

**Minutes of the BOXFORD CONSERVATION COMMISSION  
REMOTE PARTICIPATION ONLY  
April 2, 2020 7:30 PM**

*Present: Peter Delaney, Natasha Grigg, Kerri Lummus, David Smallman, Alan Fowler*

*Absent: Frank Di Luna, Mark Mitsch*

*Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Bill Manuell, Jeff Markuns, Theresa Portante, Timothy McManus, Rich Tomczyk, Joan Regan, Peter Blaisdell, and others*

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

**7:30 PM SCHEDULED HEARINGS AND DISCUSSIONS:**

**Continued NOI 114-1292: Wildcat Conservation Area, 18-2-11, Alan Benson/Town of Boxford:**

**Supporting Docs**

- **Notice of Public Hearing:** *By applicant Alan Benson, Town of Boxford for the property located at: Wildcat Conservation Area, Assessor's Map 18, Block 2, Lot 11 to construct a 100-foot long elevated boardwalk to carry an existing trail over a Bordering Vegetated Wetland and Intermittent Stream.*
- **WPA Form 3 – Notice of Intent**
- **Locus Map:** *Existing Conditions and Proposed Replacement Boardwalk, submitted by Donohoe Survey, Inc., stamped by Paul J. Donohoe, dated 12/3/19*

Rich Tomczyk, BTA/BOLT, Inc., met with the Conservation Commission to explain the proposed project to construct an elevated boardwalk in the Wildcat Conservation area and the discussions he has had with DEP regarding the height and width of the proposed boardwalk. Tomczyk was looking for direction from the ConCom. After a brief discussion, Tomczyk will continue discussions with DEP and will notify the ConCom when he hears back from them. He requested to continue the hearing to April 16<sup>th</sup>.

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously by roll call vote to continue the hearing for NOI 114-1292: Wildcat Conservation Area, 18-2-11, to April 16<sup>th</sup>, under the Act and the Bylaw.

**Continued NOI 114-1293: 397 Transmission Line, Map 36, National Grid**

**Supporting Docs**

- **Notice of Public Hearing:** *Notice of Intent by Applicant, Andrew Cole c/o National Grid, for the property located at: 397 Transmission Line ROW, Assessor's Map 36; to conduct exploratory soil borings for planning and design purposes associated with future utility work of the 397 Transmission Line within Bordering Vegetated Wetland.*

- **Notice of Intent Package:** *Submitted by New England Power Company, 394-397 Lines Geotechnical Soil Borings Project, January 2020:*
  - *WPA Form 3 – Notice of Intent*
  - *Boxford NOI Checklist*
  - *Project Narrative*
  - *USGS Site Locus Map*
  - *Environmental Resources Map*
  - *Wetland Data Forms*
  - *Site Photographs*
  - *Certified List of Abutters*
  - *National Grid's Best Management Practices*

Theresa Portante of National Grid met with the Conservation Commission to discuss the recent site walk to view the area where the soil borings will be taking place. Portante added that they anticipate beginning the project after April 15<sup>th</sup>, at Natural Heritage's request. After a brief discussion, the applicant requested to close the hearing, and the Commission took the following action:

On a **MOTION** made by **Lummus**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to close the hearing for NOI 114-1293: 397 Transmission Line, Map 36, National Grid, under the Act and the Bylaw.

On a **MOTION** made by **Lummus**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to execute and issue an Order of Conditions for NOI 114-1293: 397 Transmission Line, Map 36, National Grid, under the Act and the Bylaw.

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously by roll call vote to authorize the Conservation Director to sign the Order of Conditions on behalf of the Conservation Commission.

#### **Continued NOI 114-1294: 325 Ipswich Road, 18-2-15, Markuns Supporting Docs**

- **Notice of Public Hearing:** *Owner is proposing to install a sanitary septic system upgrade within 100-feet of a Wetland Resource Area and to increase the length of an approved float in Spofford Pond.*
- **Notice of Intent Application Package:** *Submitted by Wetlands & Land Management, Inc.:*
  - *Locus Map*
  - *National Flood Hazard Layer FIRMette*
  - *Natural Heritage Map from GIS*
  - *WPA Form 3 – Notice of Intent*
  - *NOI Wetland Fee Transmittal Form*
  - *Filing Fee Calculation*
  - *Abutter Information*

