



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Conservation Commission

MEETING DATE: June 16, 2021

TIME: 7:30 PM

PLACE: Grange Hall, Town Hall, 29 Middle Road, Boxborough, MA

7:30 Call to Order

TOPICS EXPECTED TO BE DISCUSSED (AGENDA):

Review Minutes and Correspondence

New Business

For review and approval: Minutes May 19, 2021 and June 2, 2021

7:45 Fort Pond Brook Parking Area Status

Committee Reports: Chairman's Reports (Reip)

Boxborough Conservation Trust (Koonce)

Community Preservation Committee (Reip)

Land Stewardship Committee (Hanover)

Water Resources Committee (Schmitt)

Ongoing: 199 Middle Road EO

313 Mass Ave OOC compliance and COC status

498 Stow Road encroachment

650 & 674 Mass Ave – EO Status

Invasives Management

Calendar: July 7, 2021

July 21, 2021

Correspondence:

Email 6/8/2021 from Town Planner, Simon Corson, RE: EPA MA MS4 General Permit



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Conservation Commission
May 19, 2021
7:30 PM
Zoom

Approved:

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

Members Absent: David Koonce

At 7:33 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 David, seconded by Hoff and voted unanimously by roll call to approve the minutes of May 5, 2021.

Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Motion was made by Dennis, seconded by Hoff and voted unanimously by roll call to approve the payment of \$2, 301.25 to Places for work related to 1414 Massachusetts Avenue.

Reip yes; Follett yes; Hanover yes; Schmitt yes; Stuart yes.

Correspondence:

Email inquiry about possible Eagle Scout projects. Hoff suggested a maintenance project for the entrance path to the Boxborough Esker. Permission for this work would need to be obtained from the owner or responsible organization. Norm suggested a project to repair or build a small bridge over a stream on a path at Have Not Pond.

Chairman's Report

Dennis reported on communications and concerns about traffic and speeding in the parking lot at Flerra Meadow. The issue was referred to Police Chief Ryder with a recommendation to the Recreation Commission to advise users Acton Boxborough Youth Soccer and Acton Boxborough Youth Baseball of the concern.

Ongoing:

Dennis reported on the status of the 650-674 Massachusetts Ave Enforcement Order. The owner has not responded yet. Dennis will send another message. If there is no response, he will request that Town Counsel send a letter.

Land Stewardship Committee:

Norm reported on updated trail markers at Have Not Pond and noted the growth of poison ivy. Options for managing poison ivy on these trails were discussed. Dennis will ask Scott for a cost estimate. Norm also reported on invasive species at Elizabeth Brook Knoll and some related coordination issues with the Boxborough Conservation Trust.

Dennis noted that there are some fallen trees blocking paths at Heath Hen Meadow.

At 8:30 PM, motion was made by Norm, seconded by Hoff, 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 May 5, 2021

Correspondence

DRAFT



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Conservation Commission
June 2, 2021
7:30 PM
Zoom

Approved:

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

Members Absent: David Koonce

Others in attendance: Liz Markiewicz (associate member) departed 8:44, Simon Corson (town planner) joined and left as needed

At 7:31 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 to approve the minutes of May 19, 2021 was deferred to the June 16, 2021 meeting.

Correspondence:

- 1) The Commission discussed the email from Rajon Hudson, Asst. Town Administrator, regarding the expiration of the Governor's Emergency Order that allows for remote meetings (instead of in-person per Open Meeting Law) and the Governor's pending legislation. The bill filed by Governor Baker would extend the Emergency Order until September 1, 2021, which will allow additional time to consider possible permanent changes to the open meeting law to provide for greater flexibility in conducting open meetings. After some discussion, the ConsCom concluded that,
 - a) All members present want to return to "in-person only" meetings, aka. no virtual attendance option.
 - b) The state of emergency expires one day before the June 16th ConsCom meeting and at this time it's not clear when or if the Emergency Order will be extended.
 - c) A decision was made to advertise the June 16th meeting as "in-person only".
- 2) An aggressive Coyote was reported on Rolling Meadows by a hiker with a dog. Norm visited the area and found no activity. No action will be taken at this time.
- 3) Cindy Regan sent an email complaining that the parking lot expansion at the Littlefield Rd. trail head did not have a public hearing. It's not clear that this work required a public hearing but the ConsCom agreed that in the future we will post such hearings to obtain input and better communicate planned activities. Dennis will send Cindy a response.
- 4) Brian Morrison withdrew his request to farm the Patch Hill field on Hill Rd.

