**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**January 19, 2017 7:30PM**

*Present: Peter Delaney, Lana Spillman, Mark Mitsch, Natasha Grigg, Frank Di Luna, Paris Beckett, Alan Fowler*

*Absent:*

*Others Present: Conservation Director Ross Povenmire, Minutes Sec’y Judi Stickney, Lillabeth Weiss, John Morin, Gilbert Sullivan, Mike DeRosa, Anna Plucinska-Lazarevicz, Laura Sapienza-Grabski, Eric Peterson*

**Meeting Called to Order:**

With a quorum present, Chair Peter Delaney called the meeting to order at 7:32PM.

**7:32PM PUBLIC HEARINGS AND SCHEDULED DISCUSSION ITEMS**

* **Extension OOC 114-1176: 35 Lily Pond Road, 2-2-2.2, Pierce:** The Director provided some background information on the project, noting that the OOC expires March 10, 2017, and the applicants are requesting to extend the Order of Conditions to 3/10/18. Di Luna explained that our bylaw only allows a one-year extension, whereas the Wetlands Act allows a three-year extension. The homeowners explained they were certain the project would be completed well before the one-year extension date.

On a **MOTION** made by **Mitsch,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to extend the Order of Conditions to March 10, 2018, under the Act and the Bylaw.

* **Continued NOI 114-1241: Road ROW near 17-20 Highland Road, 14-1-17 & 14-2-19, Boxford DPW**

**Documents Submitted:**

* + **Public Notice:** *Replace a 12” cmp that lies under Highland Road with a 5’ w x 3’ h corrugated arch culvert. The culvert contains the flow of a very small intermittent stream. The bottom of the box culvert will be lined with 18”+ of stone and sand to replicate streambed conditions above/below the culvert.*
  + **Site Plan:** *Highland Road, Boxford, Massachusetts, prepared by Hayner Swanson, Inc., prepared for Town of Boxford, stamped by Paul F. Hayner, Jr., dated 11/17/16.*
  + **Hydraulic Report:** *Highland Road Culvert Replacement, Boxford, Massachusetts, prepared for Town of Boxford, prepared by Hayner/Swanson, Inc., dated 11/17/16.*
  + **WPA Form 3 –** **Notice of Intent:** *Culvert Replacement Between 17-20 Highland Road, Town of Boxford*

The Director advised the applicant has requested to continue the hearing to February 2.

On a **MOTION** made by **Mitsch,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1241 to February 2.

* **Continued NOI 114-1240: 81A Stiles Pond Rd, 18-1-4, Sullivan**

**Documents Submitted:**

* + **Notice of Public Hearing:** *Proposed housing addition, detached garage, driveway and associated site improvements to an existing single family residence.*
  + **Notice of Intent Package:** *Prepared by The Morin-Cameron Group, including the following:*
    - **Cover Letter**
    - **WPA Form 3 – Notice of Intent**
    - **USGS Map:** *81A Stiles Pond Road*
  + **Plan:** *Site Plan of Land in Boxford Massachusetts, 81A Stiles Pond Road, prepared for Gilbert Sullivan, prepared by The Morin-Cameron Group, Inc., stamped by John M. Morin, dated 10/31/16, revised 12/6/16, revised 12/7/16.*

John Morin, of The Morin-Cameron Group, representing Gil Sullivan, and Mike DeRosa, of DeRosa Environmental, met with the Conservation Commission to review the site walk findings and their changes to the plans as a result of the site walk. Morin provided updated plans and photos for the Commissioners to view as he made his presentation. Mike DeRosa contributed to the presentation, noting the improvements they have incorporated into the plans. Mr. Sullivan also contributed to the discussion. After discussion:

At the request of the applicant, on a **MOTION** made by **Mitsch,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1240, 81A Stiles Pond Road, under the Act and the Bylaw.

After a brief discussion on providing more specific findings in the Order of Conditions, such as when the work should be done, a possible construction sequence, and findings related to the vernal pool, the Commission decided that the Director could have the Order of Conditions ready to sign at the next meeting.

