

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES**  
**MAY 19, 2015**

Town of Andover  
36 Bartlet Street  
2nd Floor Conference Room  
7:55pm

**Conservation Members in Attendance:**

Chairman Donald Cooper, Vice Chairman Kevin Porter, Commissioner Alix Driscoll, Commissioner Ellen Townson and Commissioner Floyd Greenwood. Staff members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

**SCHEDULED ITEMS:**

**11 Samos Lane**

*Staff Recommendation: Approve as Pos.2a, Neg.3 and Neg.6*

Public Hearing on a Request for Determination of Applicability filed by Richard Manners under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed construction of a replacement septic system and abandonment of existing septic system at **11 Samos Lane**.

Agent Cleary presented this to the Commission. The filing is complete under the WPA only. Flagging changes were made by staff and reflected on the revised plan. Yard waste was noted by staff proximate to the BVW and has notified the Applicant. The plan has been approved by the Board of Health.

Chairman Cooper asked for a Motion. Commissioner Townson made a Motion to Approve as Pos.2a, Neg.3 and Neg.6; it was seconded by Commissioner Driscoll and unanimously approved.

**12 Sagamore Lane**

**Present in Interest: Ted and Minerva Taylor**

*Staff Recommendation: Approve as Neg.3 and Neg.6*

Public Hearing on a Request for Determination of Applicability filed by Theodore Taylor under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed replacement of existing septic system and abandonment of the existing septic system at **12 Sagamore Lane**.

Agent Cleary presented this to the Commission. The filing is complete under the WPA only. Proposed work is 80 feet from the BVW. There is a small portion of the BVW disturbed due to felled trees. Area is being allowed to revegetate.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to Approve as Neg.3 and Neg.6; it was seconded by Commissioner Townson and unanimously approved.

### **15 Dawn Circle**

*Staff Recommendation: Continue*

Public Hearing on a Request for Determination of Applicability filed by Dave Barcelo under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed regrading of the northeast corner of the property located at **15 Dawn Circle**.

Agent Cleary presented this to the Commission. The applicant has requested a continuance to June 2, 2015 to provide a better plan, submit appropriate fees, locate and uncover bounds.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to continue to June 2, 2015; it was seconded by Commissioner Driscoll and unanimously approved.

### **52 William Street**

**Present in Interest: Ben Osgood and Joe Simmons**

*Staff Recommendation: Close Public Hearing and Issue Order of Conditions*

Continued Public Meeting on a Notice of Intent filed by the **Miaoruo and Ernest Simmons** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed demolition of the existing dwelling and construction of a single family house with associated grading and utilities at **52 William Street**.

Agent Cleary presented this to the Commission. This was continued from April 21, 2015 for a revised plan depicting existing disturbance vs. proposed disturbance, FEMA flood elevation line and placement of non-disturb markers. The non-disturb markers are to be placed on the retaining wall. There will be no disturbance in the inner 100 foot riparian zone. ZBA Approval is not needed for this project.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to close the Public Hearing; it was seconded by Vice Chairman Porter and unanimously approved.

Commissioner Driscoll made a Motion to issue the Order of Conditions; it was seconded by Commissioner Townson and unanimously approved.

## **9 Patriot Drive**

*Staff Recommendation: Withdraw without prejudice*

Public Hearing on a Notice of Intent filed by Gary Pelletier 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 inground pool, Jacuzzi, patio, retaining walls, fence, plantings and associated grading and utilities at **9 Patriot Drive**.

Agent Cleary presented this to the Commission. The Applicant notified DEP and the Commission that they are requesting to withdraw the Notice of Intent.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to withdraw without prejudice; it was seconded by Commissioner Greenwood and unanimously approved.

## **ACTION ITEMS:**

### **52 Beacon Street**

Request for Insignificant Change.

Would like to add a 20x20 foot paver patio and attached walkway. Meets all setbacks under the By-Law.

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 May 19, 2015.

### **307R Lowell Street**

Request for a Certificate of Compliance.

### **4 Bancroft Road**

Request for a Certificate of Compliance. **Tabled**

### **11 Samos Lane**

Request for a Satisfactory Completion of Work Certificate.

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

## **LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:**

**1320 South Street****Present in Interest: Susan Stodt**

There are two Purchase and Sale Agreements for the property at 1320 South Street. AVIS is purchasing 11 acres to protect the Riverfront Area. The Commission is not interested in purchasing the house lots.

Commissioner Driscoll made a Motion to recommend that the Board of Selectmen waive any Right(s) of First Refusal under MGL Ch.61A the Town may have for the two Purchase and Sale Agreements which may be in existence for the property or portions of it located at 1320 South Street; it was seconded by Commissioner Townson and unanimously approved.

**Overseer Appointments**

Vice Chairman Porter presented Douglas Mitchell, David Adilman and Warren Stone to be approved as Overseers.

Commissioner Greenwood made a Motion to Approve the Overseers presented; it was seconded by Commissioner Driscoll and unanimously approved.

**The next meeting will be held on June 2, 2015 at 7:45pm.**

**The meeting was adjourned at 8:38pm by motion of Vice Chairman Porter; seconded by Commissioner Driscoll and unanimously approved.**

**Respectfully submitted by,**

**Lynn Viselli,  
Recording Secretary**