

Call to Order:

The meeting was called to order at 7:06 p.m. Present were Chair Zach Bergeron, members Vincent Chiozzi (arrived at 7:16 p.m.), members Jay Doherty and Joan Duff, and Associate Member Steve Pouliot; also present were Paul Materazzo, Director of Planning and Lisa Schwarz, Senior Planner.

Park Master Plan:

Ms. Schwarz stated that additional concerns had been raised on the Draft Park Master Plan since the last meeting. These concerns included a clearer statement that existing monuments will not be moved, clarification on the Twinning agreement with Andover, England, and the format of the document.

Ms. Schwarz stated that the document has been reformatted into a “Part 1 – Information Gathering” and “Part 2 – Recommendations.” Part 1 of the document explains the process and how information was gathered. Part 2 is the compilation of this data and recommendations. She noted that there are non-prioritized recommendations for different areas of the municipal complex. The areas addressed are the Playstead behind the municipal complex, the Park, the School Administration/Center at Punchard building, the Town Offices/Doherty Middle School area and the Cormier Youth Center.

Ms. Schwarz stated that she had spoken to former Town Clerk Randy Hansen in regards to the Twinning agreement and that information has been added to the document. In the year 2000 representatives from Andover, England visited Town and shrubs were planted in the Park as part of a dedication. Over the years representatives from both Towns have gone back and forth for visits. Mr. Bergeron asked if they should consider honoring the Twinning agreement more by adding shrubbery native to England. Ms. Schwarz noted that there is a recommendation to look at that area more, which could allow for that type of shrubbery.

Charles Leinbach of 2 Whittier Court stated that he felt the plan is great and he is happy the Town is spending so much time on such a valuable resource as the Park. He stated for the record that he would not want the Town to take any of the homes on Whittier Court by eminent domain because he would not want to lose his home. Mr. Bergeron explained that during the design charrette, which looked at the big picture, there was a suggestion to buy the homes on Whittier Court, but that was only a brainstorming idea. Mr. Leinbach noted that it is a recommendation in two parts of the plan. Mr. Bergeron stated that it was part of the discussion, but the plan should make clear that it is not the intent to take homes.

Susan Lindholm of 44 Chestnut Street stated that buying homes is listed as a recommendation, so the document needs to be changed. Mr. Bergeron stated that if that is the case they will strike it out. Ms. Lindholm stated that in the document crabapple trees are listed as part of the Twinning agreement, which they are not. Ms. Schwarz stated that the document has changed to say “the shrubs.” Ms. Lindholm continued that she is concerned about a play area being proposed for close to a busy street, and the dimensional issues also need to be thought out in regards adding a sidewalk and walking paths. Mr. Bergeron stated that if this moves forward there would be further discussion with residents as to how it would happen. Ms. Lindholm added that she took issue with the statement in the plan that it was created with a significant amount of input and

Park Master Plan (cont'd):

discussion. She does not feel that abutters had proper notification of meetings and added that the charrette had an attendance of 50 people out of 30,000 residents.

Calvin Perry of 25 Timothy Drive stated his concerns are that there have been no discussions of cost, which will be huge. He is concern that the Park is along a busy street with no sidewalks and you may be putting small children near that street. He doesn't feel the park is an appropriate place for toilet facilities. He stated that if a playground was put in the Playstead, the veterans would support it. Mr. Bergeron noted that some goals could be met by donations. This document will go to the Board of Selectmen to be used as a decision making tool. Ms. Schwarz added that the Planning Board meetings have been a forum to collect information. The plan will be handed off to the DPW and Plant and Facilities as a guide. Nothing is set in stone, and once the plan is done, the Planning Board will hand it off and not be involved in the implementation.

Mike Burke, the Town's Director of Veterans' Services stated that the Patriotic Holiday Committee has a concern that they are being left out of the Planning matrix for responsibilities. The document is very gray regarding their involvement. He added that the veterans would also like a clearer definition of "intergenerational gathering space."

