

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES
JULY 5, 2016**

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

Conservation Members in Attendance:

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

SCHEDULED ITEMS:

24 Hemlock Road

Present in Interest: Bill Pogor

Staff Recommendation: Approve as Neg.3

Public Hearing on a Request for Determination of Applicability filed by Robert and Ann Klitsch under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed removal of an existing deck and construction of a replacement deck on sona tubes at **24 Hemlock Road**.

Mr. Douglas presented this to the Commission. This is a back yard project for the removal and construction of a deck. The work is 90 feet from the resource area. A visual limit of work will be established to ensure the contractor does not go into the wetland area. No erosion control necessary.

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

Bancroft Road

Staff Recommendation: Approve as Neg.3

Public Hearing on a Request for Determination of Applicability filed by Columbia Gas of MA under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed gas main replacement within the existing paved roadway and/or edge of paved roadway at **Bancroft Road**.

Mr. Douglas presented this to the Commission. This is a standard project with the work in the existing roadway or edge of roadway using the open trench method. The trench will be filled at the end of the day.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as Neg.3; it was seconded by Commissioner Driscoll and unanimously approved.

133 Salem Street

Present in Interest: David Simkin

Staff Recommendation: Approve as Neg.3

Public Hearing on a Request for Determination of Applicability filed by David Simkin under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed replacement of an existing driveway with pavers at **133 Salem Street**.

Mr. Douglas presented this to the Commission. The driveway will be replaced within the same footprint. Erosion control will be needed. There will be no further expansion of the driveway. No ruling is made on the wetland boundary line.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to approve as Neg.3; it was seconded by Vice Chairman Porter and unanimously approved.

49 Glenwood Road

Present in Interest: Stephen Alepa

Staff Recommendation: Approve waivers and Approve as Neg. 3

Public Hearing on a Request for Determination of Applicability filed by Stephen Alepa under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed construction of a 18.5'x16' deck on sona tubes at **49 Glenwood Road**.

Agent Cleary presented this to the Commission. The filing is under the WPA only. Construction was observed and stopped immediately to go through the building permit process and obtain a permit through Conservation. The deck is partially constructed and no closer to the edge of the water than the existing dwelling. The applicant would like to repair a stone wall about 10 feet from the edge of the water. This work will be done by hand. Waives are requested for plan requirements. There will be no use of pesticides or fertilizers.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve waivers and approve as Neg.3; it was seconded by Commissioner Townson and unanimously approved.

168 Haverhill Street

Present in Interest: Bill MacLeod, John Pearson, Denise Johnson and Susan Stott

Staff Recommendation: Continue

Public Hearing on a Notice of Intent filed by Andover Community Trust 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 a single family dwelling and associated grading at **168 Haverhill Street**.

Agent Cleary presented this to the Commission. The filing is under the WPA only for the construction of an affordable home (40B). The delineation done is conservative with the exception of “pinch points”. There is only a 10 foot buffer and if the delineation of correct, work could be proceeding within the 10 foot buffer. The pinch points are at Flags 10A-13A and if the line is off even a few feet it would make a big impact. Staff would like to connect Flags 13A to 15A and would like a limited peer review of Flags 10A-13A only to be paid by the Conservation Commission.

Bill MacLeod presented the project on behalf of the applicant. The filing is under the WPA only as the ZBA as waived all requirements under the By-Law. The 10 foot buffer is met under the state wetlands protection act. The 15 foot setback would make the already limited back yard too small.

John Pearson informed the Commission that the wetlands were delineated by a professional botanist. Five feet in the back yard will be significant to the family purchasing the home. All approvals from the Housing Partnership Committee, the Board of Selectmen and the ZBA have been received. ACT is working with Greater Lawrence Technical School to build the house during the upcoming school year. The foundation needs to be poured and ready by September so work can begin otherwise the school will chose a different project. The house could be redesigned to meet the 15 foot setback if necessary.

The Commission would like Tom Peragallo, Jeff Bridge or Ann Marton to conduct the peer review. A site visit will be scheduled after the peer review is complete.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to continue to July 19, 2016; it was seconded by Commissioner Townson and unanimously approved.

ACTION ITEMS:

353 Salem Street

Issuance of Order of Conditions.

Vice Chairman Porter made a Motion to issue the Order of Conditions; it was seconded by Commissioner Townson and approved with Chairman Cooper abstaining.

18 Red Spring Road

Request for Insignificant Change.

Vice Chairman Porter made a Motion to approve as insignificant; it was seconded by Commissioner Townson and unanimously approved.

CONSENT AGENDA:

Minutes

Approval of Minutes from June 21, 2016.

12 Acorn Drive

Request for a Satisfactory Completion of Work Certificate.

254 South Main Street

Request for a Satisfactory Completion of Work Certificate.

244 South Main Street

Request for a Certificate of Compliance. Tabled to July 19, 2016

Lot 2, Fraser Drive

Request for a Certificate of Compliance. Tabled to date uncertain.

Lot 3, Fraser Drive

Request for a Certificate of Compliance. Tabled to a date uncertain.

11R Lowell Junction Road

Request for a Certificate of Compliance. Tabled to July 19, 2016.

6 Cardinal Lane

Request for a Satisfactory Completion of Work Certificate.

19 Timothy Drive

Request for a Satisfactory Completion of Work Certificate.

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

LATE DISCUSSION ITEMS

Trail Project

Present in Interest: Bob DeCelle, John Hess and Susan Stott

2 eroding trails will be mitigated with 16-20 steps and this should stop the erosion. The trails are part of the Deer Jump Bay Circuit Trail. AMC will train teenagers to do the trail work over the summer. There will be most cutting will be done off site and sawdust will be removed. John Hess asked if Dave Dargie had any comments who is working with AMC.

There is no filing necessary.

186 High Street

Ratification of Emergency Certification.

Vice Chairman Porter made a Motion to ratify the Emergency Certification; it was seconded by Commissioner Townson and unanimously approved.

The Commission entered into executive session and not return to open session, but to adjourn for the evening.

The next meeting will be held on July 19, 2016 at 7:45pm.

The meeting was adjourned at 9:30pm to by Motion of Commissioner Driscoll; seconded by Commissioner Greenwood and unanimously approved.

Respectfully submitted by,

**Lynn Viselli,
Recording Secretary**