* **Continued ANRAD 114-1235: Willow Road and Pine Plain Road, 6-2-2.2, Price Family**

**Documents Submitted:**

* **Public Notice:** The Applicant seeks to determine the nature and extent of Wetland Resource Areas under both the Massachusetts Wetlands Protection Act and the Town of Boxford’s Wetlands Protection Bylaw.
* **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

The Director advised there is a request to continue the hearing to February 2.

On a **MOTION** made by **Di Luna,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to continue the hearing for ANRAD 114-1235, to February 2.

**8:11PM PENDING ACTION ITEMS:**

* **COC 114-1061: 0 Pond Street, 9-1-5, Nason:** The Director provided the Commissioners with a photo and plan to view as he described the current conditions of the property, advising that the work is complete, the soil is stabilized, and he recommends the issuance of the Certificate of Compliance. Mr. Peterson contributed to the discussion.

On a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to execute and issue the Certificate of Compliance for file #114-1061, 0 Pond Street, under the Act and the Bylaw.

**8:15PM OTHER BUSINESS**

* **Discussion: Anti-Pipeline Letter: Di Luna recused himself from discussing this issue.** The Director advised he provided a letter for the Conservation Commission to sign, if they decide to approve the letter. The Commissioners determined they did not need to compose and sign a letter, they just needed to vote on whether to support the anti-pipeline letter the MACC has composed. After a brief discussion:

On a **MOTION** made by **Spillman,** second by **Grigg,** the Conservation Commission **VOTED** to notify the MACC that the Boxford Conservation Commission be added to list of Conservation Commissions supporting the anti-pipeline letter to the Governor.

After the vote, Di Luna rejoined the meeting.

* **Discussion: Nason Conservation Land Boardwalk:** Commissioner Grigg provided details on the plans to update the recommendation letter for the boardwalk on the Nason Conservation Land. After a brief discussion:

On a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** to update the recommendation letter for the boardwalk on the Nason Conservation Land.

* **Discussion: 30 Lawrence Road Property:** Laura Sapienza-Grabski, 2 Brookview Road, met with the Conservation Commission to discuss the environmental emergency at 30 Lawrence Road, wondering why nothing has been done to bring the property into compliance. A lengthy discussion ensued on the history of the property, the Building Inspector’s and the Zoning Board’s actions, the jurisdiction of the Conservation Commission and their responsibility to take any action. Sapienza-Grabski suggested that the Conservation Commission develop a policy on actions to take when these types of environmental emergencies take place. The Director provided a brief update on what’s taking place on the property and what’s planned, noting that the property owner and the Building Inspector have issues to resolve before any building can take place. He added that he did not witness any debris in the resource area on the site walk.
* **Minutes:** The Chair initiated a discussion on the meeting minutes and getting them approved in a timely manner. After a brief discussion, the Commissioners will try to get the 2016 outstanding minutes approved at the next meeting.
* **Trees on Cargill Field Property:** The Director advised he was alerted by a resident about some trees that have been cut and left on Cargill Field. He spoke with the homeowner who felled the trees and they will get them removed. Commissioner Grigg, who is also a member of BTA-BOLT, advised the property is monitored by BTA-BOLT and Richard Tomczik wrote a detailed report on the conservation land, noting that the fieldstone wall had also been moved. She will forward a copy of the monitoring report to the Conservation Commission. The Director was confident the homeowners would get the issue resolved, but he will issue an Enforcement Order if they do not.
* **Mosquito Opt Out:** Commissioner Grigg requested that the Commission vote to opt out of the mosquito spraying on conservation land. After a brief discussion:

On a **MOTION** made by **Spillman,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to have the Director draft the registered letter necessary to opt out of mosquito spraying on town-owned conservation land in Boxford.

**9:04PM ADJOURN**

On a **MOTION** made by **Grigg**, second by **Spillman**, the Conservation Commission **VOTED** unanimously to adjourn at 9:04PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*