Mr. Pouliot asked if they could get a general budget together. Mr. Bergeron noted that the Town may decide not to implement anything from the plan, and he isn't sure who would be the best person to undertake a cost estimate. Ms. Schwarz added the document is more of a vision and the next step would be up to the voters. Mr. Bergeron agreed and reminded the Board that financial considerations are not in their purview. Mr. Pouliot noted that they could go through this entire process and the Town may not implement anything because the cost is too much. Ms. Duff reiterated that this document is a guideline, and she doesn't see the Town ever taking this on as one large project. Changes would be incremental and driven by certain citizens or groups who wanted to see something specific done. Costs cannot be determined until you know what will be done when, and it may be spread out over many years. Mr. Chiozzi stated that the Planning Board is not authorized to spend money, and any expenditure would have to be an article voted on at Town Meeting. He added that money could also be raised independently and combined with Town money like it was for the Youth Center.

Calvin Perry of 25 Timothy Drive asked if it is the intention of the Board to make a motion to bring this to Town Meeting without a cost attached. Mr. Bergeron stated that this is only a discussion. Ms. Schwarz added that this is only a plan, and this plan will not go to Town Meeting. Mr. Perry asked if this will be an agenda item for Town Meeting at some point. Mr. Bergeron stated that elements of the Plan may be part of a future Town Meeting, however the Planning Board does not take a position on fiscal matters because it is not part of their purview. Mr. Perry noted that there will be costs involved that need to be discussed. Mr. Bergeron agreed that costs should be discussed, but this is not the forum for that.

Susan Lindholm of 44 Chestnut Street stated that she is concerned that if money becomes available years from now, people will use this as the plan to automatically make changes. She sees the Park then being less beautiful. Mr. Bergeron stated that there are no exact locations stated for specific items. Ms. Lindholm stated that there is a diagram in the plan for a lot of these

Park Master Plan (cont'd):

things. She doesn't see all of the pieces of this document having been thought through. She felt that the plan should not have any drawings in it at all.

Mike Burke the Veteran Services Director stated that the recommendations include creating a set of procedures for the addition of any new memorials or monuments. He asked who the authority is to create a new set of procedures. Ms. Schwarz noted that pages 24 and 25 discuss the process and procedures. Mr. Burke asked if the Patriotic Holiday Committee would be the governing board or would just be participating, and if they are participating, who they would be subordinate to. Ms. Schwarz stated that if the Board of Selectmen take action, the Patriotic Holiday Committee would be involved. Mr. Burke asked who would be in charge. Ms. Duff noted that the Patriotic Holiday Committee would work with whoever the Board of Selectmen deems necessary to participate.

The Board decided to continue the discussion to May 26th.

It should be noted that after the discussion on the Park, at 7:45 p.m., Mr. Doherty left the meeting and did not return, and Mr. Chiozzi left the room and returned during the discussion of Town Meeting Articles.

Other Business:**Meeting Minutes:**

On a motion by Ms. Duff seconded by Mr. Pouliot the Board approved the meeting minutes of December 9, 2014, December 16, 2014 and January 13, 2015. **Vote:** Unanimous (3-0).

Town Meeting Articles:

Mr. Materazzo brought the Board's attention to a memo dated February 19, 2015 in regards to Town Meeting Article P-64. This article is for \$300,000.00 for Water Treatment Plant Maintenance. He recommended the Planning Board consider taking No Action on the article. On a motion by Mr. Chiozzi seconded by Mr. Pouliot the Board moved to take no action on P-64 Water Treatment Plant Maintenance. **Vote:** Unanimous (4-0).

139-143 Elm Street and 26 Pine Street:

Mr. Bergeron opened the continued public hearing on 139-143 Elm Street and 26 Pine Street, a Special Permit for Elderly Housing.

Ms. Schwarz stated that the applicant's engineer would on the stormwater and drainage report findings for the site. The report includes information on pre and post development conditions, and compliance with the MassDEP stormwater policy and Town of Andover stormwater regulations. She added that the Town's peer reviewer, who has been working with both the Department of Municipal Services and the Board of Health was present to answer questions. She noted that also on the agenda, were common open space and affordability.

