**Minutes of the BOXFORD CONSERVATION COMMISSION**

**TOWN HALL MEETING ROOM #1**

**April 6, 2017 7:30PM**

*Present: Lana Spillman, Mark Mitsch, Frank Di Luna, Paris Beckett*

*Absent: Peter Delaney, Natasha Grigg, Alan Fowler*

*Others Present: Conservation Director Ross Povenmire, Minutes Sec’y Judi Stickney, Mr. Mathers, Mr. Mansell, and others*

**Meeting Called to Order:**

With a quorum present, Acting Chair Lana Spillman called the meeting to order at 7:30PM.

**7:30PM PUBLIC HEARINGS**

* **DNI 2017-2: 148 Spofford Road, Mansell, removal of 5 trees within buffer**

**Documents Submitted:**

* + **5 Photos**

The Director introduced Mr. Mansell and advised he is requesting to remove five threes from his yard. Mr. Mansell advised he has already had a tree fall on the house and wires and is trying to avoid that from happening again. The Director provided photos for the Commissioners to view as he described the trees that were designated to be removed. The Commission requested that the Director make a pre-inspection visit and a post-work visit, and Mansell mark the trees that will be removed. After the brief discussion, the Commission took the following action:

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to draft a letter of Determination of Negligible Impact for 148 Spofford Road with the condition that the trees are marked pre-inspection and the stumps remain intact.

* **Continued RDA 2017-1: 154 Topsfield Road, 38-2-1.1, Gibraltar Pools**

**Documents Submitted:**

* + **WPA Form 1 – Request for Determination of Applicability:** *Gibraltar Pools, proposed above ground pool*
  + **Plan of Land in Boxford, MA – 154 Topsfield Road:** *stamped by Philip A.Yetman, dated 11/9/15*

The Director advised the Commissioners that the applicant had requested to continue this hearing to the next meeting on April 27.

At the request of the applicant and on a **MOTION** made by **Di Luna**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to continue the RDA 2017-1, 154 Topsfield Road to April 27, under the Act and the Bylaw.

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

**Documents Submitted:**

* + **Legal Notice:** *Temporary access for soil testing*
  + **Plan of Land in Boxford MA to Accompany a Request for Determination of Applicability:** *Stamped by Joseph Small, dated 3/2/17*
* **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*

The Director advised there was a request from the applicant to continue this hearing and the ANRAD hearing to the next meeting on April 27. Spillman requested that the Director read aloud the written request.

After the reading, the Commission took the following action:

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 hearings for RDA 2017-2 and ANRAD 114-1242 to April 27, under the Act and the Bylaw.

* **Extension OOC 114-1189: 45 Crooked Pond Drive, 40-2-16, Gronsky**

**Documents Submitted:**

* + **Plans:** *Site Development Plan designed for Edmond and Kathleen Hill, Lot 2 45B Crooked Pond Drive, prepared by The Morin-Cameron Group, stamped by John M. Morin, dated 6/4/14, revised 7/16/14*

The Director advised the Commissioners that there had been a request from the applicant to extend the expiration date of their Order of Conditions to September 8, 2018. He added that he advised the applicant they are allowed two 1-year extensions under the Bylaw. The Commission took the following action:

At the request of the applicant and on a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** unanimously to extend the expiration date for Order of Conditions 114-1189, 45 Crooked Pond Drive, to September 8, 2018, under the Act and the Bylaw.

**7:43PM` PENDING ACTION ITEMS:**

* **COC 114-999: 3 Ashland Road, 28-1-4.2, Mathers**

**Documents Submitted:**

* + **2 Photos**

The Director advised the Order of Conditions was issued for the installation of a swimming pool which was never installed. As a result, the Director prepared a Certificate of Compliance.to reflect that the pool was never installed.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to issue the Certificate of Compliance for file #114-999, under the Act and the Bylaw.

After the vote, the Director advised the Commissioners there is an open Order of Conditions for the property regarding the fire pond, which the applicant is working to resolve.

* **Minutes Review/Approval:** The Commissioners reviewed the available minutes and, after amendments, took the following action:

On a **MOTION** made by **Mitsch,** second by **Beckett,** the Conservation Commission **VOTED** unanimously to approve the minutes of **March 2, 2017,** as amended.

On a **MOTION** made by **Mitsch**, second by **Beckett,** the Conservation Commission **VOTED** unanimously to approve the minutes of **March 16, 2017,** as amended.

* **COC 114-973: 51 Lockwood Lane, 37-1-4, Church**.

The Director provided photos for the Commissioners to view as he described the deviations from the approved plan. After a lengthy discussion, the Commissioners determined they had to deny the Certificate of Compliance and request that the applicant submit an application for a DNI.

On a **MOTION** made by **Di Luna,** second by **Mitsch,** the Conservation Commission **VOTED** to deny the Certificate of Compliance and request that the applicant submit an application for a DNI.

**8:07PM OTHER BUSINESS**

* **Tree Removal Policy:** Commissioner Spillman initiated a discussion on whether the Conservation Commission should develop a tree removal policy, similar to what other municipalities have implemented. A lengthy discussion ensued as the Commissioners talked about some guidelines they may consider. The Commissioners agreed that guidelines should be developed. Spillman requested that the Director look around at other nearby towns and the MACC to see how other municipalities are handling tree removal requests.

**8:12PM ADJOURN**

On a **MOTION** made by **Mitsch**, second by **Beckett** the Conservation Commission **VOTED** unanimously to adjourn at 8:12PM.

Respectfully Submitted,

******

*Judith A. Stickney*

*Minutes Secretary*