Zone.*
  + **Revised Site Plan:** *Drawing C-1, prepared for Lillooet Cheesery, 42 Topsfield Road, Boxford, Mass., prepared by ASB Design Group LLC, stamped by Thad D. Berry, dated 7/17/16*
  + **Letter from Rimmer Environmental Consulting LLC:** *Request for Amendment to Order of Conditions, 8/9/16*
  + **Letter from ASB Design Group:** *Re: Summary Letter – Site Plan Revision Lillooet Cheesery, 7/18/16*

The Chair advised that there was nothing in the file to indicate that the abutter notifications were received and no one was in attendance for the hearing. As a result, no action could be taken.

On a **MOTION** made by **DiLuna**, second by **Grigg,** the Conservation Commission **VOTED** unanimously that due to the fact that the applicant is not here and due to the fact that there is lack of abutter notifications, the discussion on the Amended NOI 114-1124, 42 Topsfield Road, be continued to October 6, under the Act and the Bylaw.

* **Continued Bylaw COC 2000-02, 2001-01, 2001-02, 2001-03, 2001-04: Budnick Way, 10-1-20 (Lots 1, 2 and 3), 1000 LLC**

The Chair advised that after the site walk, it was determined that it was not in the jurisdictional area and the COCs could be issued. After some confusion over the paperwork that was in the file, which was resolved, the Conservation Commission took the following action:

On a **MOTION** made by **DiLuna,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to issue a Certificate of Compliance checking off box that reads “Invalid Order of Condition…” for Certificate of Compliance 2000-02, 2000-01, 2001-02, 2001-03, 2001-04, under the Bylaw.

* **Continued COC 114-578: 335 A, B, and C Middleton Road** (Site Walk Held 9-14-2016)

**Documents Submitted:**

* + **14 Photos**

Tricia Tsoutsouras met with the Conservation Commission to discuss the work that’s been done since the last meeting. After a brief discussion, the Conservation Commission took the following action:

On a **MOTION** made by **DiLuna,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to issue a Certificate of Compliance for COC 114-578, 335 A, B Middleton Road, under the Act and the Bylaw.

**8:26PM OTHER BUSINESS**

* **Boxford Common Fields:** The Chair advised the Board of Selectmen requested that the Conservation Commission discuss the paving at Boxford Common and whether paving would be part of stabilization. He provided a summary of the last meeting’s discussions for those that were not present. After a lengthy discussion, the Chair will notify the Town Administrator of their discussion.
* **Severe Drought:** The Chair asked anyone listening that due to the severe drought conditions that everyone be aware of their water usage and conserve wherever possible, particularly suspending irrigation systems. A brief discussion ensued on the water conditions.

**8:49PM ADJOURN**

On a **MOTION** made by **Grigg**, second by **Beckett**, the Conservation Commission **VOTED** unanimously to adjourn at 8:49PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*