



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Conservation Commission

MEETING DATE: January 5, 2022

TIME: 7:30 PM

PLACE: Remote Meeting pursuant to Current Executive Order

See instructions below.

7:30 Call to Order

TOPICS EXPECTED TO BE DISCUSSED (AGENDA):

Review Minutes and Correspondence New Business

For review and approval:

Minutes: Dec. 15, 2021

Invoices: \$3,357.50 Places (650 & 674 Mass Ave)

\$465.35 Places (313 Mass Ave)

Docs: Emergency Order Paddock Estates Beaver Dam

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)

7:45 Steele Farm Advisory Committee to discuss new trail

8:00 Notice of Intent Hearings 650 Massachusetts Avenue & 674 Massachusetts Avenue

** Both hearings will be continued.

8:05 Discussion: 650 AND 674 Massachusetts Avenue

Enforcement Orders and Restoration Plans

Ongoing: 199 Middle Road EO

313 Mass Ave OOC compliance and COC status

343 Depot Road

498 Stow Road encroachment

1102 Massachusetts Ave. EO

650 and 674 Mass Ave Enforcement Order

Invasives Management

Calendar: Jan. 19, 2022

Feb. 2, 2022

Correspondence:

Email J. Choo re: conserving land

Email F. Nolde re: Smithsonian Study

Join Zoom Meeting

<https://us02web.zoom.us/j/83778628906?pwd=ekZKS2xPQjdXMEtuK21rTmFJYndKUT09>

Meeting ID: 837 7862 8906

Passcode: 495562

One tap mobile

+19292056099,,83778628906#,,,,*495562# US (New York)

+13017158592,,83778628906#,,,,*495562# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 837 7862 8906

Passcode: 495562

Find your local number: <https://us02web.zoom.us/j/83778628906?pwd=ekZKS2xPQjdXMEtuK21rTmFJYndKUT09>



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Conservation Commission
December 15, 2021
7:30 PM
Grange Hall, Boxborough Town Hall, 29 Middle Road

Approved:

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

At 7:41 PM, Dennis called the meeting to order.

Motion was made by Dennis, seconded by Norm and voted unanimously to approve the minutes of Dec. 1, 2021.

Motion was made by Dennis, seconded by Norm and voted unanimously to approve and release the executive session minutes of Jan. 20, 2021.

Correspondence

By email Carla Briggs of the Boxborough Conservation Trust submitted the Conservation Restriction monitoring report for the Panek property portion of Patch Hill. Liz represented the Commission on the walk and reported it was very wet with lots of invasives. There was no evidence of horse or bike damage to the trails and no action is required.

Committee Reports:

Land Stewardship Committee: Liz and Dennis reported the new bridge at Blanchard School is complete and a new boardwalk is in place.

Review MACC Open Space and Recreation Plan update proposal

Dennis commented on the document. He will communicate with the Finance Committee about the costs involved and with the Town Planner about the efforts required.

Discussion: 650 and 674 Massachusetts Avenue Enforcement Orders and Restoration Plans

Nick Facendola, Level Design Group, participated representing the property owner. Armand Porrazzo was also present.

The Commission discussed the baseline for these locations.

Today, the owner submitted an existing conditions plan. Places Associates will revisit and offer comments on the content and accuracy.

David Follett will seek recommendations from the Department of Environmental Protection.

Places Associates will review the wetland flagging and be consulted regarding a restoration schedule.

The Commission will continue this discussion at their next meeting.

At 9:34 PM, motion was made by Norm, seconded by David Follett and voted unanimously to adjourn.

Documents used during this meeting:

Agenda

Draft Minutes Dec. 1, 2021

Correspondence

Level Design Group response to Places letter dated Oct. 26, 2021 re: NOI

Goddard Consulting wetland Border Report dated Dec. 13, 2021

Level Design Group memo of supporting information with photos dated Dec. 14, 2021

Level Design Group plan set revision date of Dec. 14, 2021



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: 5525 Boxborough CC 313 Mass Ave COC

INVOICE NUMBER	INVOICE DATE	PAYMENT DUE DATE	OUR PROJECT NO.	BALANCE DUE
5525.01	Dec 28, 2021	Jan 27, 2022	5525	\$465.35

Basic Services

<u>Date</u>	<u>Employee</u>	<u>Phase</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Extension</u>
<i>Administration</i>						
8/9/2021	CAM	Project Set-Up	Client Contact Form, Archi & SecuriSync Set-up	0.25	\$60.00	\$15.00
				Administration Total:	0.25	\$15.00
<i>field</i>						
8/3/2021	SC	Project Review	site inspection as-built	1.25	\$135.00	\$168.75
				field Total:	1.25	\$168.75
<i>office</i>						
8/3/2021	SC	Project Review	review GIS data	0.25	\$135.00	\$33.75
8/4/2021	SC	Project Review	followup with Mary, review original OOC, plans, aerials, send em;	1.75	\$135.00	\$236.25
				office Total:	2.00	\$270.00
				Basic Services Sub Total:	3.50	\$453.75

