

February 10, 2020

Conservation Commission  
7A Spofford Road  
Boxford, MA 01921

Re: 45 Batchelder Road  
DEP File No. 114-1243  
Owner/Applicant: Robert Sterner

Dear Commission Members:

Your Commission issued an Order of Conditions for work at the above referenced property on June 5, 2017. The project is complete, and an as-built survey/plan was completed in anticipation of filing a Certificate of Compliance request. After reviewing the as-built conditions it was determined that work was performed that was not part of the original permit and some work that was required was not completed. The following as-built conditions are not in compliance with the original plan/permit:

- An additional patio area was constructed behind the existing dwelling that was not shown on the proposed plan. This patio was built in an area that was previously lawn and is located outside the 100 foot Riverfront Area and the 25 foot No Disturb Zone from the Zone A Flood Plain. The patio that was built in the approved area is also crushed stone and is smaller than previously approved. A slate walkway was constructed around the patio areas which is approximately 250 sf. The original approved paver patio was 760 sf; the total area of the two patios is 750 sf. The patio areas constructed are completely pervious (ie: crushed stone) which offsets the 250 sf of slate walkway. Therefore, these changes should have no impact to the resource areas.
- A crushed stone walkway, approximately 125 sf, was built from the garage to the rear patio area which was not shown on the approved plan. This walkway was built in existing lawn and is pervious so it should have no impact on the resource areas.
- An area of yard, upslope of wetland flags B15 & B16, that was previously cleared but was not grass has been leveled off with approximately 10 inches of fill and grassed to accommodate the play structure that was located behind the dwelling. No trees were cut, this area is located outside the 25 foot No Disturb Zone from the bordering vegetated wetlands and the ground surface is still pervious so there should be no impact to the resource areas.

- As part of the original project a red oak was proposed to be planted on the northerly side of the driveway, up slope of wetland flag A4, which was not planted. All plantings on the slope located on the south side of the driveway are in and are doing fine so we ask that the red oak not be required.

The non-compliant issues above should not have any adverse impacts on the resource areas or abutters. We believe the project as-built results in a project that complies with the Wetlands Protection Act and the Boxford Wetlands Bylaw. We request that the Conservation Commission amend the existing Order of Conditions to allow the non-compliant items outlined above and not require the planting of the red oak.

We look forward to meeting with the Commission at your next regularly scheduled meeting to discuss this request.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

**THE MORIN-CAMERON GROUP, INC.**



John M. Morin, PE  
Principal

JMM/kmm

Enclosures

cc: Robert Sterner

TOWN OF BOXFORD  
ABUTTER LIST

PARCEL # 24-4-37 - 45 BATCHELDER ROAD - CONSERVATION COMMISSION 250' PLUS FOUR MILE POND ABUTTERS

24-04-09-37	58 HIGH RIDGE RD	DICKINSON JEFFREY	DICKINSON KRISTIE	58 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-38	54 HIGH RIDGE RD	FANNING ROBERT R & NANCY E TRS	THE HIGH RIDGE ROAD RE TRUST	54 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-39	48 HIGH RIDGE RD	WALTER GLEN V TR	WALTER ELIZABETH G TR	48 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-40	44 HIGH RIDGE RD	KINNEY KATHRYN S TR	KINNEY RAYMOND J JR TR	44 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-41	42 HIGH RIDGE RD	OLIVEIRA PAUL	ELLIS-OLIVEIRA LISA	42 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-42	34 HIGH RIDGE RD	MEEUWSEN KENDALL J	MEEUWSEN JOYCE L	34 HIGH RIDGE ROAD	BOXFORD	MA	01921
24-04-09-43	28 HIGH RIDGE RD	FLYNN DANIEL J TE	SUSAN I FLYNN	28 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-22	119 HERRICK RD	FRANCIS LEE	FRANCIS MEGAN	119 HERRICK RD	BOXFORD	MA	01921
24-04-34	37 BATCHELDER RD	SPIRO GREGG	SPIRO JANE B	37 BATCHELDER RD	BOXFORD	MA	01921
24-04-35	43B BATCHELDER RD	GATTI CHRISTOPHER W	BARTZ MELISSA A	43B BATCHELDER RD	BOXFORD	MA	01921
24-04-36	43A BATCHELDER RD	YEATON ROBERT P TE	JOLINE M YEATON	43A BATCHELDER RD	BOXFORD	MA	01921
24-04-37	45 BATCHELDER RD	STERNER ROBERT & PATRICIA	MCGINLEY JANET M	45 BATCHELDER RD	BOXFORD	MA	01921
24-04-38	44 BATCHELDER RD	KOSTAS CHRISTOPHER I JT	KOSTAS JOANNE	44 BATCHELDER RD	BOXFORD	MA	01921
24-04-39	36 BATCHELDER RD	O'BRIEN RICHARD F	O'BRIEN KATHRYN E	36 BATCHELDER RD	BOXFORD	MA	01921
24-04-40	34 BATCHELDER RD	SERVIZIO CARL J	SERVIZIO TANYA S	34 BATCHELDER RD	BOXFORD	MA	01921
24-04-41	32 BATCHELDER RD	KANTER JILL D	SPIVAK MARK S	32 BATCHELDER RD	BOXFORD	MA	01921
24-04-42	24 BATCHELDER RD	DAMON CODY	DAMON RENEE M	24 BATCHELDER RD	BOXFORD	MA	01921
24-04-43	20 BATCHELDER RD	PRIMEAU K MARK TE	SUSAN W PRIMEAU	20 BATCHELDER RD	BOXFORD	MA	01921
24-04-44	16 BATCHELDER RD	ANDERSEN JUDITH A TR		16 BATCHELDER RD	BOXFORD	MA	01921
24-04-45	10 BATCHELDER RD	DEGEORGE SALVATORE	DEGEORGE ERICA L	10 BATCHELDER RD	BOXFORD	MA	01921
24-04-46	HIGH RIDGE RD	HIGH RIDGE PROP OWNERS		PO BOX 54	BOXFORD	MA	01921
24-04-47	GEORGETOWN RD	HARRIS ROGER & KIMBERLY TRS	BATCHELDER RD R E TR	8 BATCHELDER RD	BOXFORD	MA	01921

