

**Minutes of the BOXFORD CONSERVATION COMMISSION
REMOTE PARTICIPATION ONLY
January 21, 2021 7:00 PM**

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

Absent: Mark Mitsch, Frank Di Luna

Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, James Pearson, Jamie Fair, Mel Higgins, Brian Hubbard, David & Gabrielle Burnham, David Cowell, Bob & Judy Gore, Colleen Kennedy, Steve Clifford, Lance Cluster, Vanessa Johnson-Hall, Kristan Farr, Corey Everleigh, and others

7:00 PM With a quorum present, Chair Peter Delaney called the meeting to order.

7:01 PM SCHEDULED HEARINGS AND DISCUSSIONS:

Authorization to Sign Bergstrom Baseline Document: Greenbelt's Vanessa Johnson-Hall provided a brief description of the document they are requesting be signed. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously by roll call vote to authorize the Director to sign the Bergstrom Baseline Document on behalf of the Conservation Commission.

NOI 114-1315: 8 Whittier Terrace, 10-2-33, Burnham

Supporting Docs:

- **Notice of Public Hearing:** *Notice of Intent by Applicant David Burnham, for the property located at: 8 Whittier Terrace, Map 10, Block 2, Lot 33, to construct a garage within 200' Riverfront Area.*
- **Hearing/Meeting Public Notice Authorization**
- **Notice of Intent Package:** *Prepared by Hancock Associates for David Burnham, dated 1/7/21*
 - *Project Description*
 - *Attachment A WPA Form 3 –*
 - *Notice of Intent*
 - *Attachment B - Filing Fee Information*
 - *Fee Transmittal Form*
 - *Copy of Checks*
 - *Attachment C - Abutter Information*
 - *Certified List of Abutters*
 - *Abutter Notification*
 - *Attachment D – Figures*
 - *Locus Map*
 - *FEMA Map*
 - *Attachment E - Plans*

- *Site Plan to Accompany Notice of Intent (1 Sheet)*

The Director read aloud the Notice of Public Hearing to open the hearing. Devon Morse of Hancock Associates, representing the homeowner, provided the Commission with a Notice of Intent to construct a garage within 200' Riverfront Area. Morse provided photos and plans for the Commissioners to view as she made her presentation. The Chair advised Morse that they were unable to approve this until after April 1st when they would be able to set up a site walk to view the wetland delineation. After a brief discussion, they will set up a site walk for Tuesday, April 6th, at 5:30PM. Morse requested to continue the hearing to April 15th.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to continue the hearing for NOI 114-1315: 8 Whittier Terrace, 10-2-33, Burnham, to April 15th, with a site walk scheduled for April 6th at 5:30PM.

Roll Call: (Called by Chair Delaney)

Smallman: Yes

Lummus: Yes

Grigg: Yes

Fowler:

Delaney: Yes

NOI 114-1314: 21 Valley Road, 19-1-36.1, Casey

Supporting Docs:

- **Notice of Public Hearing:** *Notice of Intent by Applicants Jonathan & Rebecca Casey, for the property located at: 21 Valley Road, Map 19, Block 1, Lot 36, for grading, tree removal and fence construction associated with the construction of a pool within 100-feet of Bordering Vegetated Wetland.*
- **Notice of Intent Package:** *Prepared by Hancock Associates for Jonathan & Rebecca Casey, dated 1/7/21*
 - Project Description
 - Attachment A WPA Form 3
 - Notice of Intent
 - Attachment B - Filing Fee Information
 - Fee Transmittal Form
 - Copy of Checks
 - Attachment C - Abutter Information
 - Certified List of Abutters
 - Abutter Notification
 - Attachment D – Figures
 - Locus Map
 - FEMA Map
 - Attachment E – Plans

- Proposed Site Plan of Land in Boxford, MA (1 Sheet)

The Director read aloud the Notice of Public Hearing to open the hearing. Kristan Farr, a wetland scientist with Hancock Associates, representing the applicant, met with the Conservation Commission with a Notice of Intent for grading, tree removal and fence construction associated with the construction of a pool within 100-feet of Bordering Vegetated Wetland. Farr provided photos, plans and drawings for the Commissioners to view as she made her brief presentation. The Chair advised Farr that they were unable to approve this until after April 1st when they would be able to set up a site walk to view the wetland delineation. After a brief discussion, they will set up a site walk for Tuesday, April 6th, at 6:15PM. Farr requested to continue the hearing to April 15th.

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to continue the hearing for NOI 114-1314: 21 Valley Road, 19-1-36.1, Casey, to April 15th, with a site walk scheduled for April 6th at 6:15PM.