- *Notification to Abutters under the Massachusetts Wetlands Protection Act*
- *Project Narrative*
- *Existing Float Photos*
- *StreamSTATs Report*
- **Plan Submitted:** *Subsurface Sewage Disposal System Upgrade, prepared by Scanlan Engineering LLC, for Kim and Jeff Markuns, drawn by JBS, dated 1/15/20, Rev. 2/11/20*

Bill Manuell, Wetlands & Land Management, met with the Conservation Commission to discuss the subsurface sewage disposal system, noting that he had submitted revised plans since the site walk. After a brief discussion, the Chair requested that the wetland line be verified at a later date, but he was willing to let the sewage disposal system go forward, as proposed. The other commissioners agreed, and the applicant requested to close the hearing.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to close the hearing for NOI 114-1294: 325 Ipswich Road, 18-2-15, Markuns, under the Act of the Bylaw.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to execute and issue the Order of Conditions for NOI 114-1294: 325 Ipswich Road, 18-2-15, Markuns, under the Act of the Bylaw.

On a **MOTION** made by **Grigg** second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to authorize the Conservation Director to sign the Order of Conditions on behalf of the Conservation Commission.

#### **Continued DNI 2020-1: 5 Lantern Lane, 28-2-5, Regan Supporting Docs**

- **2 photos**

Joan Regan, the homeowner, met with the Conservation Commission with a DNI to remove two trees; one a deciduous tree and the other a conifer. After a brief discussion, the Commission determined that the more appropriate filing would be an RDA. The Chair requested that the applicant provide a letter from the arborist with information on the health of the pine. In the meantime, the Director will add the Request for Determination of Applicability to the agenda for the next meeting on April 16<sup>th</sup>. The Chair requested that the plan requirement be waived for the Request for Determination of Applicability. The Commission took the following action:

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to waive the plan requirement for the RDA.

After the vote, Ms. Regan requested to withdraw the DNI and will file an RDA.

**Continued Stormwater Management Permit 2020-1: 41 Kelsey Road, 20-2-3, McManus Supporting Docs**

- **Notice of Public Hearing:** *Stormwater Management Bylaw Application by Applicant: Tim McManus for the property located at: 41 Kelsey Road, Assessor's Map 20, Block 2, Lot 3; to provide stormwater management of a Construction Site for the redevelopment of a parcel for residential use.*
- **Letter from Williams & Sparages to Conservation Commission:** *Re: 41 Kelsey Road Stormwater Management Permit Application: ADVA Construction, Tim McManus, Owner/Applicant, 2/28/20*
- **Stormwater Pollution Prevention Plan:** *prepared by Williams & Sparages, for ADVA Construction/Design LLC, 2/23/20*
- **Stormwater Report:** *prepared by Williams & Sparages, for ADVA Construction/Design LLC, 2/25/20*
- **Letter from Williams & Sparages to Conservation Commission:** *Re: Response to Abutters, 3/17/20*
- **Drawings and Plans Submitted:**
  - **Sanitary Disposal System Design Plan:** *prepared by Williams & Sparages, for ADVA Construction/Design LLC, stamped by Peter M. Blaisdell, 2/10/20*
- **Packet of e-Mails from Abutters & Town Officials to Conservation Director,** *Re: Comments on Proposed Stormwater Management Plan for 41 Kelsey Road*

Peter Blaisdell, Williams & Sparages, representing the applicant, met with the Conservation Commission to discuss the changes to the plans since the recent site walk. There was a question on a pipe on the property and whether the work proposed would have any impact on that pipe. Blaisdell advised he has been in discussions with the DPW Superintendent/Town Engineer regarding the pipe and it is not part of the property in question. After discussion, the applicant requested to close the hearing.

On a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to close the hearing for the Stormwater Management Permit 2020-1: 41 Kelsey Road, 20-2-3, McManus, the Bylaw.

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously by roll call vote to execute and issue the Order of Conditions for the Stormwater Management Permit 2020-1: 41 Kelsey Road, 20-2-3, McManus, the Bylaw.

On a **MOTION** made by **Grigg** second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to authorize the Conservation Director to sign the Order of Conditions on behalf of the Conservation Commission.

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**8:44 PM      ROUTINES:**

- **Minutes Review/Approval:** After a brief review of the minutes of March 19, 2020, the Commissioners took the following action:

On a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to accept the minutes of March 19, 2020, as presented.

**8:46 PM      ADJOURN**

With no further business, on a **MOTION** made by **Smallman**, second by **Grigg**, the Conservation Commission **VOTED** unanimously to adjourn at 8:46 PM.

Respectfully submitted,



Judith A. Stickney  
Minutes Secretary