**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**May 3, 2018 7:30 PM**

*Present: Peter Delaney, Lana Spillman, Natasha Grigg, Mark Mitsch, David Smallman (7:37PM)*

*Absent: Frank Di Luna, Alan Fowler*

*Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Mrs. Silverman, Steve Merriam, Greg Hochmuth, Mr. Goldstein, Mrs. Glenden, Mr. Curiale, Bob Hazelwood, Matt Steinout, Paul D’Amore, Andrew Collamore, and others*

**Meeting Called to Order:**

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

* **Continued DNI 2018-14: 35 Appleton Lane, 19-2-35, Silverman remove trees:** Mrs. Silverman met with the Conservation Commission and asked to read aloud a statement regarding the loss of numerous trees to beaver damage, supporting her request to remove the second oak tree discussed in her DNI request. Mrs. Silverman added that she asked Mr. Howard Geffen, a Certified Arborist, to comment on the removal of the two trees, and he suggested that they remove the second tree along with the first, and plant three smaller trees elsewhere as mitigation plantings. She is happy to add the extra trees and would like to add six cherry trees at the street end of the driveway, if the Commission will agree to allow her to remove both trees, as originally requested. After a lengthy discussion, which included Spillman’s suggestion of the possibility of setting precedent, and Smallman’s comment that he felt the tree in question was not in great condition when he made a site visit. There was also discussion on setting policy and guidelines for removing trees in the future. The Chair asked the Director to look into getting information from nearby municipalities on their guidelines or policies on tree removals. Mitsch noted that they have allowed trees to be removed in the past, with mitigation plantings for loss of values, and felt this would not be setting precedent. After discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to approve the removal of the second tree, subject to the approval of a plan for the planting of three native species trees, 1½” to 2” in diameter, with a plan to check them after one full growing season, to ensure they are healthy.

* **DNI 2018-17: 45 Towne Road, 31-3-7, Goldstein remove trees:** Mr. Goldstein met with the Conservation Commission with a request for a Determination of Negligible Impact to remove a bunch of trees that were damaged or uprooted during the winter storms and four that are now leaning against other trees. Goldstein provided 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 **Spillman,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to issue a Determination of Negligible Impact to remove the approved trees, for file #2018-17: 45 Towne Road, under the Bylaw.

* **DNI 2018-18: 225 Washington, 9-1-26, Merriam, shed in buffer:** Steve Merriam met with the Conservation Commission with a request for a Determination of Negligible Impact to put up a shed within 75’ of the Bordering Vegetated Wetland. Merriam provided drawings, photos, and plans for the Commissioners to view as he made his brief presentation.

On a **MOTION** made by **Mitsch,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to close the discussion and issue a Determination of Negligible Impact to put up a shed within 75’ of the wetland, for file #2018-18, 225 Washington Street, under the Bylaw.

* **DNI 2018-19: 55 Hickory Lane, 28-1-4.10, Glenden, Remove 4 Trees:** Mrs. Glenden met with the Conservation Commission with a request for a Determination of Negligible Impact to remove 4 trees. Mrs. Glenden provided photos for the Commissioners to view as she made her brief presentation, assisted by the Director. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to close the discussion for 2018-19: 55 Hickory Lane, and issue a Determination of Negligible Impact for the removal of four trees, as presented, under the Bylaw.

* **Continued RDA 2018-3: 2 King Edward Court, 20-5-12, Curiale, Remove Trees:** Mr. Curiale met with the Conservation Commission to review the results of the site visit the Commission made last week. The Commission agreed there were issues that needed to be addressed and approved the threatening trees for removal.

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2018-3: 2 King Edward Court, and issue a Negative Determination, checking boxes 2 and 3, under the Act and the Bylaw.

* **Continued NOI 114-1255: 25 Pearl Road, Vanderpot, Septic System Repair:**

**\*\*Lana Spillman recused herself from this hearing, as a notified abutter\*\***

The Director read aloud the public notice and collected proof of abutter notifications. Matthew Steinout, Millennium Engineering, representing the applicant, met with the Conservation Commission with a Notice of Intent to repair an existing septic system. Steinout presented an updated plan, dated May 3, 2018, for the Commissioners to view, based on the Boxford Board of Health comments.

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

Steinout continued his presentation, while the Commissioners viewed the updated plan, with comments and suggestions by the Director, who proposed that they add a note to the plan that says something similar to “The approval of this plan by the Conservation Commission does not verify the absence or presence of a vernal pool.” Povenmire also commented that the “deck” on the plan is a 3-season porch and requested that be changed on the plan, as well. After 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 continue the hearing for 114-1255: 25 Pearl Road, to May 17, under the Act and the Bylaw.

