**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**August 16, 2018 7:30 PM**

**\*\* Minutes recorded from video posted at: http://www.boxfordcabletv.com/dnn7/\*\***

*Present: Peter Delaney, Natasha Grigg, Frank Di Luna, Alan Fowler, Mark Mitsch (7:52PM)*

*Absent: David Smallman*

*Others Present: Conservation Director Ross Povenmire, Carol Hubbard, Andrew Collamore, Krystal Collamore, Paul D’Amore, Rich Boldi, Kyle Lally, John Morin, Tom Frangos, Jeff Londres, Joe Hill*

**Meeting Called to Order**

With a quorum present, Chair Peter Delaney called the meeting to order at 7:41PM.

**7:41PM HEARINGS AND DISCUSSIONS**

* **Continued RDA 2018-11: 4 Dana Road, 33-2-10, Hubbard, Driveway Construction**

**Supporting Docs:**

* **Notice of Public Hearing:** Brian & Carol Hubbard, 4 Dana Road: To construct a portion of a driveway and associated grading partially within the 100-foot Buffer Zone to a Bordering Vegetated Wetland.
* **WPA Form 1: Request for Determination of Applicability**
* **Plan:** Proposed Site Plan, submitted by Benjamin Nutter Architects LLC, drawn by David Stuhlsatz, dated 7/9/18

The Chair provided a brief review of the site walk which occurred the previous week, noting that everything appeared to be in order and they would be issuing the Determination tonight.

On a **MOTION** made by **Di Luna,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2018-11

On a **MOTION** made by **Di Luna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination for file 2018-11, 4 Dana Road, checking box 3, standard conditions attached.

* **Continued NOI 114- : 317 Middleton Road, 42-1-13, Collamore, Wetland Restoration**

**Supporting Docs:**

* **Notice of Public Hearing:** Andrew Collamore, 317 Middleton Road: After the fact approval for the removal of vegetation within Bordering Vegetated Wetland and the 100’ foot Buffer Zone, replanting, and the removal/relocation of a raised garden bed and a play structure. Also, two sheds and an animal pen are proposed outside of the 25’ No-disturb Zone.
* **Plan Submitted:** Permit Site Plan, submitted by Hancock Associates, prepared for Andrew Collamore, stamped by Vaclav Talacko, dated 7/6/18
* **Notice of Intent Packet:** Submitted by Hancock Associates, prepared for Andrew Collamore, dated July 2018
	+ **Boxford Conservation Commission NOI Check List**
	+ **WPA Form 3: Notice of Intent**
	+ **NOI Wetland Fee Transmittal Form**
	+ **Town of Boxford Abutter List:** 317 Middleton Road
	+ **Project Narrative**
	+ **Locus Map: 317 Middleton Road**

Kyle Lally, Hancock Associates, met with the Conservation Commission to review the findings of the site walk which occurred recently. Lally noted that he had submitted a revised plan with the changes noted, including the “No Disturb” markers, as directed.

On a **MOTION** made by **Di Luna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to accept the amended plan and waive the requirement of the 7-day submission prior to the hearing date.

A lengthy discussion ensued on the 100-foot buffer and ensuring that the homeowner knows where the boundaries are and when work can be done. After discussion, the Commission took the following action:

On a **MOTION** made by **Di Luna,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to close the hearing under the Act and the Bylaw.

* **Continued NOI 114-1264 : Camp Rotary, 18-2-4, Boldi, Rehabilitate Dining Structure**

**Supporting Docs:**

* **Notice of Public Hearing:** Richard Boldi, Camp Rotary, 372 Ipswich Road, to repair the foundation of an existing summer camp dining structure, including the construction of a temporary access route.
* **WPA Form 3: Notice of Intent**
* **Plan Submitted:** Site Plan, prepared by Donohoe Survey, Inc., prepared for Camp Rotary, stamped by Paul J. Donohoe, dated 7/17/18

Dick Boldi met with the Conservation Commission to advise they now have a file number and requested to close the hearing.

On a **MOTION** made by **Di Luna,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to close the hearing for file 114-1264, Camp Rotary, under the Act and the Bylaw.

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for file 114-1264, Camp Rotary, under the Act and the Bylaw.

* **Continued NOI 114-1260: Road R.O.W. near 67 Valley Road, Dold, DPW Superintendent, Replace Culvert**

**Supporting Docs**

* **Project Packet:** *Submitted by Massachusetts Department of Fish & Game, Long Term Culvert Replacement Training Project, prepared by Bayside Engineering, dated July 2017*
* **Locus Plan:** *Culvert Replacement Valley Road Over Unnamed Brook, submitted by Bayside Engineering, prepared for Town of Boxford Department of Public Works, stamped by Bree D. Sullivan, dated June 27, 2018*
* **Grading Plan & Hydrologic Design Data:** *Culvert Replacement Valley Road Over Unnamed Brook, submitted by Bayside Engineering, prepared for Town of Boxford Department of Public Works, dated June 25, 2018*
* **Test Boring Log:** *Culvert Replacement Valley Road Over Unnamed Brook, submitted by Miller Engineering & Testing, prepared for Town of Boxford Department of Public Works, dated June 25, 2018*
* **Culvert Plan:** *Culvert Replacement Valley Road Over Unnamed Brook, submitted by Bayside Engineering, prepared for Town of Boxford Department of Public Works, dated June 25, 2018*
* **Notice of Intent Packet:** *Culvert Replacement Valley Road Over Unnamed Brook, submitted by Bayside Engineering, prepared for Town of Boxford Department of Public Works, dated June 2018*

The Director advised he had a written request to continue the hearing to September 6th.

