

**Minutes of the BOXFORD CONSERVATION COMMISSION
REMOTE PARTICIPATION ONLY
May 21, 2020 7:30 PM**

Present: Peter Delaney, Frank Di Luna, David Smallman, Alan Fowler, Kerri Lummus, Mark Mitsch

Absent: Natasha Grigg

Others Present: Conservation Director Ross Povenmire, Minutes Secretary Judi Stickney, Jim Scanlan, John Morin, Jason Kahan, Vasek Talacko, Dale Gienapp, Greg Hochmuth, Joe Alberta, Lance Cluster, and others

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

7:30 PM SCHEDULED HEARINGS AND DISCUSSIONS:

Enforcement Order: 30 & 32 Lawrence Road, Straub & Perkins, manure and fence in Buffer Zone

The Chair advised that he received information that there was a manure pile and a fence in the buffer zone. He issued an Enforcement Order and they have since been removed. Wendy Perkins was in attendance and advised that she's lived there for a long time and the manure piles come and go. She is considering putting up a fence. Laura Sapienza-Grabski was also in attendance and provided a photo for the Commissioners but it was not available for this meeting. It will be available for the next meeting, when the Straubs and abutters will be invited to attend. After discussion, 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 ratify the Enforcement Order issued by the Director.

Discussion: 23 Sagamore Lane, Kahan, fence and debris in Buffer Zone

The Director advised he has attempted to contact Mr. Kahan to visit the site, but he hasn't been able to schedule a site visit yet. Mr. Kahan was in attendance and he and the Director scheduled a site visit for Tuesday at noon. Mr. Kahan also advised that he has a surveyor coming out on Tuesday to survey the lot. A discussion ensued on the issuance of an Enforcement Order and what should be included in it. At the conclusion of the discussion, Mr. Kahan was advised that he will need to attend the next meeting. He will attend the meeting on June 4th. The Commission took the following action:

On a **MOTION** made by **Smallman**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously by roll call vote to issue an Enforcement Order for 23 Sagamore Lane, Kahan, for fence and debris in the Buffer Zone.

Discussion: Camp Rotary Project Update

The Director advised he was notified by Tom Hughes, the environmental consultant on the team at Camp Rotary, that there was some tree removal activities that were not shown on the approved plan, but was necessary to allow some of the work to proceed. The Director met with Mr. Hughes and Mr. Gienapp, as well as Mr. Talacko of Hancock Engineering. Tom Hughes provided plans and photos for the Commissioners to view as he made his presentation. Commissioner Di Luna expressed his opinion that the tree company should be issued an Enforcement Order to let them know this is not allowed. Dale Gienapp, an engineer on the project, advised the trees were cut down on his authorization, so the Enforcement Order should be sent to him. The Director will prepare the Enforcement Order and send it to Gienapp and Castagna Construction. Dale Gienapp will contact the Director with the name of the tree company so they can also be sent a copy of the Enforcement Order. . A brief discussion ensued on the fire hydrant installation and the work that will be needed so the access can be stable enough for a fire truck to get to it. Tom Hughes will return to the Conservation Commission on June 4th with an Amended Order of Conditions and with more information on the dry hydrant the fire department wants them to install.

RDA 2020-5: 3 Rock Brook Way, 10-2-27.1, Alberta

Supporting Docs

- **Notice of Public Meeting:** *Request for Determination of Applicability by applicant Joseph Alberta for the property located at: 3 Rock Brook Way. Assessors Map 10, Block 2, Lot 27.1, to authorize, after-the-fact, the construction of a decorative stone wall and expanded driveway paving within 100-feet of a Bordering Vegetated Wetland.*
- **WPA Form 1 – Request for Determination of Applicability**

Joe Alberta met with the Conservation Commission with a Request for Determination of Applicability for an after-the-fact construction of a decorative stone wall and expanded driveway, both of which are within 100 feet of a Bordering Vegetated Wetland. After a brief discussion, the applicant requested to close the hearing and the Commission took the following actions:

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Di Luna**, the Conservation Commission **VOTED** unanimously by roll call vote to close the hearing for RDA 2020-5: 3 Rock Brook Way, 10-2-27.1, Alberta, under the Act and the Bylaw.

After the vote, Commissioner Di Luna suggested that the Commission hold off on issuing the Determination until the June 4th meeting, when the applicant will return with a new filing.

Amended OOC 114-1281: 201 Georgetown Road, 20-10-8, Famolare

Supporting Docs

- **Letter and accompanying material from The Morin-Cameron Group, Re: Amended Order of Conditions, 1/1/20**

- **Site Plan of Land in Boxford Mass.:** prepared by The Morin-Cameron Group, stamped by John M. Morin, dated 6/5/19, revised 3/19/20, 5/11/20

John Morin, The Morin-Cameron Group, representing the applicant, met with the Conservation Commission to discuss the wall that was added. Morin provided plans and photos for the Commissioners to view as he made his brief presentation. After a brief discussion, the Commission took the following action:

At the request of the applicant and on a **MOTION** made by **Smallman**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to close the hearing for Amended OOC 114-1281: 201 Georgetown Road, 20-10-8, Famolare, under the Act and 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 Amended OOC 114-1281: 201 Georgetown Road, 20-10-8, Famolare, under the Act and the Bylaw.

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously by roll call vote to authorize the Director to act as the Commission's agent to sign the Order of Conditions.

**COC 114-1262: 42 High Ridge Road, 24-4-9.41, Oliveria
Supporting Docs**

- **As-Built Plan 42 Highridge Road, Boxford, MA:** prepared by Williams & Sparages, stamped by Peter M. Blaisdell, dated 2/21/20

The Director advised he had made a site visit and the grass has now grown in and there are no further issues with the project. He provided photos for the Commissioners to view and recommended that they issue the Certificate of Compliance. Greg Hochmuth, Williams & Sparages, representing the applicant, contributed to the brief discussion, confirming the work that had been done on the property. After discussion, the Commission took the following action:

On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to execute and issue the Certificate of Compliance for DEP file 114-1262: 42 High Ridge Road, 24-4-9.41, Oliveria, under the Act and the Bylaw.

8:44 PM ROUTINES:

- **Minutes Review/Approval:** After a brief review of the minutes of May 7, 2020, the Commissioners took the following action:
On a **MOTION** made by **Mitsch**, second by **Smallman**, the Conservation Commission **VOTED** unanimously to accept the minutes of May 7, 2020, as presented.

8:46 PM Other Business:

- **Mileage: \$131.68:** The Director provided the Commission with a request for mileage reimbursement in the amount of \$131.68 and the Commission took the following action:

On a **MOTION** made by **Smallman**, second by **Mitsch**, the Conservation Commission **VOTED** unanimously by roll call vote to approve the reimbursement of \$131.68 for mileage for the Director.

- **Hydrant at Stiles Pond:** The Chair expressed his concerns about fortifying the road to get to the proposed hydrant on Stiles Pond. He advised the Commissioners that he and the Director will talk with the Fire Chief about the hydrant. After discussion, the Chair advised the Commissioners they would be scheduling a site walk on around June 7th.

8:56 PM ADJOURN

With no further business, on a **MOTION** made by **Mitsch**, second by **Lummus**, the Conservation Commission **VOTED** unanimously by roll call vote to adjourn at 8:56 PM.

Respectfully submitted,



Judith A. Stickney
Minutes Secretary