

**Minutes of the BOXFORD CONSERVATION COMMISSION
TOWN HALL MEETING ROOM #1
April 18, 2019 7:30 PM**

Present: Peter Delaney, David Smallman, Kerri Lummus, Natasha Grigg

Absent: Frank Di Luna, Alan Fowler, Mark Mitsch

Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Jim Scanlan, Thomas Boyle, Tom Hughes, Michael O'Neill, 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 AND HEARINGS

- **Discussion: Bench for Lockwood Forest**
Supporting Documents:
 - **Letter and accompanying materials:** *from Thomas Boyle to Conservation Director, Re: Lockwood Forest Bench, 4/16/19*

Thomas Boyle, a student at Masconomet, met with the Conservation Commission to discuss his proposal to install a bench at Lockwood Forest. Boyle provided photos of the proposed bench for the Commissioners to view as he made his brief presentation. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to authorize the installation of the bench at Lockwood Forest, as proposed.

- **Discussion: 20 Killam Hill Road, Caron:**
Supporting Documents:

Jim Scanlan, representing the homeowner, met with the Conservation Commission to discuss the work that's been taking place at the Caron's new residence at 20 Killam Hill Road, consisting mostly of cleaning up the yard, removing underbrush, brush debris, weeds, etc. Someone notified the Conservation Commission of the work being done and the Director made a site visit, noting that there was encroachment into the wetlands. However, the Director noted that, at this point, the ground is stabilized. The Chair felt that a site walk was needed so the Conservation Commissioners could view the wetland and buffer zone and see exactly where the work was done. After a brief discussion, the Commissioners scheduled a site walk for Wednesday, April 24th, at 6PM and the homeowner will be invited to the next meeting.

- **NOI 114-1273: 4 Pond Street, 25-6-7, Angelini**
Supporting Documents:

- **Letter and accompanying materials:** *from Michael G. O'Neill, P.E. to Conservation Commission, Re: Notice of Intent, 4 Pond Street, 4/1/19*

The Director read aloud the Notice of Public Hearing and collected proof of abutter notifications. Michael O'Neill, representing the applicant, met with the Conservation Commission with plans and Notice of Intent to pave an existing gravel driveway, remove a tree, remove rotted retaining wall, construct a walkway, reroute roof leaders to an infiltration basis, install a catch basin, install granite curbing, grading of a drainage swale, all within the 100-foot buffer to bordering vegetated wetlands and Lowe Pond. O'Neill provided photos, plans, and drawings for the Commissioners to view as he made his presentation. There was a question on what Natural Heritage's ruling was on this property when the septic system was installed. The Director will look for that determination and report back to the Commission. The Commissioners decided to schedule a site visit for April 24th, at 6:30PM. The applicant requested to continue the hearing to May 2nd.

At the request of the applicant and on a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to continue the hearing to May 2, 2019, under the Act and the Bylaw.

- **Continued NOI 114-1272: 6 Stonecleave Road, 31-3-13, Schwartz**
Supporting Documents:

- **Public Hearing Notice:** *Notice of Intent by Applicant: Robert and Beverly Lynn Schwartz for the property located at: 6 Stonecleave Road, Assessor's map 31, Block 3, Lot 13. Owner is proposing to construct a septic system upgrade and a mudroom for the existing dwelling, within 100' of a Bordering Vegetated Wetland.*
- **Notice of Intent Application:** *Prepared by Scanlan Engineering LLC, dated 2/11/19:*
 - **Narrative**
 - **WPA Form 3 – Notice of Intent**
 - **USGS Topographic Plan**
 - **Natural Heritage Endangered Species Program**
 - **Aerial View**
- **Plans Submitted:**
 - **Subsurface Sewage Disposal System Upgrade: Details & Notes:** *Prepared by Scanlan Engineering LLC, prepared for Robert & Beverly Schwartz, dated 2/1/19*
 - **Subsurface Sewage Disposal System Upgrade: Plan & Flow Profile:** *Prepared by Scanlan Engineering LLC, prepared for Robert & Beverly Schwartz, dated 2/1/19*

Jim Scanlan, representing the applicant, met with the Conservation Commission to discuss the Commission's recent site walk on the property and the

Commissioners determined that the proposed location is the only location where the septic system could be installed. The Director advised that the pine tree in question could be removed. After a brief discussion, Scanlan requested to close the hearing.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1272: 6 Stonecleave Road, 31-3-13, Schwartz, under the Act and the Bylaw.

On a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for DEP file #114-1272: 6 Stonecleave Road, 31-3-13, Schwartz, under the Act and the Bylaw.

- **Continued NOI 114- : 63 Crooked Pond Road, 40-2-19, Buonopane**
Supporting Documents:

The Director advised that the applicant requested to continue the hearing to the next meeting.

At the request of the applicant and on a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to continue the hearing for 63 Crooked Pond Road, 40-2-19, Buonopane to May 2nd, under the Act and the Bylaw.

- **COC 114-434: 5 Barker Road, 2-1-8, Far Corners Golf Course**
Supporting Documents:

- **Letter from ASB Design Group:** *to Conservation Commission, Re: Job No. 2016-37: Pump House Reconstruction – Certificate of Compliance, 5 Barker Road, Boxford, MA. 01921, Map 2 Block 1 Lot 8, DEP # 114-1238, 2/25/19*
- **Plans Submitted:**
 - **As Built Plan:** *prepared for Robert Flynn, Far Corner Golf Course, prepared by ASB Design Group, stamped by Thad D. Berry, dated 11/23/18*
- **WPA Form 8A – Request for Certificate of Compliance**

No one was present to address the Certificate of Compliance request. The Director advised the Commissioners to continue the discussion to the next meeting and he will contact the applicant in the meantime.