* **Continued NOI 114-1256: 31 Glen Forest Drive, 18-2-13, Chub Trust, Septic System Repair:** The Chair advised they were awaiting the issuance of a number from DEP. They have that, so the hearing can be closed and the OOC issued.

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1256: 31 Glen Forest Drive, 18-2-13, under the Act and the Bylaw.

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for file #114-1256: 31 Glen Forest Drive, 18-2-13, under the Act and the Bylaw.

* **Continued NOI 114-1254: 20 Boren Lane, 25-3-6, Mugge, Deck Construction and Landscaping:** Greg Hochmuth, Williams and Sparages, representing the applicant, met with the Conservation Commission with a Notice of Intent to construct a deck and associated landscaping. Hochmuth provided revisions to the plan, based on the recent site visit by the Conservation Commission. Hochmuth provided a revised plan and photos for the Commissioners to view as he made his presentation.

At the request of the applicant and on a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to close the hearing for NOI 114-1254: 20 Boren Lane, 25-3-6, under the Act and the Bylaw.

* **Continued NOI 114-1253: 427C Ipswich Road, 14-1-21, Smith, Driveway Construction:** The Chair advised they had a request to continue the hearing to May 17.

At the request of the applicant and on a **MOTION** made by **Mitsch,** second by **Grigg,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1253: 427C Ipswich Road, 14-1-21, to May 17, under the Act and the Bylaw.

* **OOC 114-1252: 6 Bare Hill, 25-5-15, Quinlan:** The Chair advised this was inadvertently omitted at the last meeting.

At the request of the applicant and on a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to execute and issue the Order of Conditions for 114-1252: 6 Bare Hill, 25-5-15, under the Act and the Bylaw.

* **Ratification Emergency Certification: Remove Beaver Debris from Four Mile Pond Dam:** The Director advised that the Emergency Management Director, Bob Hazelwood, requested the beaver debris be removed from Four Mile Pond. Hazelwood noted that the dam has been clogged up with beaver debris and to prevent erosion, he is requesting that the debris be cleaned out.

On a **MOTION** made by **Mitsch,** second by **Smallman,** the Conservation Commission **VOTED** unanimously to ratify the Emergency Certification to remove beaver debris from Four Mile Pond dam.

* **Discussion: Lease Anvil Farm/Facella Field:** The Director read aloud the public notice requesting bids to license the land at Anvil Farm/Facella Field. Discussion included the fact that the lease would expire in 2025. Commissioner Grigg noted that the APR states that the field must be farmed organically. The Chair requested that the restriction be included on the license. The Director will attach the restrictions to the license. After a lengthy discussion, the Commission took the following action:

On a **MOTION** made by **Smallman,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to issue the license for Anvil Farm/Facella Field to Bob Hazelwood, in accordance with the dates on the license.

* **Violation: 317 Middleton Road, Collamore:** Andrew Collamore met with the Conservation Commission to discuss the recent cutting of trees on his property, with activities close to and in the wetlands. Chair Delaney advised he got a call and made a site visit and determined that the activity encroached on the wetlands. The Chair requested that Collamore contact a wetlands scientist to assist with the restoration plan process and the filing of a Notice of Intent. A discussion ensued on the what needs to be done to restore the area. After discussion, the Commission decided to issue an Enforcement Order requiring the filing of an NOI by June 7th.

**9:05 PM OTHER BUSINESS**

* **Planning Grant: Municipal Vulnerability Preparedness:** The Director advised there is a grant to help protect wetlands and resource area values from the impacts of climate change and, to get it, they need to sign and send the notification. After a brief discussion, the Commission took the following action:

On a **MOTION** made by **Smallman,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to sign and send the letter.

* **Plantings at the Ballfields:** Spillman asked about the status of the plantings at the Boxford Common ballfields, whether additional OoC-required plants have been planted and if they had been monitored recently. The Director advised he will go down and take a look and report back at the next meeting.
* **IDs for Commissioners:** The Director advised that he spoke to the Town Administrator who told him the Town has the equipment to make them, but it hasn’t happened yet. He will get an update and report back to the Commission.

**9:10 PM ADJOURN**

With no further business, on a **MOTION** made by **Grigg**, second by **Mitsch,** the Conservation Commission **VOTED** unanimously to adjourn at 9:10 PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*