

**Minutes of the BOXFORD CONSERVATION COMMISSION
TOWN HALL MEETING ROOM #1
March 21, 2019 7:30 PM**

Present: Peter Delaney, Frank Di Luna, Kerry Lummus, Mark Mitsch, Natasha Grigg, Alan Fowler

Absent: David Smallman

Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Vaclav Talacko, Tom Hughes, Greg Murrer, Michael Smolak, and others

Meeting Called to Order

With a quorum present, Chair Peter Delaney called the meeting to order at 7:30PM.

7:30 PM SCHEDULED DISCUSSIONS

- **Discussion: Small Oxx Farm Proposed Greenhouses, 494 Ipswich Road Supporting Docs**
 - **2019 Forest Cutting Plan**

**** Commissioner Frank Di Luna removed himself from this discussion. ****

Mr. Smolak met with the Conservation Commission to answer the Commissioners' questions on the greenhouses he would like to construct on the property, behind the barn. Mr. Smolak advised the Board that he spoke with the Building Inspector, as requested, and the Building Inspector determined that the construction of the greenhouses is allowed on the property. There followed a brief discussion on the section 3C of the Conservation Restriction on the property. The Director felt that the construction of the greenhouses, as viewed as an extension of the barn, needed authorization by the grantee – the Town of Boxford, the Conservation Commission. The Chair asked for a motion to authorize the Director to draft a letter indicating the Commission's approval of the construction.

On a **MOTION** made by **Mitsch**, second by **Lummus**, the Conservation Commission **VOTED 4-1 (Nay: Grigg)** to authorize the Director to draft a letter indicating the Conservation Commission's approval of the construction of the greenhouse, a 30'x50' plastic-covered hoop structure, attached to the southside of the barn.

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

- **Discussion: Trout Unlimited Display Board for Lockwood Forest Bridge**
Supporting Docs
 - **Fish Brook Projects Display Board**

Greg Murrer of Trout Unlimited met with the Conservation Commission with a mock-up of the sign they would like to install near the Lockwood Forest bridge. A brief discussion ensued on the number of signs being erected in that area. After discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch**, second by **Di Luna**, the Conservation Commission **VOTED** unanimously to approve the installation of the Fish Brook display board, prepared by Trout Unlimited, as proposed by Greg Murrer.

- **Discussion: Camp Rotary Dining Hall Replacement.**
Supporting Docs
 - **8 Photos**
 - **Site Plan:** *Proposed Dining Hall, prepared by Deer Hill Architects, stamped by John E. Crowell, dated February 18, 2019*

Tom Hughes, representing Camp Rotary, met with the Conservation Commission to review the outcome of the recent site walk on the property, where the Commissioners could not find anything in the current regulations that would allow their project to move forward as proposed. Hughes proposed that the Commission consider revising the regulations that would allow the project and benefit the Town, as well as other non-profit institutions. He suggested that the regulations (Section 375-98(8)2) include the following verbiage:

This presumption is rebuttable and may be overcome only for the conversion of lawn or other significantly altered land to a structure requiring a building permit when said structure is accessory to an existing single-family dwelling or non-profit institutional structure legally in existence as of May 19, 1994 (the original date of these regulations) ...

The Commissioners agreed that the project, as proposed, significantly diminishes the encroachment, but does not meet the regulations. A lengthy discussion ensued on whether the Conservation Commission should consider revising the language. The Commission decided they needed to study the proposal more thoroughly before making a decision. Camp Rotary had requested that there be a hearing in April to move forward. The Chair proposed that the Commissioners review the new language options, as proposed, and discuss more thoroughly at the next meeting. Hughes suggested that there be a workshop on the proposed regulation revision on the agenda for the next meeting. Hughes will work with the Director to provide the Commission with language options and revised drawings to review before the next meeting.

8:25 PM PENDING ACTION ITEMS

- **COC 114-866: 10 Main Street, 33-2-2, Weishaupt:** Vaclav Talacko, Hancock Associates, met with the Conservation Commission to request a Certificate of Compliance for file #114-866. He had provided an As-Built plan for the Commissioners to view, and the Director provided photos. It was noted that there was a very small encroachment at the corner of the fence and another at the driveway, neither of which were on the Order of Conditions. There was a discussion on whether a Certificate of Compliance could be issued. The Director provided the Commissioners with information that would allow the Certificate of Compliance to be issued, with a finding. After a lengthy 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, indicating the As-Built conditions of the driveway and fence indicate a minor encroachment into the Buffer Zone, the encroachments are considered de minimus and have been in existence for more than a decade.

On a **MOTION** made by **Mitsch**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to execute and issue the Certificate of Compliance for DEP file #114-866, 10 Main Street, with the standard conditions.

- **Administrative Tree Removal Permit: 17 Pye Brook Lane, Ovanes:** The Director provided a description of the four red oak trees that were removed, noting they were well outside the 50-foot buffer and they were rotten. One tree was leaning toward the house and that was also removed.

On a **MOTION** made by **Lummus**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to approve the Administrative Tree Removal Permit issued by the Director for the removal of 4 red oaks, at 17 Pye Brook Lane, under the Bylaw.

- **Re-Execute COC 114-1210:** The Director advised he had the wrong file number on the Certificate of Compliance for file 114-1210 from the last meeting, and the Commissioners needed to sign the revised copy. He provided a copy of the revised Certificate and the Commissioners signed it.

8:45 PM ROUTINES

- **Minutes:** The Commissioners briefly reviewed the minutes of February 7, 2019 and March 7, 2019 and took the following action:

On a **MOTION** made by **Grigg**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously to approve the minutes of February 7, 2019 and March 7, 2019 as amended.

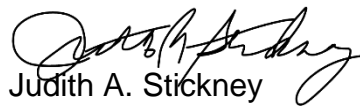
8:50 PM OTHER BUSINESS

- **Monitoring Conservation Land:** Commissioner Grigg started a discussion by suggesting that the Conservation Commission make a better effort to monitor the town's conservation lands. She will take the lead on the project.
- **Invasive Species:** Commissioner Lummus provided a brief update on her invasive species project, noting that she is considering making a knotweed strawberry pie!
- **Meeting on Draft Boxford Municipal Vulnerability Report:** The Director advised the Commissioners that the Board of Selectmen will hold a meeting on April 22, 2019 to discuss the draft Boxford Municipal Vulnerability Report.
- **Detection and Control of Illicit Discharges in Storm Water:** The Director advised the Commission should hold a public hearing to discuss the detection and control of illicit discharges in storm water. It will be on an upcoming agenda.
- **No Quorum for April 4th Meeting:** After a brief discussion, it was determined there would not be a quorum for the scheduled April 4th meeting. Any scheduled hearings and discussions will be moved to the April 18th meeting.

8:58 PM ADJOURN

With no further business, on a **MOTION** made by **Grigg**, second by **Di Luna**, the Conservation Commission **VOTED** unanimously to adjourn at 8:58PM.

Respectfully submitted,



Judith A. Stickney
Minutes Secretary