

**Minutes of the BOXFORD ZONING BOARD OF APPEALS  
Virtual Attendance Due to Coronavirus Pandemic**

**September 28, 2021 7:00PM**

**Present:**

*Paula Lia Fitzsimmons, Chair*

*Ralph Nay, Clerk*

*Steve Merriam, Vice-Chair*

*Dave Valzania, Alternate*

**Absent: None**

**Others Present:** *Bob Hazelwood, Scott Cameron, George O'Neill, Kirsten Stickney, Scott Cameron, Shawn Nuckols, Ann Marton, Chris Olbrot, and others.*

**7:00PM Call to Order**

With a quorum present, Chair Paula Fitzsimmons called the meeting to order at 7:00PM.

**Continued Business**

**• Case #1015: Modification— 10 Elm Street**

Architect George O'Neill asks for two trees to be removed from the 10 Elm Street Site. They are two maple trees that they would like to remove they are in front of the house. The proposed work that would go into the house would put the trees into distress and it would just be better to remove them. Chair Fitzsimmons says if the removal of the trees does not add any modifications to the building it is more so landscaping than anything else and she feels as though the permit does not need to be reopened. Bob Hazelwood says they plan to replant two new maple trees there once construction is over. The wells that would be put in would compromise the roots of the trees. These trees are also fully in the lot and the new trees are to be planted where the old ones were taken out.

**MOTION** made by **Merriam**, that the Zoning Board of Appeals approves the removal of the twenty-two-inch caliper maple trees in front of the Cummings House to be replaced by two three-and-a-half-inch caliper maple trees at the same location as the former twenty-two-inch caliper trees for case 1015.

Second by **Nay**.

**Roll Call:** *(Called by Secretary Administrator Kirsten Stickney)*

**Steve Merriam:** Yes

**Ralph Nay:** Yes

**Paula Fitzsimmons:** Yes

The motion **CARRIED** by a unanimous roll call vote.

• **Case #1020: Cole School—26 Middleton Road**  
**Applicants: Town of Boxford**

The applicants ask for a continuance for this case due to inadequate information from the Conservation Commission.

**MOTION** made by **Merriam**, to continue case 1020 to a date certain, October 28, 2021.

Second by **Nay**.

**Roll Call:** (*Called by Secretary Administrator Kirsten Stickney*)

**Steve Merriam:** **Yes**

**Ralph Nay:** **Yes**

**Paula Fitzsimmons** **Yes**

The motion **CARRIED** by a unanimous roll call vote.

• **Case #1022: Spofford Pond School—31 Spofford Road**  
**Applicants: Town of Boxford**

The applicants ask for a continuance for this case due to inadequate information from the Conservation Commission.

**MOTION** made by **Merriam**, to continue case 1022 to a date certain, October 28, 2021.

Second by **Nay**.

**Roll Call:** (*Called by Secretary Administrator Kirsten Stickney*)

**Steve Merriam:** **Yes**

**Ralph Nay:** **Yes**

**Paula Fitzsimmons** **Yes**

The motion **CARRIED** by a unanimous roll call vote.

• **Case #1014: Willow Road**  
**Applicants: Toll Brothers Inc.**

**Documents Submitted**

Plan of Land- Submitted by Shawn Nuckols

Scott Cameron begins the presentation by reviewing the changes that were made from the previous meeting. They are planning on moving some soil around. No soil will be added to the property and no soil will be taken off the property they are just moving it around. Ann Martin then starts explaining the CR document to the Board. They went to Conservation Commission and the Board of Selectmen, and it is currently being presented to the state. The applicant also

went in front of the Planning Board and got the ANR document approved by them. They then begin discussing Lot B, which is within their zone, but it is not big enough to be an elderly housing project. They are predicting this lot will get sold and it has no significance to what the applicant wants to do. This lot does not meet the zoning district laws for the elderly housing lot. Chris Olbrot the DPW Superintendent, then talks about the things he has approved and agreed to within the documents and answers questions from the board about what he has approved. The board would also like an estimate on the cost of the development along with a schedule and the cost of the items needed for the project and the money for inspections. Along the lines of inspections, the Board considers using the same inspector as the Conservation Commission for these inspections. The Board also must talk to the building inspector about these inspections. Chair Fitzsimmons decides to have the Board members send conditions to her and in the next meeting the Board and the applicant can go over within the next meeting. This is easier to have one document rather than a lot of different documents. The Board decides to continue the case to October 28, 2021.

**MOTION** made by **Merriam**, to continue case 1014 to a date certain, October 28, 2021.

Second by **Nay**.

**Roll Call:** *(Called by Secretary Administrator Kirsten Stickney)*

**Steve Merriam:** **Yes**

**Ralph Nay:** **Yes**

**Paula Fitzsimmons** **Yes**

The motion **CARRIED** by a unanimous roll call vote.

**MOTION** made by **Merriam**, adjourn this meeting on September 28, 2021 at 8:18 pm.

Second by **Nay**.

**Roll Call:** *(Called by Secretary Administrator Kirsten Stickney)*

**Steve Merriam:** **Yes**

**Ralph Nay:** **Yes**

**Paula Fitzsimmons** **Yes**