**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #2**

**May 18, 2017 7:30PM**

*Present: Mark Mitsch, Frank Di Luna, Peter Delaney, Natasha Grigg*

*Absent: Alan Fowler, Lana Spillman*

*Others Present: Conservation Director Ross Povenmire, Minutes Sec’y Judi Stickney, John Morin, Anthony Andon, Ann McMenemy, Elliott Siegel, Robert Sterner, and others*

**Meeting Called to Order:**

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

**7:33PM PUBLIC HEARINGS**

* **DNI 2017-6: 600 Main Street, 9-2-28, Siegel:** Elliott Siegel met with the Conservation Commission with a Determination of Negligible Impact to dig a trench for utilities to go to the barn. A brief discussion ensued, where it was noted that a Determination of Negligible Impact had recently been issued for the property for the foundation for the barn, which has been completed. The applicant provided a plan for the Commissioners to view as he made his brief presentation.

On a **MOTION** made by **Fowler,** second by **Grigg**, the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact, subject to the provisions in the drafted letter, for 2017-6, 600 Main Street, under the Bylaw.

* **DNI 2017-4: 58B Great Pond Drive, 19-3-16.32, Kinnally:**

**Documents Submitted:**

* **4 Photos**

The applicant was not in attendance to present. The Director read aloud the letter from the applicant, requesting the removal of a tree from the property. The Director provided four photos of the tree in question. After a brief discussion:

On a **MOTION** made by **Grigg,** second by **Mitsch**, the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact for 2017-4, 58B Great Pond Drive, for the removal of a tree, with the provision that he use a crane, under the Bylaw.

* **Continued NOI 114-1243: 45 Batchelder Road, 24-4-37, Sterner**

**Documents Submitted:**

* + **Public Notice:** *Owner is proposing to construct an addition, walkway, patio and associated site improvements within 200’ Riverfront Area and within 100’ Buffer Zone to Bordering Vegetated Wetland and 100’ Buffer Zone to Vernal Pool.*
  + **Notice of Intent Packet:**
    - Letter from The Morin-Cameron Group
    - Application Check List
    - Zoning Board of Appeals Public Hearing Application
    - Town of Boxford Abutter List
    - Quitclaim Deed: 45 Batchelder Road
    - WPA Form 3: Notice of Intent
  + **Plan of Land:** *Prepared for Robert and Patricia Sterner, prepared by The Morin-Cameron Group, 45 Batchelder Road, stamped by John M. Morin, dated 3/23/17, revised 3/31/17*

John Morin, of The Morin Cameron Group, representing the applicant, met with the Conservation Commission to review the revised plans that were drawn up after the site walk.

On a **MOTION** made by **Grigg,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to accept the revised plan outside the 7-day requirement.

Morin continued his review of the plans, noting that Natural Heritage had sent a letter stating there are no issues with the project. After a brief discussion, Morin requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Grigg,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1243, 45 Batchelder Road, under the Act and the Bylaw.

* **Continued ANRAD 114-1242: 599 Main Street and Silvermine Road, 10-1-28, 599 Main LLC**

**Documents Submitted:**

* + **Legal 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.
  + **Plans:** *Plan of Land in Boxford MA to Accompany an Abbreviated Notice of Resource Area Delineation, Land on Silvermine Road and Main Street, prepared for 599 Main LLC c/o Thomas A. Frangos, prepared by Hancock Associates, stamped by Joseph M. Small, dated 3/15/17*

Ann McMenemy, Hancock Associates, representing the applicant, met with the Conservation Commission to discuss and address the issues noted on the recent site walk. After a brief discussion, the Chair requested an additional site walk for Tuesday night, May 23. The Chair also advised the applicant that they will be requiring a peer review. The Director will get three quotes for the peer review and notify the Commission and applicant when the quotes are in. After a brief discussion, McMenemy requested to continue the hearing to June 1.

At the request of the applicant and on a **MOTION** made by **Grigg,** second by **Fowler,** the Conservation Commission **VOTED** unanimously to continue the hearing for ANRAD 114-1242, 599 Main Street and Silvermine Road, 599 Main LLC, to June 1, under the Act and the Bylaw.

* **DOA 2017-2: 599 Main LLC, 10-1-28, 599 Main Street and Silvermine Road**

**Documents Submitted:**

* + **Legal Notice:** *Temporary access for soil testing*
  + **Package:** *Request for Determination of Applicability, prepared by Hancock & Associates, including:*
    - **WPA Form 1: Request for Determination of Applicability**
    - **Filing Information**
    - **Abutter Information**
    - **Summary of Wetland Delineation**
    - **Maps: Locus Map, FEMA Map, GIS Map of Site**
  + **Plan of Land in Boxford MA to Accompany a Request for Determination of Applicability:** *Stamped by Joseph Small, dated 3/2/17*
  + **7 Photos**
  + **Attachment to Determination of Applicability:** *Town of Boxford Conservation Commission, BCC FILE #:2017-2, Date of Approved Plan: 3-2-2017, last revised 3-15-2017, Applicant: 599 Main LLC, c/o Thomas Frangos*

Ann McMenemy, Hancock Associates, met with the Conservation Commission to review the site walk findings. After a lengthy discussion, the Chair requested that the boundary markers be permanent and the Director added that to the Determination.. McMenemy requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Fowler,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to close the hearing for DOA 2017-2, 599 Main LLC, under the Act and the Bylaw.

On a **MOTION** made by **Grigg,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking boxes 2 and 3, for 2017-2 599 Main LLC, under the Act and the Bylaw.

**8:21PM OTHER BUSINESS**

* **Wildcat Signage:** The Director provided photos of the signs proposed for posting in the Wildcat Conservation Land, advising users that unauthorized trails are closed and access is prohibited. After a few tweaks, the Commissioners agreed on the verbiage and instructed the Director to have several prepared and in stock for future use, as well.
* **Baldpate Pond Erosion:** The Director advised that there have been people using the beach at Baldpate Pond, accessed on the Georgetown side, after the beach is closed. The neighbors have complained about it and the Commissioners have been out there in the past to observe if there were any conservation issues. There were no conservation issues, but a police issue. However, Povenmire advised there is some erosion evident.

**8:32PM ADJOURN**

On a **MOTION** made by **Grigg**, second by **Mitsch,** the Conservation Commission **VOTED** unanimously to adjourn at 8:32PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*