

ANDOVER CONSERVATION COMMISSION MEETING MINUTES
MARCH 3, 2015

Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7:45pm

Conservation Members in Attendance:

Chairman Donald Cooper, Commissioner Alix Driscoll, Commissioner Jon Honea, Commissioner Greenwood, Vice Chairman Kevin Porter, Commissioner Ellen Townsend and Commissioner Phil Sutherland (8:20pm). Staff member present were Robert Douglas, Conservation Director and Linda Cleary, Conservation Agent.

SCHEDULED ITEMS:

254 South Main Street

Staff Recommendation: Approve

Present in Interest: Casey Russo and Jon Chadwick

Public Hearing on a Request for Determination of Applicability filed by Casey Russo-Phillips Academy under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed replacement of existing track with resilient track surfacing and natural grass infield at **254 South Main Street**.

Mr. Douglas presented this to the Commission. The project is essentially within the same footprint of the existing track. Under an Order of Conditions from 2004, a small portion of the track is within the 25 foot no disturb.

Casey Russo and Jon Chadwick presented the project. The track will be replaced in kind within the existing footprint. A portion of the asphalt "run out" that is now within the 25 foot no-disturb zone will be moved outside the 25 foot no-disturb, but will remain within the 50 foot no-build area and made of pervious pavement. Straw waddles will be used around the north and east of the track as erosion control. On the south side of the track there will be minor grading, landscape walls and vegetation planted. The existing track is made up of a resilient rubberized surface over asphalt with some fill. The rubber coating will be removed and the asphalt pulverized. The pulverized asphalt will be added to the top soil being removed from the long jump area and used to stabilize the slope and change the slope of the hill leading up to the track. Commissioner Greenwood asked about pesticide use on the infield. The soccer field is the only field being treated by pesticides which is further away from the resource area. The subsurface

drainage system will catch the runoff and take it away from the resource area. The track will be pitched toward the drainage system, not toward the resource area.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to approve; it was seconded by Commissioner Greenwood and unanimously approved. Commissioner Driscoll abstained from the vote.

24 Foster's Pond Road

Staff Recommendation: Continue to April 7th.

Public Hearing on a Notice of Intent filed by Mark and Maryellen Florio under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed construction of an addition to an existing single family dwelling at **24 Foster's Pond Road**.

Agent Cleary presented this to the Commission. The applicant has requested to be continued to April 7, 2015 due to snow covered conditions.

ACTION ITEMS:

307R Lowell Street

Request for temporary cessation of reporting.

Commissioner Driscoll made a Motion to Approve; it was seconded by Vice Chairman Porter and unanimously approved.

131 Chandler Road

Request for temporary cessation of reporting.

Vice Chairman Porter made a Motion to Approve; it was seconded by Commissioner Driscoll.

Andover Water Main Improvements-Bancroft, Chandler, Highland and Rover Roads

Request for insignificant change. The plans sent to the contractors to obtain bids for the project must match the plans we have approved. Some catch basins need to be rebuilt or replaced.

Vice Chairman Porter made a Motion to find the change insignificant; it was seconded by Commissioner Driscoll and unanimously approved.

CONSENT AGENDA:

Minutes

Approval of minutes from February 17, 2015.

Vice Chairman Porter made a Motion to Approve the Consent Agenda; it was seconded by Commissioner Driscoll and unanimously approved.

LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:

Foster's Pond

Present in Interest: Steve Cotton

Approval of nuisance vegetation control at Foster's Pond.

Vice Chairman Porter made a Motion to approve, pursuant to Special Condition 12.28, herbicide and algaecide treatment of Foster's Pond in accordance with the schedule and program set forth by Aquatic Control Technology, Inc., in its report to the Foster's Pond Corporation dated January 15, 2015, "2014 Aquatic Vegetation Survey and Water Quality Monitoring Report/Foster's Pond"; it was seconded by Commissioner Driscoll and unanimously approved.

Eagle Project

Presentation by Benjamin Buchholz for his Eagle Project. **Tabled to March 17th.**

Eagle Project

Presentation by Max Buchholz for his Eagle Project. **Tabled to March 17th.**

Eagle Project

Presentation by James Koulouris for his completed Eagle Project.

Commissioner Driscoll made a Motion to authorize Staff to sign off on completed project; it was seconded by Commissioner Greenwood and unanimously approved.

139-143 Elm Street and 26 Pine Street

Present in Interest: John Smolak

The Elm Street Assisted Living project has a considerable green space component that will be covered by a Conservation Restriction. Staff recommends the Conservation Restriction be given to AVIS as this abuts an AVIS Reservation. If for some reason AVIS is unwilling or unable to hold the restriction, then the Commission would consider holding the Conservation Restriction. Commissioner Driscoll asked why the property was not being conveyed in fee. Due to the total acreage needed for the project, any conveyance in fee would put the lot out of compliance with zoning.

Commissioner Greenwood inquired if there would be public access. Public access will be worked out with the holder of the Conservation Restriction.

Commissioner Greenwood made a Motion to recommend AVIS be the recipient of the Conservation Restriction, if AVIS is unwilling or unable to hold the Conservation Restriction, the Conservation Commission will accept it with public access; it was seconded by Commissioner Townson and unanimously approved.

Vice Chairman Porter abstained.

The Commission entered into Executive Session with the intent not to return to open session to discuss potential litigation and review Executive Session Minutes.

The next meeting will be held March 17, 2015 at 7:45pm.

The meeting was adjourned at 8:50 pm by Motion of Commissioner Greenwood and seconded by Commissioner Driscoll and unanimously approved.

Respectfully submitted by,

**Lynn Viselli,
Recording Secretary**