

**Minutes of the BOXFORD CONSERVATION COMMISSION**  
**REMOTE PARTICIPATION ONLY**  
**January 7, 2021 7:00 PM**

*Present: Peter Delaney, Natasha Grigg, David Smallman, Mark Mitsch, Frank Di Luna, Alan Fowler*

*Absent: Kerri Lummus,*

*Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Scott Cameron, Scott Miccile, Ann Martin, Chris Green, Diane Stoller, Lance Cluster, and others*

**7:03 PM** With a quorum present, Chair Peter Delaney called the meeting to order.

**7:05 PM SCHEDULED HEARINGS AND DISCUSSIONS:**  
**Continued NOI 114-1313: Willow Road, 6-2-2.2, Toll Bros., Inc.**

**Supporting Docs:**

- **Notice of Public Hearing:** *Notice of Intent by applicant Scott Miccile for Toll Bros., Inc., for the property located at Willow Road, Map 6, Block 6 Lot 2.2, for the construction of an active adult residential community containing 66 units, a clubhouse, pool, landscaping, habitat management, and associated improvements, portions of which would be located within Riverfront Area, Bordering Vegetated Wetland Bank, and Buffer Zone.*
- **Notice of Intent Package:** *prepared by LEC Environmental Consultants for Price Family LLC, dated 11/19/20*
  - **Letter from LEC to Conservation Director, Re: Notice of Intent Application [LEC File #: TBI\18-044.02]:** *The Willows at Boxford—An Active Adult Community, Willow Road (Assessor's Map 6, Block 2, Lot 2.2), Boxford, Massachusetts, 11/19/20*
    - *WPA Form 3-Notice of Intent*
    - *Wetland Fee Transmittal Form*
    - *Boxford NOI Fee Form*
    - *Affidavit of Service*
    - *Abutter Letter*
    - *Abutter Notice*
    - *Abutter List*
- **Plans Submitted:** *Prepared by The Morin-Cameron Group, for Toll Brothers, dated 11/19/20:*
  1. *Cover Sheet*
  2. *Sheet Index*
  3. *General Notes, Legends, and Abbreviations*
  4. *Overall Existing Conditions*
  5. *Existing Conditions Plan I*

6. Existing Conditions Plan II
7. Existing Conditions Plan III
8. Existing Conditions Plan IV
9. Overall Site Layout Plan
10. Site Layout Plan I
11. Site Layout Plan II
12. Site Layout Plan III
13. Site Layout Plan IV
14. Grading and Drainage Plan I
15. Grading and Drainage Plan II
16. Grading and Drainage Plan III
17. Grading and Drainage Plan IV
18. Roadway Plan and Profile I
19. Roadway Plan and Profile II
20. Roadway Plan and Profile III
21. Roadway Plan and Profile IV
22. Soil Log I
23. Soil Log II
24. Construction Details
25. Construction Details
26. Construction Details
27. Proposed Wetland Crossing Plan

• **Peer Review Quotes:**

1. VHB: \$14,700
2. Weston & Sampson: \$4,400
3. TEC: \$8,000

**Commissioner Frank Di Luna recused himself from this hearing.**

Chair Delaney advised they had three quotes for a peer review. At the Chair's request for his input, Scott Cameron of Toll Brothers suggested that TEC looked like the best choice. After a brief discussion, the Commission agreed and took the following action:

On a **MOTION** made by **Smallman**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously by roll call vote to contract with TEC for the peer review.

**Roll Call:**

David Smallman: Yes  
Alan Fowler: Yes  
Natasha Grigg: Yes  
Mark Mitsch: Yes  
Peter Delaney: Yes

After the vote, Scott Miccile of Toll Brothers advised the Commission that they are scheduling a Zoom meeting for all abutters on January 19<sup>th</sup> to answer any questions or concerns the abutters may have.