On a **MOTION** made by **Grigg,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1260: Road R.O.W. near 67 Valley Road, to September 6th.

* **Continued RDA 2018-10: Willow Road parcel, 6-2-2.2, Toll Brothers, Installation of Exploratory Wells**

**Supporting Docs**

* + **Public Meeting Notice:** *Applicant: Toll Brothers, Inc. for the property located at: Willow Road: Map 6, Block 2, Lot 2.2: Installation of exploratory wells; staging for well installation, silt fence straw wattle, level spreader, loaming and seeding disturbed area in existing field within 100 feet of Bordering Vegetated Wetlands.*
	+ **Narrative:** *Letter from The Morin-Cameron Group to Boxford Conservation Commission, Re: Request for Determination of Applicability, 7/3/18*
	+ **WPA Form 1: Request for Determination of Applicability**
	+ **Plan Submitted:** *Plan to Accompany Request for Determination of Applicability, Bedrock Well Installation Plan, Prepared by The Morin-Cameron Group LLC, prepared for Toll Brothers, Inc., stamped by Michael C. Laham, dated 6/29/18*

**\*\* Commissioner Frank Di Luna removed himself from this**

**hearing, due to a conflict. \*\***

John Morin, of The Morin-Cameron Group, met with the Conservation Commission, representing the applicant, Toll Brothers, with a Request for Determination of Applicability to drill exploratory wells. The Commissioners reviewed the conditions included in the Determination with Morin, noting that testing must take place during weekday business hours, so the Director can monitor the testing. Morin requested to close the hearing.

On a **MOTION** made by Grigg, second by **Mitsch,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2018-10: Willow Road parcel, 6-2-2.2, Toll Brothers, under the Act and the Bylaw.

On a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, subject to standard conditions, for RDA 2018-10: Willow Road parcel, 6-2-2.2, Toll Brothers, under the Act and the Bylaw.

**\*\* Commissioner Frank Di Luna returned to the meeting. \*\***

**COC 114-940: 20 Barnside Road, 37-1-58, Ritchie**

 **Supporting Docs**

* + **WPA Form 8A – Request for Certificate of Compliance**
	+ **Letter from The Morin Cameron Group:** To Conservation Commission, Re: DEP File No. 114- 940, 20 Barnside Road, Owner/ Applicant: Jeffrey Ritchie, 8/9/18
	+ **As-Built Plan:** Prepared for R. Jeffrey Richie, prepared by The Morin-Cameron Group, stamped by John M. Morin, dated 8/8/18
	+ **4 Photos**

John Morin, of The Morin-Cameron Group, representing the applicant, Jeff Ritchie, met with the Conservation Commission to request a Certificate of Compliance for file #114-940: 20 Barnside Road. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue the Certificate of Compliance for file #114-940: 20 Barnside Road, under the Act and the Bylaw.

* **Extension OOC 114-1215: 12 Deer Run Road, 11-1-3.2 and 16.2, Winslow Drive Realty Group, LLC**

The Director advised that the Order of Conditions is set to expire on September 8, 2018. They are requesting a one-year extension to September 8, 2019. A brief discussion ensued on how many extensions would be allowed under the Act and under the Bylaw, as they differ. After discussion, the Commission took the following action:

On a **MOTION** made by **Grigg,** second by **Di Luna,** the Conservation Commission **VOTED** unanimously to extend the Order of Conditions for file #114-1215: 12 Deer Run Road, for one year, to September 8, 2019, under the Act and the Bylaw.

**Discussion: 599 Main Street Proposed Housing:** Joe Hill, Chair of the Housing Partnership Committee, along with Tom Frangos and Jeff Londres, met with the Conservation Commission to provide a brief presentation on their proposal for housing on a 40-plus acre parcel at 599 Main Street. It was noted that of the over 40 acres, only 5 acres are buildable, due to wetlands and Natural Heritage restrictions. They are in the preliminary planning stages at this point but are hoping to build approximately 40 units on the property, with access from Main Street and Silvermine Road. Hill provided the Commission with a map to point out the property boundaries and jurisdictional areas they will need to work around. A brief discussion ensued on mitigations that may need to take place. After discussion, Hill advised the Commission that he will keep them up to date on any plans that move forward and they will return with filings when there are more definitive plans.

**8:55PM PENDING ACTION ITEMS**

* **Minutes Review/Approval:** After a brief discussion on available minutes, the Commission took the following action:

On a **MOTION** made by **Grigg,** second by **Di Luna,** the Conservation Commission **VOTED** unanimously to approve the following minutes as submitted: April 19, 2018, May 17, 2018, June 21, 2018, and July 12, 2018.

* **Administrative Tree Removal Permit:** The Director provided the Commissioners with an Administrative Tree Removal Permit he issued to 61C Highland Road, for a large oak, with two big broken leaders, one leader took out three other smaller trees, and a fifth tree to be removed as well. All trees are dead or broken. He issued an Administrative Tree Removal permit for all five trees and requested ratification from the Commission.

On a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to ratify the Administrative Tree Removal Permit, #2018-4, at 61C Highland Road, as drafted.

**9:02PM ADJOURN**

With no further business, on a **MOTION** made by **Grigg,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to adjourn at 9:02PM.

Respectfully submitted,



Judith A. Stickney

Minutes Secretary