



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

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

Approved: Sept. 2, 2020

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 of 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) 113-562

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 clearance. The Commission discussed limiting the disturbance centered on the driveway.

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.
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