Roll Call: (Called by Chair Delaney)

Smallman: Yes

Lummus: Yes

Grigg: Yes

Fowler: Yes

Delaney: Yes

7:21 PM PENDING ACTION ITEMS

COC 114-1270: 377 Ipswich Road, Green: The Director advised he had been to the property to view the completed project. It was well done and is completely stabilized. He recommended that the Commission issue the Certificate of Compliance. The Director provided photos for the Commissioners to view. After a brief discussion, the Commission took the following action:

At the recommendation of the Director and on a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to issue the Certificate of Compliance for DEP file #114-1270, 377 Ipswich Road, Green, under the Act and the Bylaw.

Roll Call: (Called by Chair Delaney)

Smallman: Yes

Lummus: Yes

Grigg: Yes

Fowler: Yes

Delaney: Yes

7:26 PM OTHER DISCUSSIONS

Informational Presentation of Pending Spofford and Cole School Projects: James Pearson, project manager for the parking lot renovation project at the elementary schools, met with the Conservation Commission to provide preliminary information on their projects to include improved handicap parking, repair aging sidewalks, improve traffic circulation, improve lighting, and other parking lot projects. Pearson provided a presentation for the Commissioners to view describing all the work they are proposing at both schools and referred to the included photos, plans, and drawings as he made his brief presentation. He advised the Commission that they are hoping to have a formal filing ready for the February 4th meeting, with a goal of having it presented to Town Meeting for approval in May. Commissioner Grigg expressed her concern with changing pervious material with impervious material and suggested that they consider pervious material for the parking lot. The Chair advised that they would probably need to file a Notice of Intent for Spofford Pond School and they would probably need to file an application due to the Stormwater Management in an urbanized area for the Cole School work. He added that the wetland lines cannot be verified until April 1st and he was reluctant to provide any guidance without more information and a filing. There ensued a discussion on the filings that would be needed. The Chair advised that it will be difficult to answer many of the questions, as they do not have any filing in front of them to refer to. They will get their filings in order and return to a later meeting.

7:52 PM Lockwood Lane Parking Area Discussion: The Director advised the Commissioners that an issue has developed with the bridge being repaired and reopened and the resulting traffic posing a danger to equestrians, pedestrians, etc. Bob and Judy Gore advised the Commissioners that they have been looking into the possibility of installing a parking area on the shoulder of Lockwood Lane near the walking trail. A lengthy discussion ensued. After discussion, the Chair suggested that they work with the DPW Superintendent/Town Engineer to get the parking area in and according to conservation restrictions. It was also suggested that pedestrian warning lights be installed. After a lengthy discussion, the Chair suggested that they move forward on talking with the DPW Superintendent/Town Engineer with regards to installing the parking area at Middleton and Lockwood and filling the shoulder down by the existing parking on Lockwood for additional parking. Commissioner Grigg disagreed with the filling of wetlands to make parking for 4-5 cars. She also suggested that speed be enforced and slowed down with the possible use of traffic bumps. There was a brief discussion on who would pay for the work in the road right-of-way. The Director will discuss with the DPW Superintendent/Town Engineer and will let the Gores know what he says.

8:13 PM OTHER BUSINESS

Kahan Violation: The Director advised the Commission that he received information today that Mr. Kahan and Mr. Sanidas are not agreeing as to who will pay for the work required in the Enforcement Order. As a result, the NOI may not be filed for a while. They will need to issue a new Amended Enforcement Order that will require the filing of a Notice of Intent, which is now an additional violation. He asked for a motion to issue a new

Enforcement Order both Kahan and Sanidas, requiring the filing of the Notice of Intent and requiring them to attend the next meeting.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to issue a new Enforcement Order to Kahan and Sanidas, requiring them to attend the next meeting and file a Notice of Intent.

Roll Call: (Called by Director Povenmire)

Smallman: Yes

Fowler: Yes

Lummus: Yes

Delaney: Yes

Cogley Violation: The Director advised that there is now a second violation for Mr. Cogley at 6 Gunnison Road, adding that their engineer reported having delays getting the survey completed. They were required to attend tonight's meeting with a Notice of Intent. Now there is a second violation, with no Notice of Intent filed, as required by the Enforcement Order. The Chair is asking for a vote to issue an amended Enforcement Order requiring their appearance at the next meeting, with the Notice of Intent.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to issue a new Enforcement Order to Cogley, 6 Gunnison Road, requiring them to attend the next meeting and file a Notice of Intent.

Roll Call: (Called by Director Povenmire)

Smallman: Yes

Fowler: Yes

Lummus: Yes

Delaney: Yes

8:16 PM ADJOURN

With no further business, on **MOTION** made by **Delaney**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to adjourn at 8:16 PM.

Roll Call: (Called by Director Povenmire)

Smallman: Yes

Fowler: Yes

Lummus: Yes

Delaney: Yes

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Judith A. Stickney', written in a cursive style.

Judith A. Stickney
Minutes Secretary

From the video posted at: <http://www.boxfordcabletv.com/dnn7>