

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

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

*Absent: Frank Di Luna*

*Others Present: Planning/Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Greg Hochmuth, John Morin, Peter Perkins, Chris Green, Alec Macauley*

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

**7:30 PM SCHEDULED HEARINGS AND DISCUSSIONS:**

**Violation: 3 Glendale Road, 13-3-33, Sze:** The Director reported that he was notified of a tree clearing at 3 Glendale Road. He made a site visit, spoke with Mr. Sze who told him he would like to convert a portion of his property into agricultural. The Director provided the Commissioners with several photos to view. Nick Sze, who was in attendance, advised the Commission that he was unaware of the regulations until the Director made him aware, adding that he has contacted Williams & Sparages for guidance, and Greg Hochmuth will be assisting him. Hochmuth, who was also in attendance, advised that he will have a filing ready for the Commission in time for the later December meeting on the 19<sup>th</sup>.

**DNI 2018-12: 377 Ipswich, 14-2-11.4, Green  
Supporting Docs**

- **Letter and supporting material from Christopher Green to Conservation Director, Re: Request for Determination of Negligible Impact, 11/15/19**

Chris Green met with the Conservation Commission with a request for a Determination of Negligible Impact to dig and backfill a trench for electrical wiring to install lights along his driveway. After a brief discussion, the Conservation Commission took the following actions:

On a **MOTION** made by **Mitsch**, second by **Lummus**, the Conservation Commission **VOTED** unanimously to close the hearing for file #2018-12: 377 Ipswich Road, under the bylaw.

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact for the work proposed for file #2018-12: 377 Ipswich Road, under the bylaw, with the requirement that straw wattles be used for erosion control in the work area.

**DNI 2019-11: 67C Topsfield Road, 33-2-28, Laurin**  
**Supporting Docs**

- **Letter and supporting material from Williams & Sparages to Conservation Director, Re: Request for Determination of Negligible Impact, 11/14/19**

Greg Hochmuth, Williams & Sparages, representing the homeowner, met with the Conservation Commission with a request for a Determination of Negligible Impact to allow a small rubber tracked excavator to pass through the 100-foot wetland buffer zone for the purpose of drilling exploratory test pits. Hochmuth provided drawings and photos 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 **Lummus**, the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact for the test holes as proposed for 2019-11: 67C Topsfield Road, under the bylaw.

**Continued RDA 2019-9: 31 Chapman Road, 25-3-22, Souza**  
**Supporting Docs**

- **Notice of Public Hearing: Request for Determination of Applicability: Applicant: Heber Souza, for the property located at: 31 Chapman Road: Map 25, Block 3, Lot 22, to authorize, after the fact, tree clearing within 100-feet of a Bordering Vegetated Wetland and the removal of five additional trees.**
- **Request for Determination of Applicability Package: Prepared by Williams & Sparages LLC, dated October 8, 2019:**
  - **WPA Form 1 – Request for Determination of Applicability**
  - **Locus Map: 31 Chapman Road**
  - **Narrative**
  - **Affidavit of Service**
  - **Abutter List**
- **Plan to Accompany Request for Determination of Applicability: Prepared by Williams & Sparages LLC, stamped by Richard L. Williams, dated 10/7/19**

Greg Hochmuth, Williams & Sparages, representing the homeowner, met with the Conservation Commission to address the results of the site visit on Saturday. Hochmuth advised that the construction sequence has been completed, as requested, adding other details of the proposed work. After a brief discussion, the Commission took the following action:

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 RDA 2019-9: 31 Chapman Road, under the Act and the Bylaw.

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to execute and issue a Negative Determination, checking box 3, for file 2019-9: 31 Chapman Road, under the Act and the Bylaw.

**NOI 114- : 30 Arrowhead Farm Road, 37-1-31, Carnes  
Supporting Docs**

- **Notice of Public Hearing:** *Notice of Intent by applicant Barry Carnes, for the property located at 30 Arrowhead Farms Road, Assessor's Map 37- 1- 31. Construction of 1:1 boulder slope, grading, loam & seeding within 100 feet of Bordering Vegetated Wetlands.*
- **WPA Form 3 – Notice of Intent**
- **NOI Wetland Fee Transmittal Form**
- **Affidavit of Service**
- **Notification to Abutters Under the Wetlands Protection Act**
- **Town of Boxford Abutter List: 30 Arrowhead Farms Road**
- **USGS Map: 30 Arrowhead Farms Road**
- **Site Plan of Land in Boxford, Massachusetts, 30 Arrowhead Farms Road:**  
*Prepared by The Morin-Cameron Group, stamped by John M. Morin, dated 11/6/19*

The Director read aloud the public notice and collected proof of abutter notifications. John Morin, The Morin-Cameron Group, representing the applicant, met with the Conservation Commission with a Notice of Intent to construct a 1:1 boulder slope, grading, loam & seeding within 100 feet of a Bordering Vegetated Wetlands. Morin provided photos, drawings, and plans for the Commissioners to view as he made his presentation. After a brief discussion, the Commissioners scheduled a site walk on the property for Saturday, November 30<sup>th</sup>, at 9AM. Morin requested to continue the hearing to December 5<sup>th</sup>.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114- 30 Arrowhead Farm Road, 37-1-31, to December 5<sup>th</sup>, under the Act and the Bylaw.

**Emergency Certification: 50 Pinehurst Drive, 33-4-9, Ferris:** Alec Macauley, Lakeshore Excavating, representing the homeowner, advised that the existing well is not working, and he will be digging it up so it can be replaced. After a brief discussion, the Commissioners took the following action:

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to issue the Emergency Certification for 50 Pinehurst Drive, under the Act and the Bylaw.

**8:14 PM      PENDING ACTION ITEMS**

- **Minutes Review/Approval:** After a brief review of the minutes of October 17, 2019 and November 7, 2019, the Commissioners took the following action:  
On a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to accept the minutes of October 17, 2019 and November 7, 2019, as printed.

- **Administrative Tree Permits:**

- **18 Pond Street:** The Director advised he issued an Administrative tree removal permit for two large pine trees within a 25-foot No Disturb. They are in bad shape, with bark falling off, and in a position to fall on and damage the swimming pool. A third tree is leaning toward the lawn area, after being damaged by beavers. He requested that the Commission ratify the tree permit.

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to ratify the Administrative Tree Permit for the removal of three trees, as presented, at 18 Pond Street, under the regulations.

**8:20 PM      ADJOURN**

With no further business, on a **MOTION** made by **Grigg**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously to adjourn at 8:20 PM.

Respectfully submitted,



Judith A. Stickney  
Minutes Secretary