- 5) BCTrust is considering a “I hiked Boxborough’s trails” challenge and asked if the ConsCom would partner with them. The ConsCom is supportive of the idea but will not take an active role. Dennis will communicate our decision to the BCTrust.

Land Stewardship Report:

Norm raised the concern that hiking trails are not being mowed. After some discussion we agreed that Norm would reach out to the DPW.

Chair Report:

Dennis talked directly to the owner of 650 & 674 Mass Ave. about the enforcement order issued by the ConsCom. The owner brought to Dennis’s attention that 674 Mass Ave. has an “as-built” for septic system work in 1999 that shows an existing “cart path” crossing the stream for access to the drainage field. This documentation references a requirement to file a NOI and obtain an OOC. This may change some of the details of the violation but not the primary content of the EO against the properties involving unconditioned clearing of vegetation, stream alteration, and earthwork.

The following actions were agreed on,

- 1) Simon Corson and Liz Markiewicz will check for previous Public Hearing and OOC for circa 1999 NOI filing.
- 2) Dennis will agree on an NOI filing date with the property owner.

Zoning violations related to 650 and 674 are being considered separately by the Town.

8:01 Liz Markiewicz was present to discuss the removing the constriction in the dam sluiceway behind Blanchard school.

Behind Blanchard school is a dam that forms a small pond. The dam’s sluice is relatively narrow which causes it to constrict as branches and debris flow downstream. On occasion the constriction is exacerbated by beaver activity in the pond. Every few years this debris is cleared by the DPW to manage the pond’s water level. Town meeting approved funding to rebuild a pedestrian bridge upstream from the dam and the constriction is raising the water level at the bridge construction site. It is not immediately clear if the current constriction relates to beaver activity. The following actions were agreed to. If the current constriction is not beaver related Liz Markiewicz will contact the DPW to remove the constriction. If there is beaver activity Liz will apply to the Nashoba Board of Health for a declaration of emergency for dam removal, request an Emergency Order from the ConsCom, and then contact the DPW to remove the constriction.

At 9:06 PM, motion was made by Hoff, seconded by Steven, 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 May 21, 2021

Correspondence

ConsCom.2021.6.2

RE: EPA MA MS4 General Permit - Draft Stormwater Regulations

3 messages

S Corson <scorson@boxborough-ma.gov>

Tue, Jun 8, 2021 at 3:43 PM

To: S Corson <scorson@boxborough-ma.gov>

Cc: Ryan Ferrara <rferrara@boxborough-ma.gov>, Rajon Hudson <RHudson@boxborough-ma.gov>, Cheryl Mahoney <cmahoney@boxborough-ma.gov>, Mary Nadwairski <MNadwairski@boxborough-ma.gov>, Bentley Herget <bherget@boxborough-ma.gov>, "JGarreffi@nashoba.org" <JGarreffi@nashoba.org>, Edward Kukkula <ekukkula@boxborough-ma.gov>

Good Afternoon Select Board, Planning Board, Conservation Commission, Board of Health, Public Works Director, Building Official, and BoH Agent,

As you may know, Boxborough falls under the US-EPA MA MS4 General Permit, and has an unfunded mandate to comply with the requirements of the Permit. Public Works Director, Ed Kukkula, Boxborough's stormwater consultant, Nick Cristofori from Comprehensive Environmental, Inc., and myself work to ensure the Town's continued compliance. At Annual Town Meeting 2020, the Town adopted the attached Construction and Post-Construction Stormwater Bylaw (PDF document), which would work in tandem with the newly proposed and attached Stormwater Management Regulations (Word document).

Please review the attached Stormwater Management Regulations, and provide any comments back to me by Wednesday, June 23. The Planning Board intends to discuss these proposed regulations at their June 28 Meeting. When the language has been finalized, the Select Board will host a public hearing to consider adopting these regulations. Please reach out to me with any questions or concerns. Thank you.

Respectfully,
Simon

Simon Corson
Town Planner
Town of Boxborough
Office: 978-264-1723
Email: scorson@boxborough-ma.gov

The Secretary of State has deemed email to be an applicable public record under M. G. L. Chapter 66, Section 10.

2 attachments **Construction and Post-Construction Stormwater Bylaw.pdf**
53K **Boxborough Stormwater Management Regulations, revised draft 06.07.21.docx**
66K