John Barrows of Marchionda Associates, the applicant's engineer, reviewed the existing conditions of the site. He stated that the eastern portion of the site is the highest elevation with

139-143 Elm Street and 26 Pine Street (cont'd):

the grade dropping off in the three main directions of North, West and East. The lowest elevation is along Elm Street. The site contains a single family dwelling, detached garage and bituminous concrete driveway that wraps around from Elm Street to Pine Street. Approximately 5% of the site, or 22,000 s.f, is impervious area. There are two wetland areas to the south connected by a culvert. Test pits dug onsite and witnessed by DPW show sandy loam, windblown deposits and ledge from the surface to 8 ft in the ground. Groundwater was not witnessed at the test pits, but there is historic evidence of groundwater at 4-6 ft from the surface. Stormwater generates from the site and flows in the four main directions used as the study points for the analysis. The first drainage area flows from the site down to Elm Street and into a municipal system in Elm Street which then flows down a drainage easement towards Westwind Road. The second area flows towards the southern part of the site, the third area flows to the small wetland area between the driveway and waterline easement and the fourth area flows towards the abutters into the drainage system in Elm Street and eventually into the municipal system in Burton Farm Drive. Half of the drainage flows north and half flows south.

Mr. Barrows stated that the project will include a 1,400 ft. long 24 ft wide single access driveway, with 66 parking spaces proposed. The site will contain 40,000 s.f. of impervious surface, equal to 9% of the property, a 4% increase over the existing. The remainder of the property, approximately 57%, will be open space, with 45% of that remaining undisturbed.

Mr. Barrows stated that the stormwater management system meets all required bylaws and standards as designed. There will be no increase in flow from the site or loss of groundwater recharge. The systems allows for treatment of total suspended solids. The system is a closed drainage system designed with the Best Management Practices of inlets to closed pipes, deep sump catch basins and water quality inlets. The closed systems will connect to three proposed sediment traps on the property. To satisfy the recharge requirements there will be three underground infiltration areas of plastic chambers in stone connecting to the roof runoff systems. Mr. Barrows noted that there will be changes to the drainage system from comments of the peer reviewer, DPW and the Health Department, but the layout of the site will not change.

Curtis Busto, PE of CEI, stated that the applicant's engineer has provided a very thorough response letter to his review, and a revised set of plans will need to be submitted. The applicant will need to meet with the Town Engineer to determine if the drainage system can connect into the existing municipal system. The Town doesn't generally allow a direct connection; a separation is needed in between. He is also concerned about the drainage system to the North at the bottom of a slope overflowing onto Elm Street and crossing over sidewalks. Mr. Bergeron asked about alternatives to manage that area onsite. Ms. Busto noted that peer reviewers don't generally redesign systems, but his suggestion would be to pull the drainage system back from Elm Street to provide a disconnected space for emergency overflow, and possibly put a structure between the system and the sidewalk for emergency overflow collection.

Mr. Barrows noted that they will discuss connecting into the municipal system with the Town Engineer because it makes the best sense and would cause the least disruption for this particular project and area. Mr. Bergeron asked if they have an alternative plan. Mr. Barrows stated that they will have to break into the existing headwall and create an independent line, which would also add another manhole to the street and may result in the owner being responsible for

139-143 Elm Street and 26 Pine Street (cont'd):

maintenance to a line that is in the right of way.

Mr. Pouliot asked if the water that runs off the proposed driveway will make it to the street or if it would go into the grass. Mr. Barrows stated that catchbasins will catch the runoff. Mr. Chiozzi asked if the flow was being reduced for all areas or just area number one. Mr. Barrows stated that the peak runoff is being reduced for all areas. Mr. Chiozzi asked if only the roof leaders are attached to the subsurface disposal. Mr. Barrows stated that MassDEP requires that 65% of the site contribute to the recharge areas, so to reach the 65% they will probably add some basins to the garden areas that run off to the closed system. Mr. Chiozzi asked if all of the roof runoff and some of the pavement runoff are exposed to the subsurface system. Mr. Barrows stated that only the roof runoff is, and they will be able to get the extra 8% from inlets within the garden areas. Mr. Pouliot asked why the recharge area is so close to Elm Street and not closer to the building. Mr. Barrows stated that it is because the better soils were found in that area. He added that they are looking into eliminating that area and expanding another area. Mr. Chiozzi asked what the volume of runoff reduction is, and Mr. Barrows stated that there is a chart in the report explaining the reduction. Mr. Bergeron asked if there was no alternative to manage area 4 onsite. Mr. Barrows stated that in a way they are managing it onsite because they are reducing the watershed by half. Mr. Chiozzi asked if the water table was down 4 ft from the highest elevation. Mr. Barrows stated that the highest elevation was 4-6 ft following the contours of the existing topography.

