

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

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

Absent: Alan Fowler, Frank Di Luna

Others Present: John Morin, Ann McMenemy, Kristal Collamore, Joseph Famolare

7:33 PM With a quorum present, Chair Delaney called the meeting to order.

7:33 PM SCHEDULED HEARINGS AND DISCUSSIONS:

**Continued NOI 114-1281: 201 Georgetown Road, 20-10-8, Famolare
Supporting Docs:**

- **Notice of Public Hearing:** *Notice of Intent by applicant Joseph & Cynthia Famolare for the property located at: 201 Georgetown Road, Map 20, Block 10 Lot 8. Proposed work within the 100-foot wetland buffer zone includes construction of portions of additions, deck, patio, portions of a driveway, re-grading, installation of a septic vent and installation of an access riser on the existing septic tank.*
- **Notice of Intent Application Package:** *Submitted by The Morin-Cameron Group, prepared for Joseph & Cynthia Famolare, dated June 6, 2019:*
 - *WPA Form 3 – Notice of Intent*
 - *NOI Wetland Fee Transmittal Form*
 - *Affidavit of Service*
 - *Notification to Abutters*
 - *Abutter List*
 - *USGS Locus Map: 201 Georgetown Road*
 - *Letter and related materials from DeRosa Environmental to The Morin-Cameron Group: Re: Wetland Delineation Letter, 201 Georgetown Road, 6/5/19*
- **Site Plan of Land: 201 Georgetown Road:** *Prepared by The Morin-Cameron Group, prepared for Joseph & Cynthia Famolare, drafted by WAS, stamped by John M. Morin, dated June 6, 2019*

John Morin of The Morin-Cameron Group, representing the applicant, advised the Commission that those drums that are on the property, which were discussed at the last meeting, will be removed by NRC. Mr. Famolare has contracted with NRC to remove the drums. He's been trying to get something in writing from NRC but has been unable to get anything from them so far. He suggested adding a condition in the Order of Conditions that the drums have been removed according to regulations. He would like to move forward and get the hearing closed. After a brief discussion, the Commission decided on the following conditions: that at the preconstruction meeting, confirmation that the drums

have been removed, and confirmation that there are no Massachusetts Contingency Plan violations. Morin requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to close the hearing for file#114-1281: 201 Georgetown Road, under the Act and the Bylaw.

Continued 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**
- **Plan Submitted:** *Permit Site Plan: prepared by Hancock Associates, prepared for Andrew Collamore, drawn by TJR, stamped by Deborah L. Colbert Environmental, dated 4/23/19, revised: 4/29/19, 6/6/19, 6/7/19, 7/17/19*

Ann McMenemy, Hancock Associates, representing the applicant, met with the Conservation Commission to confirm the validity of the wetland boundaries by DEP, as the Commission requested at the last meeting. A lengthy discussion ensued regarding the validity of the wetland boundaries without anything in writing from DEP. Discussion also included bylaws that could allow issuing the OOC with deviations for hardships, and/or making the proposed addition smaller. Discussion turned to the possibility of a peer review, paid for by the Conservation Commission, to review wetland flag A-14. The Chair asked the Director to provide an estimate for the peer review. Ann McMenemy will also contact retired engineer John Dick to provide information on the plan he provided for a project in 2008, which showed the A-14 flag. McMenemy requested to continue the hearing to August 1st.

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1275: 317 Middleton Road, to August 1st, under the Act and the Bylaw.

Continued COC 114-1263: 317 Middleton Road, 42-1-13 & 14 Collamore: McMenemy requested to continue the hearing on the COC to September 5th.

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to continue the hearing for COC 114-1263: 317 Middleton Road, to September 5th, under the Act and the Bylaw.

9:17 PM PENDING ACTION ITEMS

OOC 114-1280: 19 Appleton Lane, 19-2-33, Hall

Supporting Docs:

- **Notice of Public Hearing:** *Notice of Intent by applicant William T. Hall for the property located at: 19 Appleton Lane, Map 19, Block 2 Lot 33. Owner is proposing to construct a paver patio, retaining wall, and associated site improvements within 100 feet of a bordering vegetated wetland.*
- **Notice of Intent Application Package:** *Prepared by Williams & Sparages, prepared for William T. Hall, W&S Project No. BOXF-0064, dated May 22, 2019:*
 - *WPA Form 3 – Notice of Intent*
 - *NOI Wetland Fee Transmittal Form*
 - *USGS Locus Map: 19 Appleton Lane, Boxford, Mass.*
 - *Project Narrative*
 - *MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form*
 - *Affidavit of Service*
 - *Abutter List*
- **Plot Plan of Land:** *19 Appleton Lane, prepared by Sullivan Engineering Group, prepared for William T. Hall, stamped by John D. Sullivan III, dated 5/20/19.*

The Director provided the Commissioners with an updated Order of Conditions for 114-1280: 19 Appleton Lane, which they approved during a brief discussion, and took the following action:

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 #114-1280: 19 Appleton Lane, 19-2-33, Hall, under the Act and the Bylaw.

COC 114-455: 30A Adams Road, 14-1-38, Nay: The Director advised this is for an old Order of Conditions for the construction of a driveway. The driveway is in the position as

shown on the approved plan. He recommends the Commission proceed without an As-Built plan. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Lummus**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to issue the Certificate of Compliance for file#114-455: 30A Adams Road, 14-1-38, Nay, under the Act and the Bylaw.

9:23 PM ROUTINE BUSINESS

• **Minutes Approval:**

- **5/16/19, 6/6/19:** After a brief review of available minutes, the Commission took the following action:

On a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to approve the minutes of May 16, 2019 and June 6, 2019, as submitted.

9:29 PM OTHER BUSINESS

- **Conservation Restriction: Small Oxx Farm:** Commissioner Grigg advised the grantee has every right, with formal announcements, to inspect the property at any time.

9:32 PM ADJOURN

With no further business, on a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to adjourn at 9:32 PM.

Respectfully submitted,



Judith A. Stickney
Minutes Secretary