Expenses

<u>Date</u>	<u>Name</u>	<u>Phase</u>	<u>Expense Type</u>	<u>Description</u>	<u>Qty</u>	<u>Rate</u>	<u>Amount</u>
<i>field</i>							
08/05/2021	SC	Follow up Review	Mileage	inspect as-built	20.00	\$0.58	\$11.60
				field Total:			\$11.60
				Expenses Total:			\$11.60

Invoice Total: \$465.35

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



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: 5552 - Box CC, 650 & 674 Mass Ave NOI

INVOICE NUMBER	INVOICE DATE	PAYMENT DUE DATE	OUR PROJECT NO.	BALANCE DUE
5552.01	Dec 16, 2021	Jan 15, 2022	5552	\$3,357.50

Basic Services

<u>Date</u>	<u>Employee</u>	<u>Phase</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Extension</u>
<i>Administration</i>						
10/7/2021	WEM	Project Set-Up	Review information	0.50	\$135.00	\$67.50
10/12/2021	CAM	Project Set-Up	Client Contact Form, Archi & SecuriSync Set-up	0.25	\$65.00	\$16.25
				Administration Total:	0.75	\$83.75
<i>field</i>						
10/22/2021	WEM	Project Review	Sitewalk with Sue	0.75	\$135.00	\$101.25
10/22/2021	SC	Project Review	site inspection	1.50	\$135.00	\$202.50
12/13/2021	SC	Follow up Review	site inspection	1.00	\$135.00	\$135.00
				field Total:	3.25	\$438.75
<i>office</i>						
10/4/2021	WEM	Project Review	Review information from Mary	0.50	\$135.00	\$67.50
10/19/2021	WEM	Project Review	Email to commission, not able to review for Wed night mtg.	0.25	\$135.00	\$33.75
10/19/2021	WEM	Project Set-Up	Review emails	0.25	\$135.00	\$33.75
10/21/2021	SC	Project Review	review NOI info	3.00	\$135.00	\$405.00
10/22/2021	SC	Project Review		2.00	\$135.00	\$270.00
10/25/2021	WEM	Project Review	coordin with Sue	0.25	\$135.00	\$33.75
10/25/2021	SC	Project Review	review NOI, emls	3.50	\$135.00	\$472.50
10/26/2021	WEM	Project Review	Coordin with Sue	0.25	\$135.00	\$33.75
10/26/2021	SC	Project Review		4.50	\$135.00	\$607.50
10/27/2021	WEM	Project Review	Proof Read Review	0.50	\$135.00	\$67.50
10/27/2021	SC	Project Review	finish and send out	3.00	\$135.00	\$405.00
12/14/2021	WEM	Follow up Review	Proof response letter	0.25	\$135.00	\$33.75
				office Total:	18.25	\$2,463.75
				Basic Services Sub Total:	22.25	\$2,986.25

Additional Services

<u>Date</u>	<u>Employee</u>	<u>Phase</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Extension</u>
<i>office</i>						
12/14/2021	SC	Project Review	letter summarizing site inspection	1.50	\$135.00	\$202.50
12/15/2021	SC	Project Review	compare new base plan to original-questions	1.25	\$135.00	\$168.75
				office Total:	2.75	\$371.25



PLACES Associates, Inc.

256 Great Road, Suite 4
Littleton, MA 01460

INVOICE

PROJECT NAME: 5552 - Box CC, 650 & 674 Mass Ave NOI

INVOICE NUMBER	INVOICE DATE	PAYMENT DUE DATE	OUR PROJECT NO.	BALANCE DUE
5552.01	Dec 16, 2021	Jan 15, 2022	5552	\$3,357.50

Additional Services Sub Total: 2.75 \$371.25

Invoice Total: \$3,357.50

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Emergency Certification Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

and the ~~Boxborough Wetland~~ **Boxborough Wetland Bylaw**

A. Emergency Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



- Issuance From: Boxborough Conservation Commission
Issuing Authority
1. Site Location: Beaver Brook near Hill Road near wells
 2. Reason for Emergency:
Beaver dam removal consistent with Boxborough Board of Health Beaver Permit dated 12/29/2021
 3. Applicant to perform work: Jerry Camara for Paddock Estates Apartments
 4. Public agency to perform work or public agency ordering the work to be performed:
Town of Boxborough Board of Health
5. Date of Site Visit: Start Date: End Date*:
12/28/2021 12/29/2021 01/29/2022

* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.

6. Work to be allowed*:
Removal of steamflow obstruction as necessary to restore normal water elevation. Obstructing material (typically sticks and tree branches) shall be removed from the site, or scattered in the surrounding wooded area to decay naturally.