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February 6, 2020

TOWN OF BOXFORD  
ABUTTER LIST

PARCEL # 24-4-37 - 45 BATCHELDER ROAD - CONSERVATION COMMISSION 250' PLUS FOUR MILE POND ABUTTERS

PARCEL ID	PARCEL ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
19-02-11	131 HERRICK RD	WEIZMAN EHUD	WEIZMAN ZEHAVA	5 MEAD CIRCLE	LEXINGTON	MA	02420
19-02-12-0	137 HERRICK RD	KIRSHMAN GAYE TR		137 HERRICK RD	BOXFORD	MA	01921
19-02-13	HERRICK RD	BTA/BOLT INC		P O BOX 95	BOXFORD	MA	01921
19-02-15-10	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP	FOUNDATION INC	50 FOUR MILE VILLAGE	BOXFORD	MA	01921
19-02-15-2	10 FIELDSTONE WAY	MCAVENY ROBERT E	MCAVENY LORI A	10 FIELDSTONE WAY	BOXFORD	MA	01921
19-02-15-3	12 FIELDSTONE WAY	CROSS FRANCES M	DEMIO CAROLA TR	15 FREMONT ST	WINTHROP	MA	02152
19-02-15-4	22 FIELDSTONE WAY	CASEY DEBORAH		22 FIELDSTONE WAY	BOXFORD	MA	01921
19-02-15-5	23 FIELDSTONE WAY	SMITH TIMOTHY M TE	SMITH KELLY K	23 FIELDSTONE WAY	BOXFORD	MA	01921
19-02-18-E	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP FOUND		50 FOUR MILE VILLAGE	BOXFORD	MA	01921
19-02-18	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP FOUNDATION		50 FOUR MILE VILLAGE	BOXFORD	MA	01921
19-02-34	21 APPLETON LN	HALL JEFFREY C	HALL MARGARET E	21 APPLETON LN	BOXFORD	MA	01921
19-02-35	35 APPLETON LN	SILVERMAN JOAN TR	SILVERMAN REALTY TRUST	35 APPLETON LN	BOXFORD	MA	01921
24-04-01	8 BATCHELDER RD	HARRIS, ROGER & KIMBERLY TRS	BATCHELDER RD RE TR	8 BATCHELDER RD	BOXFORD	MA	01921
24-04-02	HIGH RIDGE RD	WALLS DAVID M	WALLS VALERIE C	66 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-04	108 GEORGETOWN RD	LUMMUS DANIEL S		108 GEORGETOWN RD	BOXFORD	MA	01921
24-04-09-27	108 HIGH RIDGE RD	MAGUIRE NORMAN K TR	MAGUIRE RICHELLE M TR	108 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-28	104 HIGH RIDGE RD	COOK DANIEL F	COOK DIANE M	104 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-29	100 HIGH RIDGE RD	SMITH REID H & MARTHA W TRS	100 HIGH RIDGE ROAD TRUST	100 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-30	96 HIGH RIDGE RD	DALY PATRICK C	DALY MARISA	96 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-31	90 HIGH RIDGE RD	FLANAGAN C JANE		90 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-32	86 HIGH RIDGE RD	MC INTOSH RICHARD S TE	TALBOT ROSEMARIE	86 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-33	78 HIGH RIDGE RD	DUNCAN DAVID S	DUNCAN MARY G	78 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-34	74 HIGH RIDGE RD	HAYNES SCOTT W	HAYNES LILA	74 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-35	66 HIGH RIDGE RD	WALLS DAVID M	WALLS VALERIE C	66 HIGH RIDGE RD	BOXFORD	MA	01921
24-04-09-36	64 HIGH RIDGE RD	ROMITO FRANK	ROMITO MONIQUE	64 HIGH RIDGE RD	BOXFORD	MA	01921

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*Jan Silva*  
February 6, 2020