



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Conservation Commission

MEETING DATE: September 2, 2020

TIME: 7:30 PM

PLACE: Remote Meeting pursuant to Current Executive Order of March 12, 2020.
See instructions below.

All participants must identify themselves when speaking. All votes to be by rollcall.

7:30 TOPICS EXPECTED TO BE DISCUSSED (AGENDA):

Review Minutes and Correspondence New Business

For review and approval:

Minutes: August 19, 2020

Invoice: \$506.25 Places Associates (1172 Hill Rd)

Committee Reports: Chairman's Reports (Reip)

Boxborough Conservation Trust (Koonce)

Best Meeting Practices (Reip / Nadwairski)

Community Preservation Committee (Reip)

Land Stewardship Committee (Hanover)

Water Resources Committee (Schmitt)

8:00 Discussion: Enforcement Order 199 Middle Road

Discussion as time allows: Chapter 61 Land Use
Commission Study Topics

Ongoing: 199 Middle Road EO

293 Mass Ave possible buffer zone activity

313 Mass Ave OOC compliance and COC status

498 Stow Road encroachment

881 Massachusetts Ave

1102 Massachusetts Ave. EO

Calendar:

Sept. 16, 2020 8:00 NOI hearing Blanchard School Bridge

Oct. 7, 2020

Correspondence:

Email Oxbow Assoc.

Join Zoom Meeting

<https://us02web.zoom.us/j/83937198716>

Meeting ID: 839 3719 8716

One tap mobile

+13126266799,,83937198716# US (Chicago)

+19292056099,,83937198716# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 839 3719 8716

Find your local number: <https://us02web.zoom.us/u/kcBWYdPM7t>



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Conservation Commission
Aug. 19, 2020
7:30 PM
Zoom

Approved:

Members Present: Dennis Reip (Chair), Dave Follett, Norm Hanover, Steve Schmitt, and Hoff Stuart

Members Absent: David Koonce

At 7:35 PM, Dennis called the meeting to order and noted this meeting is being conducted via Remote Participation, pursuant to Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of COVID-19 a.k.a. the Coronavirus.

Motion was made by Dennis, seconded by Norm and voted unanimously by roll call to approve the minutes of August 5, 2020. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Motion was made by Dennis, seconded by Norm and voted unanimously by roll call to approve the payment of \$660.00 to Places Associates for review of the Request for Certificate of Compliance at 881 Massachusetts Avenue. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Correspondence.

Catherine Hunter email regarding removal of trees at 153 Tamarack Lane.

Dennis noted the follow-up email stating her belief that the itemized tree work in her previous email conforms to the list of maintenance activities in the Commission's Policy for Minor Maintenance. The Commission allowed the work.

Chairman's Report

199 Middle Road Enforcement Order – property owners contacted the office to request some relief.

313 Mass Ave letter – owner responded by email and will file for CoC

498 Stow Road – signature card received

7:45 881 Massachusetts Avenue 113-541 Request for Certificate of Compliance

Dennis reviewed the application with associated plan and the engineer's and applicant's letters. He also reviewed the Places Associates review of the Request and the Construction Observation Report, both dated July 31, 2020.

Dennis discussed allowing the work to continue to allow issuance of a Certificate of Compliance. Brett Guthiel, owner, said they are ready to loam and seed in the fall. They are waiting for the top coat Or asphalt work to be done. Then the berm will be done. Scott Smyers, Oxbow Associates, spoke about vernal pools. They did find obligate amphibians but not all criteria were met and the numbers were insufficient for State criteria but satisfied the Boxborough criteria.

The topic is tabled for further discussion at the meeting on September 16, 2020.

8:17 PM Public Hearing Request for Determination of Applicability (RDA)

Location: the commuter railroad right-of-way in Boxborough

Lead reviewer: Dennis Reip

Owners: Massachusetts Bay Transportation Authority (MBTA)

Applicant: Keolis Commuter Services, operator of the commuter rail

Project: renew the wetland delineation along the commuter railroad right-of-way

Representative: Tim Dermody, Fair Dermody Consulting Engineers

Dennis reviewed the wetland maps as part of the five-year Vegetation Management Plan. Control will conform to the guidelines set forth in the Massachusetts Rights-of-Way Management Regulations. (333 CMR 11.00) and the preface to the Wetlands Protection Regulations (310 CMR 10.00) relative to rights-of-way management. A similar Request was made 5 years ago. A similar Determination of Applicability (DoA) will be issued.

