



**TOWN OF BOXBOROUGH
NOTICE OF PUBLIC MEETING
Meeting Minutes**

Conservation Commission
May 3, 2023
7:30 PM
Grange Meeting Room, Town Hall

Approved: May 17, 2023

Members Present: Sam Anderson, David Follett, David Koonce, Norm Hanover, Lucy Indge, Liz Markiewicz, and Steve Schmitt

At 7:35 PM, Liz called the meeting to order.

Motion was made by Norm, seconded by Steve and voted unanimously to approve the minutes of April 19, 2023, as amended.

Draft Environmental Impact Report (DEIR) for Massachusetts Avenue Research Campus (MARC) submitted to the state's Executive Office of Energy and Environmental Affairs by Epsilon Associates.

Liz provided a draft of the Commission's response comments from the last meeting. Steve noted that if runoff impacted vernal pools on the property, a Notice of Intent may be required.

The Commission agreed to have Liz sign on behalf of the Commission, copying the Planning Board and the Water Resources Committee.

31 Eldridge Road Enforcement Order

The property owner has cleared an upland abutting a wetland. The Building Inspector (BI) received complaints and visited the site with the owner. The BI notified the Commission. He subsequently signed the Commission's Enforcement Order. The Commission reviewed and amended the EO, adding erosion control and restoration requirements.

Motion was made by Norm, seconded by Sam and voted unanimously to issue an Amended Enforcement Order.

Notice of Intent Hearing continuation 113-575
Location: 100 Codman Hill Road Assessor Parcel: 12-035-000
Owner: Mike French, French Brothers Boxborough LLC.
Engineer / representative: Paul Kirchner, Stamski and McNary, Inc.
Project: construction of commercial trade shops
Reviewer: Norm Hanover

Norm opened the continued hearing and reviewed the conflicting findings.

He also cited 310 CMR 10.58 land within the riverfront area, that has the following presumption: Where a proposed activity involves work within the riverfront area, the issuing authority shall presume that the area is significant to protect the private or public water supply; to protect the groundwater; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; and to protect fisheries.

Bill Murray, Places Associates and consultant to the Commission, reported on the history at the site. He has seen the flooding annually and it has never gone beyond the “mean annual highwater mark.” He presented his review findings of the applicant’s revised materials - Site Plans with a revision date of April 4, 2023 and a Landscape Plan dated April 18, 2023.

Dave Crossman looked at the vegetation as indicating a shallow marsh rather than a river. He also stated it froze and thus did not have substantial flow.

The Commission questioned the impacts.

The riverfront has more substantial limitations and would be more of a redevelopment and restoration of a disturbed riverfront area. Bill noted limitations on pavement / substrate within the riverfront 200’ zone. Bill also noted that a nearby potential vernal pool is likely not a vp.

Motion made by David Follett, seconded by Steve and voted unanimously to continue the hearing on May 17, 2023 at 8:30 PM.

Bill Murray noted that a new driveway exists near the brook at Astro Crane, 200 Codman Hill Road, as well as trucks parked in the riverfront area. Liz will ask the Building Inspector to issue an Enforcement Order. They need to remove the driveway, restore all disturbed area, and move trucks out of the riverfront area.

Notice of Intent Hearing 113-579

Location: 241 Depot Road Assessor Parcel: 05-080-000

Owner: Christopher and Amy Pearson

Applicant: Dale Swanson, Basnett DBR

Engineer / representative: Chris MacKenzie, Dillis & Roy Civil Design Group Inc

Project: construction of 420 s.f. house addition and septic system replacement

Reviewer: Lucy Indge

Lucy opened the hearing and briefly noted that, as the result of the site visit of Tuesday May 2, 2023, Chris MacKenzie has requested a further continuation.

Motion made by Liz, seconded by David Follett and voted unanimously to continue the hearing on June 7, 2023 at 8:00 PM.

Hearing Abbreviated Notice of Resource Area Delineation Adams Place 113-nnn

Location: Adams Place Parcels:

12-024-000 241 Adams Place owned by Boxborough Hospitality LLC

12-025-000 242 Adams Place owned by Boxborough Hospitality LLC

13-002-000 121 Adams Place owned by Gutierrez & Cataldo

13-003-000 120 Adams Place owned by Gutierrez & Cataldo
13-066-000 1 Adams Place owned by Boxborough Hospitality LLC
13-065-000 0 Adams Place owned by Gutierrez & Cataldo

Applicant: Boxborough Adams Realty Trust
Engineer / representative: Mark Arnold of Goddard Consulting LLC
Liz opened the hearing.

Israel Lopez, Gutierrez, was present on behalf of the Applicant.

Mark Arnold presented extensive notes and findings of wetlands on the properties.

Bill Murray, Places Associates and consultant to the Commission, presented his preliminary review findings and noted the delineation was well done. Many of the pools (isolated wetlands) are holding more than 3' of water. They need to be assessed for vernal pool species.

Motion made by David Koonce, seconded by David Follett and voted unanimously to continue the hearing on May 17, 2023 at 8:15 PM.

95 – 105 Sargent Road

The Management Plan is expected next week. The parking spots / lot are being located.
David Koonce removed the old signs. He will notify the DPW of debris in that woods that needs to be removed.

Liz informed everyone that a “glitch” in GIS software hides the prior owner data on the town web site. The Assessor is aware and is working on a correction with the provider.

At 9:16 PM, motion was made by Norm, seconded by Sam and voted unanimously to adjourn.

Documents used during this meeting:

Agenda

Draft Minutes April 19, 2023

Correspondence as listed

100 Codman Hill Rd documents

241 Depot Road documents

Adams Place documents