* May not include work beyond that necessary to abate the emergency.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Boxborough Conservation Commission

Mary O Nadwaiski Dec. 29, 2021

Signatures:

Signature _____	Dennis Reip Printed Name
Signature _____	David Follett Printed Name
Signature _____	Norm Hanover Printed Name
Signature _____	David Koonce Printed Name
Signature _____	Liz Markiewicz Printed Name
Signature _____	Steve Schmitt Printed Name
Signature _____	Hoff Stuart Printed Name
Signature _____	Printed Name

A copy of this form must be provided to the appropriate DEP Regional Office.

C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Special Conditions

Refer to Section A 6.

E. Appeals

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.

B-2021-2



TOWN OF BOXBOROUGH
Board of Health

Beaver Permit

The Boxborough Board of Health, acting under the powers granted by Chapter 139 of the Acts of 2000, having determined that a health threat emergency exists due to the impoundment of water by beaver or muskrat, issues this permit to:

Applicant: Paddock Estates Apartments, Jadcie Pellers manger

Address: 1 Paddock Ln, Boxborough

For the purpose of:

- Breaching a beaver dam: (give dimensions) (Upon Conservation Commission approval)
- Removal of beaver
- Modification of beaver dam

at the following location: off ~~road~~ Hill Rd adjacent to the public water wells

All activity carried on by the applicant must comply with Chapter 131 of Mass General Laws. Breaching or modification of a dam must be approved by the local Conservation Commission.

Permit is valid for ten days (following Cons. Comm. approval where required).

Written permission from the landowner where the activity will take place must first be obtained.

Trapping must be conducted by a licensed Trapper.

This section for completion by the Boxborough Board of Health or its agent

Site Visit Date 12/28/21 by JAMES GARRETT
Findings and recommendations visited the site of the dam, access is off Hill Rd. Significant flooding noted as well as a large dam.

Approved (Start date 12/29 End date 1/8) OR Denied _____
Extension approved _____ (Start date _____ End date _____) OR Denied _____

James Garretti
James Garretti, Agent, Boxborough Board of Health

Mary Nadwairski

From: Becky Harris [REDACTED]
Sent: Thursday, December 30, 2021 11:03 AM
To: johanna choo
Cc: Mary Nadwairski
Subject: Re: Box Conservation Commission

Hi Johanna - I'm not sure if you're asking for me to arrange for you to get on a Conservation Commission meeting, but if that's the case, you can reach out to Mary Nadwairski, cc'ed here, who can help you communicate with the Cons Comm and get on an upcoming agenda.

In terms of a 3rd party, are you referring to BCTrust? I'm sure Rita would be happy to keep the conversation going regarding conservation easements once she's back from CA. I'm not familiar with Flexible Spacing.

Becky

On Thursday, December 30, 2021, 10:45:04 AM EST, johanna choo [REDACTED] wrote:

Hi Becky

I would like to meet the Box Con Com in their next meeting to discuss Flexible spacing.

I spoke to my field who worked for decades in conservation in NJ and she said Flexible spacing requires a 3rd party to be stewards of the conserved easement areas to ensure that in the future those areas are not subject to logging, dumping or future development.

Can you help me arrange that?

Thanks,
Johanna

----- Forwarded message -----

From: **Francie Nolde** <[REDACTED]>
Date: Thu, Dec 30, 2021 at 9:46 AM
Subject: Fwd: [Boxborough Birders]- RE: New Smithsonian Study Links Declines in Suburban Backyard Birds to Presence of Nonnative Plants
To: Becky Harris <bharris@boxborough-ma.gov>, Dennis Reip <[REDACTED]>, Rebecca Verner <rverner@boxborough-ma.gov>
Cc: johanna Choo <[REDACTED]>, Chris DeLise <[REDACTED]>, Richard Garrison <[REDACTED]>, Suresh Jasrasaria <[REDACTED]>, John Markiewicz <JMarkiewicz@boxborough-ma.gov>, Palmer Moore <[REDACTED]>, Francie Nolde <[REDACTED]>, Barbara Salzman <[REDACTED]>, Eric Whitney <[REDACTED]>, Jayne Carter <[REDACTED]>, Marjorie Kamp <[REDACTED]>, Gail Kharidia <[REDACTED]>

Simon Bunyard started a conversation about allowing only native plantings for new construction. He included Rita and other towns' conservation groups.

I don't know any Boxborough Garden Club enthusiasts. Perhaps someone else does and can reach out to them.

Simon is leaving for a 4-month trip so he is not able to start a process to see this concept through. Would anyone else be interested in spearheading such a venture?

Best,
Francie

May all beings live in good health and peace
Francie Nolde
459 Sargent Road
Boxborough, MA 01719
[REDACTED]