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June 9, 2017

***Via Certified Mail***  
***RRR #7016 2070 0000 4297 8919***  
Boxford Conservation Commission  
Town of Boxford  
7A Spofford Road  
Boxford, MA 01921

***Via Certified Mail***  
***RRR #7016 2070 0000 4297 8094***  
Boxford Board of Health  
Town of Boxford  
7A Spofford Road  
Boxford, MA 01921

Re: 30 Lawrence Road

Ladies and Gentlemen:

I represent Paulette Straub, individually and as trustee of the Odessa Trust, owner of the property located at 30 Lawrence Road, Boxford, MA, being Ms. Straub's residence. By e-mail communications from Ross Povenmire of June 5 & 6, 2017, I learned for the first time of the existence of a so-called "Written Notice of a Stable Permit Complaint and Wetlands Violations", generated by Laura Saplenza-Grabski on April 26, 2017. At approximately the same time, I also learned that both the Boxford Board of Health and the Boxford Conservation Commission had placed Ms. Grabski's "Complaint" on their respective meeting agendas for June 14 and June 15, 2017. I am not aware of Ms. Straub receiving prior written notice of these meetings.

Please note that neither Ms. Straub nor her representatives will be able to attend either the June 14<sup>th</sup> Board of Health or June 15<sup>th</sup> Conservation Commission meetings. Ms. Straub's wetlands consultant, Curtis Young of Wetlands Preservation, Inc., has informed me that he is traveling out of state and will not be available for the meetings. I have previously scheduled commitments on both of those evenings myself and also will not be able to attend. Given the long and contentious history of Ms. Grabski's complaints regarding Ms. Straub and her property, I have advised Ms. Straub not to attend the meetings without legal counsel. Thus, please be advised that these meetings will not be attended by Ms. Straub or by anyone on her behalf. Please note that no disrespect is intended to either authority by this absence.

Despite Ms. Straub's inability to appear at these meetings, both the Board and Health and Conservation Commission are urged to consider and reject Ms. Grabski's "Complaint". The

following information is provided on Ms. Straub's behalf in opposition to Ms. Grabski's "Complaint" and it is requested that you include this information in your respective records.

Ms. Grabski's "Complaint" appears intended to make three allegations, 1.) manure and horse bedding is being disposed of at an inappropriate location; 2.) prior complaints were made by Ms. Grabski about Ms. Straub in 2004; and 3.) that there are encroachments onto property of Charles & Wendy Perkins.

First, Ms. Straub denies that manure or horse bedding is being disposed of improperly. Ms. Straub has informed me that all manure is being disposed of in full compliance with her current stable license. As you may recall, Ms. Straub's longstanding stable license was most recently renewed on February 25, 2016. That renewal provided two potential manure stockpiling locations. The primary location was in proximity to the Perkins property. The secondary stockpiling area was located some distance from the Perkins property. The license renewal provided that while Ms. Straub's boundary dispute with Mr. & Mrs. Perkins was ongoing, the secondary stockpiling area was to be utilized. Ms. Straub has informed me that this has been the case since shortly after the issuance of the renewal license. Ms. Straub has also informed me that she regularly causes manure to be removed from her property and properly disposed of off-site. I understand Ms. Straub will provide you with copies of invoices confirming that manure is removed from her property for disposal on a recurring basis. Ms. Straub has explained that she does use a small amount of composted manure and horse bedding in her garden beds which she has maintained in that manner for over 30 years. These garden beds are located in proximity to the Perkins property. However, such use would not appear to be any type of violation or an improper use of these materials.

Second, Ms. Grabski has a long history of making complaints and allegations against Ms. Straub and what she purports to be improper activities on the Straub property. These accusations date back at least to 2004 or earlier. However, the selective materials that appear to have been filed with Ms. Grabski's "Complaint" are not an accurate record of all that has transpired between them or even accurately reflect the outcome of Ms. Grabski's 2004 accusations.

Ms. Straub believes that Ms. Grabski's actions constitute a long-running campaign of harassment, intimidation, and ill-will against her and her family. Ms. Straub also believes many or most of these allegations to have had little or no basis in fact. A recent example of this activity should be noted from the proceedings of the Boxford Zoning Board Appeals. At the ZBA meeting held on or about December 15, 2016, Ms. Grabski alleged that she had observed erosion and hazardous materials being released from the Straub property into wetlands and Fish Brook, and that those materials were damaging abutting properties. Those allegations were alarming enough for the ZBA to strongly request that Ms. Straub allow an immediate inspection of her property by Mr. Povenmire to investigate the allegations. That inspection was quickly conducted by Mr. Povenmire, who reported to the ZBA for their January 2017 meeting. Based on that report, the ZBA determined that "*there was no*

*indication that erosion or leaching from the Applicant's Property was occurring or impacting abutting properties.*" Nevertheless, Ms. Straub incurred significant expense, including legal and wetland consultant's fees, to defend against what was unequivocally concluded to be a baseless allegation. Ms. Grabski's current "Complaint" is quite reminiscent of that unfortunate situation. Similarly, Ms. Straub has again begun to incur unnecessary expenses for what she is sure will amount to yet another baseless allegation. In an effort to put down Ms. Grabski's most recent, unfounded accusations, I understand Ms. Straub has voluntarily allowed a Town representative to inspect her property. Her understanding is that this inspection has again shown that Ms. Grabski's allegations of Board of Health and Conservation Commission violations are entirely baseless.

Finally, Ms. Straub and Mr. & Mrs. Perkins do appear to have an ongoing disagreement over the precise location of their shared property boundary. This dispute specifically includes an area of gardens, lawn, and landscaping that Ms. Straub has maintained for over 30 years. The parties have had initial discussions between legal counsel regarding an effort to cooperatively resolve that dispute. Ms. Straub has engaged a surveyor to consider both this issue and to prepare a plan to accompany her long-anticipated Notice of Intent filing, to be submitted in connection with the reconstruction of her fire-damaged home. Ms. Straub understands that most of the field work associated with these surveys has been completed and she eagerly awaits the resulting plans from her surveyor. She hopes to both file an NOI with the Conservation Commission and to resume discussions regarding resolution of the Perkins boundary line issue as soon as the relevant survey plans are available. However, this boundary line disagreement is a civil matter between private property owners, and not an issue properly before either the Conservation Commission or the Board of Health. It is certainly not an issue that either authority should exercise jurisdiction over based on the "Complaint" of Ms. Grabski's, who is a legal stranger to the matter and an apparent officious intermeddler.

In summary, both the Board and the Commission are urged to reject Ms. Grabski's "Complaint" and prevent their authorities from being used as a tool to harass or intimidate Ms. Straub or her family any further. Should you wish for Ms. Straub to appear through her representatives at a future meeting, would you please notify me of that request? I sincerely hope that this will not be necessary. Thank you for your consideration.

Very truly yours,  
JOHNSON & BORENSTEIN, LLC



Donald F. Borenstein

DFB/mbf