**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**January 5, 2017 7:30PM**

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

*Absent: Paris Beckett*

*Others Present: Conservation Director Ross Povenmire, Minutes Sec’y Judi Stickney, Lillabeth Weiss, Amy Sullivan, Michael O’Neill, Dick Boldi, Tom Hughes*

**Meeting Called to Order:**

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

**7:30PM PUBLIC HEARINGS AND SCHEDULED DISCUSSION ITEMS**

* **RDA 2016-29: 45A Glendale Road, 12-2-20, Sullivan**

**Documents Submitted:**

* + **Public Notice:** *To construct retaining wall and partly regrade the front yard, install landscape plantings and remove four trees, all within 100 feet of a Bordering Vegetated Wetland.*
  + **Plan:** *Designed by Landscapes by Lillabeth, LLC, for David & Amy Sullivan, 45A Glendale Road, dated November 15, 2016*
  + **WPA Form 1 – Request for Determination of Applicability:** *Amy & David Sullivan 45A Glendale Road*

The Director read aloud the public notice and collected proof of abutter notifications. Lillabeth Weiss, landscape architect, and the applicant, Amy Sullivan, met with the Conservation Commission with a Request for Determination of Applicability to construct a retaining wall and partly regrade the front yard, install landscape plantings and remove four trees, all within 100 feet of a Bordering Vegetated Wetland. Weiss provided drawings and photos for the Commissioners to view as she made her brief presentation. The Director requested that the trees proposed for removal be marked. As a condition, replacement trees are to be ≥ 2 inch caliper, the number shown on the approved plan, and planted within six months. Prior to the tree cutting, the Director is to meet with the tree people to determine if there are any concerns. After discussion, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Grigg,** second by **Spillman,** the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2016-29, 45A Glendale Road, under the Act and the Bylaw.

On a **MOTION** made by **Spillman,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, for RDA 2016-29, 45A Glendale, with the conditions, as amended.

* **Amended OOC #114-1223: Middleton Road Culvert, Town of Boxford**

**Documents Submitted:**

* + **Public Notice:** To update the approved plan to show a new culvert invert elevation and the location of test boring locations.
  + **Plan (3 Pages):** *Culvert Replacement Crooked Pond Stream Crossing, drawn by Michael O’Neill, PE, prepared for Town of Boxford, dated 12/2/15, revised 1/27/16, 12/30/16*
  + **Letter:** *From Michael G. O’Neill, PE, to the Conservation Director, Re: Culvert Replacement Crooked Pond Stream, January 3, 2017*

The Director read aloud the public notice and collected proof of abutter notifications. Michael O’Neill, project engineer for the culvert, met with the Conservation Commission with an Amended Order of Conditions for file #114-1223. O’Neill requested a waiver from the 7-day prior submission policy, as they were recently notified that they need to meet deadlines in order to have the project ready for presentation at Town Meeting.

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to waive the 7-day requirement for submission.

O’Neill continued with his brief presentation on the project and, after discussion, requested to close the hearing:

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Di Luna**, the Conservation Commission **VOTED** unanimously to close the hearing for Amended OOC 114-1223, under the Act and the Bylaw.

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to execute and issue the proposed Order of Conditions for DEP file #114-1223, under the Act and the Bylaw, as drafted.

* **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 Commission that he had received a written request to continue this hearing to the next meeting on January 19.

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Di Luna,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1241 until January 19, under the Act and the Bylaw.

* **Continued RDA 2016-23: Camp Rotary, Boldi**

**Documents Submitted:**

* + **WPA Form 1 – Request for Determination of Applicability (Revised)**
  + **Plans:** *Plans and Elevation Proposed New Deck, drawn by Deer Hill Architects, dated 10/4/16*
  + **Site Plan in Boxford, Mass.:** *Property of Camp Rotary, prepared by Donohoe Survey, Inc., prepared for Camp Rotary, stamped by Paul J. Donohoe, dated 12/16/16*
  + **10 Photos**

Tom Hughes, representing the applicant, met with the Conservation Commission with a Request for Determination of Applicability to replace the existing deck with a larger deck. Hughes provided plans and photos for the Commissioners to view as he made his brief presentation. After a brief discussion, the applicant requested to close the hearing.

At the request of the applicant and on a **MOTION** made by **Mitsch**, second by **Spillman**, the Conservation Commission **VOTED** unanimously to close the hearing for RDA 2016-23, under the Act and the Bylaw.

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to issue a Negative Determination, checking box 3, for RDA 2016-23, as drafted.

* **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.*
* The Director advised there is a request from the applicant to continue the hearing to January 19.

At the request of the applicant and on a **MOTION** made by **Di Luna**, second by **Spillman,** the Conservation Commission **VOTED** unanimously to continue the hearing for NOI 114-1240 until January 19, under the Act and the Bylaw**.**

* **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 from the applicant to continue the hearing to January 19.

At the request of the applicant and on a **MOTION** made by **Di Luna**, second by **Mitsch,** the Conservation Commission **VOTED** unanimously to continue the hearing for ANRAD 114-1235 until January 19, under the Act and the Bylaw.

**8:13PM Director’s Report**

* **Boxford Common Update:** The Director provided photos for the Commissioners to view as he provided an update on the latest activities on the Boxford Common project. DeRosa Environmental has removed invasive plants in the area near the newly constructed wooden bridge. A sizeable amount of soil has been brought onto the site.
* **Straub Property Update:** The Director provided photos for the Commissioners to view as he provided an update on the wetlands flagging project and issues at the Straub property on Lawrence Road. Povenmire reviewed the Resource Area boundary flags with Curt Young of Wetlands Preservation, Inc. (WPI); only one flag was changed, to an upslope location. WPI is preparing a plant.

**8:20 PM OTHER BUSINESS**

* **Fishbrook Road Issue:** Commissioner Spillman reported an issue she observed while on a site walk on William Road in Topsfield. She provided a photo for the Commissioners of a rustic pallet structure and other activities in and adjacent to Fish Brook for the Commissioners to view. Commissioner Grigg advised that the relevant property is included in the parcel that Greenbelt gave to BTA-BOLT. Spillman advised the land is accessible from behind a house on River Road in Topsfield. Grigg, as a member of BTA-BOLT, will look into this issue and report back to the Commission.
* **Conservation Commission Finances:** Spillman suggested that the Commission review the finances of the Commission at the next meeting to see if they need to request funding at Town Meeting. The Director will provide financial information at the next meeting.
* **Mosquito Spraying:** Commissioner Grigg reminded the Commissioners that they should consider opting out of spraying for the town-owned conservation lands, as they have done in the past. The deadline for certified-mail notification is March 1. The Director will provide the Commission with the opt-out letter for the Chair’s signature at the next meeting.
* **MACC Letter to the Governor:** Commissioner Grigg suggested that the Commission discuss the request of MACC to send a letter signed by numerous Commissions in the State to the Governor, regarding proposed pipelines, at the next meeting.
* **Tree Cutting Policy:** Commissioner Grigg suggested the Commission discuss a tree-cutting policy and/or guidelines for tree care. After a brief discussion, the Commission will try to encourage mitigation for future tree removal requests.

**8:44PM ADJOURN**

On a **MOTION** made by **Mitsch**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to adjourn at 8:44PM.

Respectfully Submitted,

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*Judith A. Stickney*

*Minutes Secretary*