Motion was made by Dennis, seconded by Norm, and voted unanimously by roll call to **close** the hearing. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Motion was made by Dennis, seconded by David and voted unanimously by roll call to issue the DoA as discussed. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

8:30 PM Continued Public Hearing Notice of Intent (NOI)

Location: 1172 Hill Road Assessor's Map 04-092-000

Lead reviewer: Norm Hanover

Applicant: Rick Ogilvie, FTB Homes, LLC

Owner: The Estate of Marguerite Hugel

Project: new single-family home, driveway, and septic system

Representative: Brian Geaudreau, Hancock Associates

Present: Rick Ogilvie, Brian Geaudreau, Russell Tedford, Hancock Associates;

David Cowell, Hancock Associates

Peter Chadzynski, Abutter; Sally Taylor, Abutter; David Taylor, Abutter

Brian presented a letter in response to the Places Associates peer review and Commission comments from their last meeting. He also presented a revised plan with a revision date of August 17, 2020.

Norm reviewed the Places Assoc. second review report dated August 18, 2020 in response to the updated plan.

Discussion: David asked about the driveway the clearance. The Commission discussed limiting the disturbance centered on

Norm reviewed the draft additional conditions for the Order.

Motion was made by Norm, seconded by Dennis and voted unanimously by roll call to close the hearing. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Motion was made by Norm, seconded by David and voted unanimously by roll call to issue the Order of Conditions as drafted and discussed or amended. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

The Commission briefly discussed the trail at Paddock Estates. Owen Neville, Agricultural Commission, would like to create a sign designating it Paddock Trail.

At 9:48 PM, motion was made by Dennis, seconded by Norm and voted unanimously by roll call to adjourn. Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Documents used during this meeting:

Agenda

Draft Minutes August 5, 2020

Invoices: Places Associates

MBTA RDA Application, legal notice and Deter

1172 Hill Road

Applicant Revised Plan and Engineer's letter

Places Assoc. 2nd Review Report



PLACES Associates, Inc.

256 Great Road, Suite 4
Littleton, MA 01460

INVOICE

BILL TO

Mary Nadwairski
Town of Boxborough CC
29 Middle Rd.
Boxborough, MA 01719

PROJECT NAME: Boxborough 1172 Hill Rd ANRAD & NOI

INVOICE NUMBER	INVOICE DATE	PAYMENT DUE DATE	OUR PROJECT NO.	BALANCE DUE
5445.03	Aug 18, 2020	Sep 17, 2020	5445	\$506.25

Basic Services

Date	Employee	Phase	Description	Hrs	Rate	Extension
<i>office</i>						
7/9/2020	WEM	Follow up Review	Coordin with JEB	0.25	\$135.00	\$33.75
7/10/2020	JB	Project Review	noi review	2.50	\$135.00	\$337.50
8/18/2020	WEM	Project Review	2nd Plan and Response Review	1.00	\$135.00	\$135.00
				office Total:	3.75	\$506.25
				Basic Services Sub Total:	3.75	\$506.25
					Invoice Total:	\$506.25

Please make payments to Places Associates, Inc.. Late payments are subject to penalty fees.

*Correspondence
Sept. 2*

Mary Nadwairski

From: Scott Smyers <smyers@oxbowassociates.com>
Sent: Friday, August 21, 2020 5:26 PM
To: Mary Nadwairski
Subject: Boxborough Meadows

Hi Mary,

I am working on the monitoring report for the Boxborough Meadows wetland replacement area. Overall it looks good, but there are some common invasive plants around the periphery.

Can you forward this message to the Commission (if you don't know already) asking if I should recommend we conduct a selective herbicide application around the site? I am a licensed pesticide/herbicide applicator and could do this work efficiently, but I understand some Conservation Commissions are reluctant to allow any herbicide use adjacent to wetlands. Professionally, I believe it would be efficient and requiring hand-pulling will likely be more expensive and result in more growth in the future (especially with bittersweet, which is the most common at this site).

Thank you.

Scott



Scott Smyers, MS PWS | Vice President & Senior Scientist
Oxbow Associates, Inc.
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