



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

Conservation Commission  
July 6, 2022  
7:30 PM  
Town Hall

Approved: July 20, 2022

Members Present: David Follett, David Koonce, Norm Hanover, and Steve Schmitt

Member Absent: Liz Markiewicz, Chair

Motion was made by David Follett, seconded by David Koonce and voted unanimously for Norm to act as Chair.

At 7:35 PM, Norm, acting as chair, called the meeting to order.

Motion was made by David Follett, seconded by Norm and voted unanimously with 1 abstention to approve the minutes of June 15, 2022.

Motion was made by David Koonce, seconded by David Follett and voted unanimously to approve payment of MACC dues \$672.00

Motion was made by David Koonce, seconded by David Follett and voted unanimously to approve payment of \$3,950 to Avery Associates for work related to the acquisition of 95 & 105 Depot Road.

Committee Reports

Steve reported that Les Fox, on behalf of the Water Resources Committee, made a presentation to the Select Board for the development of a public water supply by Littleton Electric Light and Water Departments for the Swanson Road apartments and condominiums.

Discussion / Update: 95 and 105 Sargent Road Phyllis Campbell Right of First Refusal (RoFR)  
The Select Board hearing was June 22, 2022.

David Koonce led the discussion and review of the following:

Draft Conservation Restriction

David Koonce advised the Commission that a draft Conservation Restriction (CR) has been prepared by Sudbury Valley Trustees and will be submitted with the LAND Grant application. The final CR will be a work in progress for now.

Town & Sudbury Valley Trustees Memorandum of Agreement

David Koonce gave the Commission an update and explained, in particular, that the Town has to show it has the funds available to pay for the expenses referenced in the MOA.

Motion was made by David Koonce, seconded by David Follett and voted unanimously to approve the MOA as written.

Motion was made by David Koonce, seconded by David Follett and voted unanimously to authorize Norm as acting Chair to sign the MOA between the Town and Sudbury Valley Trustees.

#### Purchase and Sale

David Koonce explained that the P & S is one of two, the other being the P & S between Sudbury Valley Trustees and the current owners, but the two are essentially identical.

Motion was made by David Koonce, seconded by David Follett and voted unanimously to approve the P & S as written.

Motion was made by David Koonce, seconded by David Follett and voted unanimously to sign the Purchase and Sale between the Town and Sudbury Valley Trustees.

Hearing: Notice of Intent 113-572

Property: 526 Stow Road Assessor's parcel 19-131-000

Owner / Applicant: Katherine West

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

Project: proposed septic replacement

Reviewer: Norm Hanover

Chris MacKenzie the applicant will be before the Board of health on July 13, 2022.

Motion was made by Norm, seconded by Steve and voted unanimously to continue the hearing on July 20, 2022 at 8:00 PM.

Hearing: Request for Determination of Applicability

Property: 244 Adams Place Assessor's parcel 12-026-000

Owner / Applicant: Boxborough Adams Realty Trust

Engineer: Mark Arnold, Goddard Consulting LLC

Also present: Israel Lopez, The Gutierrez Company

Project: new commercial structure

Reviewer: David Follett

David opened the hearing and read the legal notice.

Mark Arnold presented the filing. He stated that the project proposes no activity in the Commission's regulatory jurisdiction. The Applicant challenged whether the Commission made its decision to engage Oxbow Associates without approval of the Commission. The Applicant also challenged a potential violation of the Open Meeting Law. The Commission Chair has the authority to request consultant input. Chair Reip did not discuss this with the Commission before requesting services.

Motion was made by David Follett, seconded by Norm and voted unanimously to continue the hearing on July 20, 2022 8:15 PM.

Hearing: Notice of Intent  
Property: Liberty Fields  
Owner / Applicant: Town of Boxborough  
Engineer: Bill Murray, Places Associates  
Project: Athletic field renovations  
Reviewer: Steve Schmitt

Steve opened the hearing and read the legal notice. Without discussion motion was made by Norm, seconded by Steve and voted unanimously to continue the hearing on July 20, 2022 at 8:30 PM.

#### Correspondence

Notice of MEPA Remote Site Visit/Consultation Session-- EEA #16568 1 and 2 Monarch Drive, Littleton

By email Kristin O'Neil of 408 Massachusetts Avenue commented on the letter they received from the Commission regarding beaver activity.

At 9:00 PM, motion was made by Norm, seconded by David Follett and voted unanimously to adjourn.

#### Documents used during this meeting:

Agenda  
Draft Minutes June 15, 2022  
95 and 105 Sargent Road draft CR, MOA, P&S  
244 Adams Place RDA  
Correspondence