On a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to continue the hearing for the Certificate of Compliance to May 5th, under the Act and the Bylaw.

- **Public Hearing on Amendment to Stormwater Management Regulations to Address Illicit Discharges:**
Supporting Docs
 - **Stormwater Management Bylaw:** *including proposed amendments*

The Director read aloud the Notice of Public Hearing to consider amending the Stormwater Management Bylaw and provided the Commissioners with a copy of the proposed changes to the Stormwater Management Bylaw. He added that the amendments will be included on a Warrant Article for the Annual Town Meeting. After a brief discussion, the Commissioners took the following action:

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to sponsor and support the proposed Warrant Article regarding the amendments to the Stormwater Management Bylaw.

- **Discussion: Environmental Notice Form for Elmlea Boxford LLC (a.k.a. 45-acre Haynes property on Main Street)**
Supporting Documents:
 - **Draft Comments on Proposed Project**
 - **Plan:** *Conceptual Subdivision, Elmlea Subdivision in Boxford, Mass., prepared by The Morin-Cameron Group, Inc., prepared for Elmlea Partnership Trust, dated March 30, 2019*
 - **Plan:** *Existing Wildlife Corridors on/adjacent to Haynes Property, Fish Brook, and Gerry's Run*
 - **Massachusetts Environmental Policy Act:** *Environmental Notification Form, Elmlea Subdivision, Boxford, Massachusetts, March 30, 2019*

The Chair advised that this was addressed at the Planning Board meeting last night. The Director added that the Historic District Commission is also going to be involved in the proposal. The Director provided the Commission with a draft of the Conservation Commission comments on the proposal, asking the Commissioners to feel free to provide him with any additional comments he may have omitted. A brief discussion ensued on the comments which will be submitted.

- **Discussion: Forest Management on Town Forest and Boxford Common**
The Chair advised that he and Commissioner Natasha Grigg attended a meeting of the Agricultural Commission that had speakers who talked about forest management. Commissioner Natasha Grigg began a discussion on forest management in the Town Forest and Boxford Common, noting that the Board of BTA/BOLT has not taken a vote on it. She added that by submitting a forestry plan to the Department of Resources overrides wetlands regulations, as Commissioner Frank Di Luna noted in his comments to the Commissioners. The Director provided the Commissioners with the comments sent in by Commissioner Frank Di Luna.

After a brief discussion, the Commissioners decided to continue the discussion to the next meeting when Commissioner Di Luna is in attendance.

- **Discussion: Workshop on Regulatory Changes/Interpretation Required for Camp Rotary Dining Hall Renovations**

Supporting Documents:

- **8 Photos**
- **Site Plan:** *Proposed Dining Hall, prepared by Deer Hill Architects, stamped by John E. Crowell, dated February 18, 2019*
- **Proposed Regulations Amendments:** *provided by Tom Hughes for Camp Rotary*
- **Comments on Proposed Amendments:** *provided by Commissioner Frank Di Luna*

Tom Hughes, representing Camp Rotary, met with the Conservation Commission to review the proposal he submitted to amend the regulations in existing encroachment situations. There ensued a brief discussion on the three options submitted by Hughes and the comments Commissioner Di Luna provided to the Commission on the options presented. The Commissioners will continue the discussion to the next meeting when Commissioner Di Luna is present.

8:46 PM ROUTINES

- **Minutes:** The Commissioners briefly reviewed the minutes of March 21, 2019 and took the following action:

On a **MOTION** made by **Grigg**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to approve the minutes of March 21, 2019 as submitted.

8:47 PM OTHER BUSINESS

- **Invasive Plant Species Table at Earth Day:** Commissioner Lummus advised the Commissioners that she will be hosting a table at Boxford's Earth Day event on Saturday, April 27th. She encouraged the Commissioners to stop by and try her pie.
- **National Grid's Order of Condition for New Substation on Pond Street:** The Director advised the Commission that part of the Border to Boston Trail will need to be moved as a result of the work National Grid is doing to build their new substation on Pond Street. There was a question on who would be responsible for rerouting the trail. National Grid says they will not be responsible for rerouting the trail. The Director added that they are on the Selectmen's agenda for Monday night and he will be attending. He encouraged the Commissioners to attend as well.
- **Ipswich River Watershed Association Grant Application:** The Director advised the Commissioners that the Ipswich River Watershed Association has requested the Commission support their application for a grant with their signatures. The

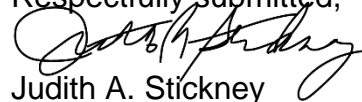
Commissioners agreed and the application was passed around for their signatures.

- **Administrative Tree Removal Permit: Worrall, 43 King George Drive:**
On a **MOTION** made by **Lummus**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to approve the Administrative Tree Removal Permit to remove 3 trees: 2 red maples, and 1 yellow birch, under the Bylaw.

9:01 PM ADJOURN

With no further business, on a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to adjourn at 9:01PM.

Respectfully submitted,



Judith A. Stickney
Minutes Secretary