

**Minutes of the BOXFORD CONSERVATION COMMISSION  
TOWN HALL MEETING ROOM #1  
May 16, 2019 7:30 PM**

*Present: Peter Delaney, Kerri Lummus, David Smallman, Alan Fowler*

*Absent: Frank Di Luna, Natasha Grigg, Mark Mitsch*

*Others Present: Chief Brian Geiger, Steve Ruggiero, John Morin, Gwendolen Perkins, Ann McMenemy, Michael P. O'Neill, Laura Grabski, Stanislas Tokarev, Andy Collamore, Krystal Collamore, Nick Buonapane, Jack Sullivan, and others*

**7:35 PM** With a quorum present, Chair Peter Delaney called the meeting to order.

**7:35 PM SCHEDULED HEARINGS AND DISCUSSIONS**

**Discussion: Boxford Fire Department Training Exercise:** Chief Brian Geiger provided details on their upcoming training drill to take place at the Herrick Road Tree Farm on June 10<sup>th</sup>. Geiger added that the landowner requested they notify the Conservation Commission of their drill, considering that it is part of the Town Forest. The Director advised he does not feel there will be much impact there but suggested the Fire Department come to the meeting in the event there were any questions by the Commissioners. After a brief discussion, the Chair thanked the Fire Chief for making them aware.

**Late Arising Matter: Violation 85 Pinehurst Drive, Gomes:** The Director advised the Commission that he was made aware of some driveway work taking place behind the house at 85 Pinehurst Drive. The Director provided the Commissioners with photos to view the issues with the work taking place very close to the wetlands. Povenmire added that the buffer zone is at the front of the house. He advised the homeowner to seed the area with fast-growing grass and install a silt fence until the Commissioners had an opportunity to view it. Steve Ruggiero, representing the homeowner, advised the Commissioners that the homeowner wants to make things right. He wasn't aware of the regulations but will do whatever is necessary to make it right. After a brief discussion, the Commissioners scheduled a site walk for Tuesday, May 21<sup>st</sup>, at 6PM. Ruggiero advised the Commission that Gomes would be present for the site walk.

**NOI 114-1275: 317 Middleton Road, 42-1-13 & 14, Collamore  
Supporting Docs:**

- **Notice of Public Hearing:** *Notice of Intent by Applicant Andrew T. and Kristal R. Collamore for the property located at: 317 Middleton Road, Map 42, Block 1 Lot 13 & 14. Owner is proposing to construct an addition to an existing dwelling to include an In-law apartment and garage space, also to construct a barn and make other*

*associated improvements to the property within 100 feet of a bordering vegetated wetland.*

- **Notice of Intent Package:** Prepared by Hancock Associates, prepared for Andrew T. and Kristal R. Collamore, HA Job Number: 16199, dated May 2019
  - **NOI Checklist**
  - **Project Description**
  - **WPA Form 3a - Notice of Intent**
  - **Filing Fee Information**
    - **Fee Transmittal Form**
    - **Copy of Checks**
  - **Abutter Information**
    - **Certified List of Abutters**
    - **Abutter Notification**
  - **Locus Map**
  - **FEMA Map**
  - **Plans**
  - **Permit Site Plan (1 Sheet)**

The Director read aloud the public notice and collected proof of abutter notifications. Ann McMenemy, Hancock Associates, representing the applicant, met with the Conservation Commission with a Notice of Intent to construct an addition to an existing dwelling to include an In-law apartment and garage space, also to construct a barn and make other associated improvements to the property within 100 feet of a bordering vegetated wetland. McMenemy provided photos, drawings, and plans, as she explained the work being proposed. The Director provided photos for the Commissioners to view as he described the work that was completed on the Enforcement Order. After a brief discussion, the Commission scheduled a site walk of the property for Wednesday, May 29<sup>th</sup>, at 6PM. McMenemy requested to continue the hearing to the June 6<sup>th</sup> meeting.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1275: 317 Middleton Road, to June 6<sup>th</sup>, under the Act and the Bylaw.

#### **NOI 114-1276: 32 Lawrence Road, 27-2-7, Perkins**

##### **Supporting Docs:**

- **Public Meeting Notice:** Notice of Intent for applicant Charles & Gwendolin Perkins for the property located at: 32 Lawrence Road: Map 27, Block 2, Lot 7, to construct a septic system upgrade partially within 100-feet of a Bordering Vegetated Wetland.
- **WPA Form 3 – Notice of Intent**
- **Project Description**
- **7 Photos**

- **Plans Submitted:** Sanitary Disposal System Repair Plan, prepared for Charles & Gwendolen Perkins, prepared by The Morin-Cameron Group, stamped by John M. Morin, dated 4/10/19

The Director read aloud the public meeting notice and collected proof of abutter notifications. John Morin, The Morin-Cameron Group, representing the applicant, provided photos, plans, and drawings for the Commissioners to view as he made his brief presentation on the Notice of Intent to construct a septic system upgrade partially within 100-feet of a Bordering Vegetated Wetland. Morin advised the Commissioners that Mass. Division of Fisheries and Wildlife determined that the work would not result in a take. After a brief discussion, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to close the hearing for file #114-1276: 32 Lawrence Road, under the Act and the Bylaw.

On a **MOTION** made by **Fowler**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for file #114-1276: 32 Lawrence Road, under the Act and the Bylaw.

