

TOWN OF BOXFORD

Minutes of the Boxford Planning Board June 21, 2023 DRAFT

Present: Ross Povenmire (Planning Agent), Robert Gore, Angela Steadman Christian Wise, Ellen Nestervich, John Adams, Holly Langer

Absent: Patrick Canonica

Others Present: BCATV, Doug Hamilton, Phil Pattison, Chris LaPointe, Robert Mullaney, Debra Marquis

With a quorum present, Planning Agent Povenmire called the meeting to order and read aloud the meeting opening preamble for virtual meetings.

Discussion: Open Space and Recreation Plan draft document and Public Forum June 22 at 7:00 p.m. Meeting Room #1

Doug Hamilton the chairperson of the Open Space and Recreation Committee along with member Holly Langer was in attendance regarding the Public Forum about the Open Space and Recreation Plan. The Committee is looking for input from the public regarding this plan as the Committee is working on revising it. The current Open Space and Recreation Plan expired in the fall of 2022. This plan is needed for the town to qualify for certain state funds.

A Public Forum will be held June 22, 2023, at 7:00 in meeting room 1. There will not be zoom access, this is in-person only. There will be a draft of the current plan available for review.

A mailing was sent out to all town residents informing them of the need for a new Open Space and Recreation Plan with access to a survey to provide input.

The results of the survey were shared with the Board. There were 410 participants, which is about 15% of the households in town.

ANR Plan review: Main Street, 28-2-17 & 28-1-1 & 1.1, Mullaney & Elmlea (a.k.a. Haynes)

Phil Pattison, Chris LaPointe, the Vice President of Conservation Operations from Essex County Greenbelt, Association as well as applicant Bob Mullaney were in attendance regarding this agenda item. The plans were presented and reviewed.

Essex County Greenbelt Association has an agreement with Elmlea (a.k.a Haynes Property) to acquire parcel F, parcel C and parcel E on the plan that is being presented. This land is adjacent to the town common and would be a great asset for the town.

They are trying to make a small adjustment in the final layout of the property. Parcels C and E are encumbered by an easement that benefits applicant Mullaney, which is essentially their driveway. This serves as the Mullaney’s side yard and lawn and is part of their home.

After much consideration it was concluded that all parties would benefit from doing a land swap. The outcome will be that Essex County Greenbelt Association owns what is shown as parcel F, which is the bulk of the Emlea (a.k.a. Hayes Property), more than 41 acres and that they temporarily own parcels C and E. Essex County Greenbelt, Association would then acquire parcels A and D from the Mullaneys and convey parcel C and parcel E back to the Mullaneys. This will give both Essex County Greenbelt Association and the Mullaneys frontage and access.

Ross P. did have a brief conversation with the surveyor, Paul Donohoe, to ensure that the distance across parcel A would be 50 feet even though it is not dimensioned as such. Ross P. is confident that there are two buildable lots now and that there will be two buildable lots once the swap happens.

There was a question about setback to a well on lot 2(a). Ross noted that the setback is a Board of Health regulation and not a zoning setback. The Mullaneys have reached out to the Board of Health but have not heard back yet. The only contingency on the plan would be that a well setback waiver is granted.

Members Adams, Steadman, Wise and Langer all agreed that this would result in two buildable lots with adequate frontage and acreage. In the event a waiver for the well cannot be obtained from the Board of Health, the Mullaneys stated a willingness to move the well.

Upon a motion made by Langer and seconded by Adams it was moved that the Planning Board support the ANR reconfiguration of 63 Main Street and 71 Main Street as presented with the Donohoe survey dated June 14, 2023.

After discussion it was concluded that there should be a separate motion for the next plan as the dates were the same, and that the second motion should be voted first.

Upon a motion made by Wise and seconded by Langer the Planning Board moved to endorse the form A in support of the first plan before the Board adjusting lot lines as presented by Chris LaPointe of Essex County Greenbelt Association having Essex County Greenbelt Association acquiring parcels A and D and the Mullaney’s acquiring parcels C and E as presented on the plan by Donohoe Surveyors dated June 14, 2023, showing the larger parcel in the back.

**Roll Call called by Planning Agent Ross Povenmire:**

**Gore YES**

**Langer YES**

**Adams YES**

**Nestervich abstain w/o prejudice**

**Wise YES**

**Steadman YES**

The Planning Board all agreed that they would be endorsing both plans. A roll call was then done on the first motion.

**Roll Call called by Planning Agent Ross Povenmire:**

**Gore YES**

**Langer YES**

**Adams YES**

**Nestervich abstain**

**Wise YES**

**Steadman YES**

The mylars are going to be available at Ross P.’s office for signatures tomorrow.

Marquis – 66 Mill Road ANR

Phil Pattison with Hancock Associates was in attendance who represents Debra Marquis regarding this matter.

Ross P. stated that there is plenty of frontage and plenty of land area available. There was a 200-foot diameter circle that was easily moved around the property for potential locations for a dwelling. There is 250 feet of frontage, and it is clear there is plenty of space to meet setback requirements.

It was asked if there was any further intent to subdivide as part of a long-range plan. Mr. Pattison stated that Mr. Nazzaro, the abutter, is looking to purchase the second lot as a buffer for his own property. Currently the Nazzaro property does not have any development on it.

Upon a motion made by Wise and seconded by Steadman it was moved that the Planning Board approve the ANR for 66 Mill Road, dated June 15, 2023 for Debra L. Marquis.

**Roll Call called by Planning Agent Ross Povenmire:**

**Gore YES**

**Langer YES**

**Adams YES**

**Nestervich YES**

**Wise YES**

**Steadman YES**

The mylars are going to be available at Ross P.’s office for signatures tomorrow.

Minutes/Bills

On a **MOTION** made by **Gore** and seconded by **Langer,** the Planning Board **VOTED** by roll call vote to approve the minutes for the meeting of the May 17, 2023 as drafted.

**Roll Call called by Planning Agent Ross Povenmire:**

**Gore YES**

**Langer YES**

**Nestervich YES**

**Wise YES**

**Steadman YES**

Discussion

There was a brief discussion of the Frangos property that was being proposed for a 40B that was ultimately withdrawn.

**ADJOURN**

With no further business, on a **MOTION** made and seconded the Planning Board **VOTED** unanimously by roll call vote to adjourn at 8:27 PM.

**Roll Call called by Planning Agent Ross Povenmire:**

**Gore YES**

**Langer YES**

**Nestervich YES**

**Wise YES**

**Steadman YES**