**Extension ANRAD 114-1235: Willow Road, 6-2-2.2, Toll Bros., Inc.**

**Supporting Docs:**

• **ANRAD Application Package:**

- Letter from Wetlands Preservation, Inc.
- Abbreviated Notice of Resource Area Determination, prepared for the Price Family LLC, September 22, 2016
- WPA Form 4A – Abbreviated Notice of Resource Area Determination
- Notification to Abutters
- Affidavit of Service
- Wetland Delineation Report, Willow Road and Pine Plain Road, September 22, 2016
- DEP BVW Delineation Data Sheets
- Locus Map
- Soil Map
- FEMA/FIRM Map
- NHESP Map
- CVP & PVP Map
- ANRAD Plan
- **Letter from Greg Hochmuth, Williams & Sparages, to Conservation Commission, Re: Abbreviated Notice of Resource Area Delineation – Peer Review, 12/30/16**
- **Letter from Joseph Orzell, Wetlands Preservation, to Conservation Commission, Re: Bylaw Fee Calculation, 10/27/16**

**Commissioner Frank Di Luna recused himself from this hearing.**

The Director advised they asked for an extension last year, so this will be their final extension. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to extend the ANRAD to February 21<sup>st</sup>, 2022.

**Roll Call:**

David Smallman: Yes  
Alan Fowler: Yes  
Natasha Grigg: Yes  
Mark Mitsch: Yes  
Peter Delaney: Yes

Scott Miccile requested to continue the hearing for NOI 114-1313 to February 4<sup>th</sup>, 2021. The Commission took the following action:

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously by roll call vote to continue the hearing for NOI 114-1313 to February 4<sup>th</sup>, 2021.

**Roll Call:**

David Smallman: Yes  
Alan Fowler: Yes  
Natasha Grigg: Yes  
Mark Mitsch: Yes  
Peter Delaney: Yes

**7:27 PM      PENDING ACTION ITEMS**

• **Tree Permits**

- **Phelan, 43 Silverbrook Road:** The Director advised there is a Norway Maple on the Phelan property which is leaning toward their new addition. He gave them an administrative permit to remove the tree and asked the Commission to ratify the permit.

On a **MOTION** made by **Grigg**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to ratify the administrative permit issued by the Director for the removal of the maple tree at 43 Silverbrook Road.

**Roll Call:**

David Smallman: Yes  
Alan Fowler: Yes  
Natasha Grigg: Yes  
Frank Di Luna: Yes  
Mark Mitsch: Yes  
Peter Delaney: Yes

- **Merriam, 265 Washington Street:** The Director advised there are five dead ash trees around Steve Merriam's house that he would like to take down. A brief discussion ensued on whether the trees were infested with the emerald ash borer and whether the downed trees should be burned or completely shredded to avoid transfer of the disease. The Director advised that Merriam will be removing the trees himself and using them for firewood. The Director will make Merriam aware of the disposal requirement. After discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED 5-1** by roll call vote to ratify the administrative permit issued by the Director for the removal of the five dead ash trees at and send

the information on the proper disposal of the wood to the homeowner. 265 Washington Street.

**Roll Call:**

David Smallman: Yes

Alan Fowler: Yes

Natasha Grigg: No

Frank Di Luna: Yes

Mark Mitsch: Yes

Peter Delaney: Yes

- **COC 114-1270, Chris Green, 377 Ipswich Road:** Chris Green, the homeowner, was in attendance and advised the Commissioners that he was requesting a Certificate of Compliance for file #114-1270. The Chair explained that, unfortunately that request did not get added to the agenda for tonight's meeting and asked Mr. Green if he would be able to attend the next meeting on January 21<sup>st</sup>. He will return to the next meeting for the COC.
- **2021 Meeting Calendar:** The Director provided the Commissioners with a proposed meeting calendar to view and they all agreed with the meetings, as scheduled.

**7:45 PM      ROUTINES**

- **Minutes Review/Approval:** The Commissioners briefly reviewed available minutes and took the following action:  
On a **MOTION** made by **Di Luna**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to approve the minutes of December 16<sup>th</sup>, 2020, as drafted.

**Roll Call:**

David Smallman: Yes

Natasha Grigg: Yes

Alan Fowler: Yes

Mark Mitsch: Yes

Frank Di Luna: Yes

Peter Delaney: Yes

**7:49 PM      OTHER BUSINESS**

- **6 Gunnison Road:** An abutter to 6 Gunnison Road requested an update on the property at 6 Gunnison. The Chair advised there were no new updates at this point.

**7:50 PM      ADJOURN**

With no further business, on **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously by roll call vote to adjourn at 7:50 PM.

222       **Roll Call:**  
          David Smallman: Yes  
224       Natasha Grigg: Yes  
          Alan Fowler: Yes  
226       Mark Mitsch: Yes  
          Frank Di Luna: Yes  
228       Peter Delaney: Yes

230  
Respectfully submitted,

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

232       Judith A. Stickney  
234       Minutes Secretary