#### **Continued NOI 114-1273: 4 Pond Street, 25-6-7, Angelini**

##### **Supporting Docs:**

- **Public Meeting Notice:** Notice of Intent by Applicant, Nancy Angelini for the property located at: 4 Pond Street, Assessor's Map 25, Block 6, Lot 7. Owner is proposing to pave an existing gravel driveway and make associated improvements within 100' of Lowe Pond and associated Bordering Vegetated Wetlands.
- **Notice of Intent Package:** Prepared by Michael P. O'Neill, PE, prepared for Nancy Angelini, dated 4/1/19:
  - **Project Narrative**
  - **WPA Form 3 – Notice of Intent**
  - **USGS Locus Map**
  - **Fee Transmittal Form**
  - **List of Abutters**
  - **Appendix**
  - **Plans**
- **Site Plan:** 4 Pond Street, prepared by Michael P. O'Neill PE, dated 2/6/19

Michael P. O'Neill, representing the applicant, met with the Conservation Commission with a brief update on the project they are proposing to pave an existing gravel driveway and make associated improvements within 100' of Lowe Pond and associated Bordering Vegetated Wetlands. O'Neill advised that they have not yet heard from Natural Heritage and would be requesting a continuance to the next meeting at this time. After a very brief discussion, the Commission took the following action:

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to continue the hearing for file #114-1273: 4 Pond Street, to June 6, 2019, under the Act and the Bylaw.

**Continued NOI 114-1274: 63 Crooked Pond Road, 40-2-19, Buonopane**  
**Supporting Docs:**

- **Public Hearing Notice:** Notice of Intent by applicant Nick Buonopane, for the property located at: 63 Crooked Pond Drive, Assessor's Map 40, Block 2, Lot 19, to construct an inground pool, pool patio, and fencing with a portion of this work falling within 100 feet of a Bordering Vegetated Wetland.
- **Notice of Intent Package:** Prepared by Sullivan Engineering Group LLC, prepared for Nick Buonopane, 63 Crooked Pond Drive
  - **Project Summary**
  - Completed WPA Form 3 – Notice of Intent
  - Wetland Fee Transmittal Form
  - The completed Town of Boxford NOI application checklist
  - The certified abutter's list
  - Portion of a USGS map
  - Copy of Assessor Map with subject property highlighted
  - Plot Plan of Land – 63 Crooked Pond Drive, Boxford; scale 1"=20', dated 10/29/2018

The Director collected proof of abutter notifications and advised the Commissioners that he requested that the abutters be re-notified due to the time that had lapsed since the last notifications went out.

Jack Sullivan, Sullivan Engineering Group LLC, representing the applicant, met with the Conservation Commission with a Notice of Intent to construct an inground pool, pool patio, and fencing with a portion of this work falling within 100 feet of a Bordering Vegetated Wetland. Sullivan advised the Commissioners that all the work being proposed is outside the buffer zone. After a brief discussion, where the Commissioners requested there be no stockpiling of soils, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to close the hearing for file #114-1274: 63 Crooked Pond Drive, under the Act and the Bylaw.

On a **MOTION** made by **Fowler**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for file #114-1274: 63 Crooked Pond Drive, under the Act and the Bylaw.

**COC 114-434: 5 Barker Road, 2-1-8, Far Corners Golf Course:** Thad Berry, ASB Design Group, representing the applicant, met with the Conservation Commission to request a Certificate of Compliance for an old Order of Conditions for the logging road

that was used while part of the golf course was completed. Berry noted that the logging road has gone back to its natural condition. The Director provided photos for the Commissioners to view, noting that there were some phragmites in the wetland that appear to have been there for many years. He has no concerns and recommends the issuance of the Certificate of Compliance.

On a **MOTION** made by **Lummus**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to issue the Certificate of Compliance for file 114-434: 5 Barker Road, 2-1-8, Far Corners Golf Course, under the Act.

**Discussion: Shed Relocation at 28 Topsfield Road, Tokarev:** Stanislas Tokarev met with the Conservation Commission to discuss the shed relocation on his property. The Director advised the Commissioners that the homeowner relocated a shed on the property, at the boundary of the wetland. He had photos for the Commissioners, but they were not available. He recommended that the Commissioners schedule a site visit and discuss at the next meeting. After a brief discussion, the Commissioners scheduled a site visit for Tuesday, May 21<sup>st</sup>, at 6:30PM.

**Discussion: Wildcat Beaver Deceiver:** Skip Lyle is coming early next week, and they will begin working on the beaver issues there.

**Discussion: Boxford Common Conservation Restriction:** The Director advised there have been some discussions on this and, where Commissioner Grigg is not in attendance, he recommends discussing this at a future meeting. After a brief discussion, the Chair asked the Director to schedule a joint meeting with the Board of Selectmen on this when Commissioner Grigg is present.

Laura Grabski, who was in attendance, addressed the Commission, thanking them for scheduling a joint meeting to discuss Boxford Common, as she has concerns about the future of that land. She provided the Commissioners with information on Article 97, regarding Conservation Restrictions, that she thought they may find helpful for their upcoming meeting. The Director will provide everyone with a copy of it.

She also provided information to the Commissioners regarding a legislative update on Agricultural Commissions, allowing them to hold land, in addition to the Conservation Commission.

#### **8:48 PM      OTHER BUSINESS**

- **Update on Elmlea Proposal:** The Director advised the Commission that he was provided with an updated development proposal on the Elmlea property, which he has distributed to the Commissioners. It is still in a state of flux.

**8:49 PM      ADJOURN**

With no further business, on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to adjourn at 8:49 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Judith A. Stickney', written over the printed name.

Judith A. Stickney  
Minutes Secretary