Lance Fromme of 23 Burton Farm Drive stated historically in heavy rainfall the sanitary sewer manhole on his street would pop and overflow. The Town fixed this two years ago in an overhaul of both the sanitary sewer and storm drain systems in the street. Last year during a large rainstorm the concrete vault at the end of the cul-de-sac blew up, and the Town came out and attended to it and this has not happened again. He is concerned that both the sewer and stormwater issues in his neighborhood are still unresolved and that the infrastructure will not be capable to handle the development. Ms. Schwarz informed the Board that they have an email from Mike Murnane, the Town's Water Distribution & Sewer Collection Acting Superintendent stating that he is aware of the problem and actively investigating and working on it with the Town Engineer and peer reviewer. Mr. Bergeron asked if the system could handle the capacity and Ms. Schwarz stated that the Division of Municipal Services has stated that it can and they will be submitting something in writing.

Myriam Ropiak of 20 Pine Street asked what recourse she has if the stormwater design doesn't work and her property is flooded. Mr. Materazzo noted that with any project Town, the recourse would be what it is today; the homeowner can either contact their insurance company or treat it as a private matter with the developer. Ms. Ropiak asked if something could be put in writing as a protection. Mr. Bergeron stated that putting something like that in writing would be precedent setting for all future projects. He noted that the Board has hired the peer reviewer to confirm the system is designed properly. Mr. Chiozzi added that the Board will be doing a site visit and they can look at Ms. Ropiak's property.

Peter Morris of 112 Pine Street stated that there is a serious problem today from the wetlands on the property flowing off of the property. Water from the property's wetlands flows behind

139-143 Elm Street and 26 Pine Street (cont'd):

houses on Pine Street all the way down to Summer Street. The water goes under Lucerne Drive through a 12" culvert to a small wetland on private property and then into a blocked culvert, causing water problems a ½ a mile away. He is concerned that the applicant's engineer is only focused on the property itself and Elm Street. He added that the stormwater report noted D and CD type soils that are prone to runoff. Mr. Chiozzi asked Mr. Morris if he had contacted DPW about the blocked culvert. Mr. Morris answered that DPW has stated that it is a private culvert and they do not have the benefit of the easement on the property. He added that it connects into the stormwater system in Summer Street.

Julie Pike of 82 Pine Street stated that water comes from the property and flows through a pipe between 78 Pine and 6 Lucerne Drive, under Lucerne Drive and into her yard. At the end of her property it comes out of the pipe into a wooded wetland area and then back into a pipe in the front of 104 Pine Street, and finally into Rogers Brook. She added that houses on Pine and Lucerne were built 2 ft below the water level so they all have sump pumps. The DPW is aware of the problem. She is concerned about any increased flow through the pipe or what may not be captured by the pipe. Mr. Bergeron asked Ms. Pike if she has water issues on her property when things start to back up. Ms. Pike stated that she doesn't have water problems frequently, but when she does her pump handles it.

Allyson Ciccio of 93 Pine Street stated that she is across from 104 Pine Street which has an unbuildable lot that at any given time has 1-2 feet of standing water.

Roseann Camilo of 129 Elm Street stated that once or twice her backyard has been completely flooded but water has never gone into her house. She is concerned that the water situation will get worse and reach her house. Mr. Bergeron stated that the stormwater design is an improvement over what is existing, but there is no guarantee that a very large storm may lead to water. Ms. Camilo stated they are only one side of the property furthest away from her.

Kevin Dunlavy of 4 Burton Farm Drive stated that Burton Farm Drive is a wet sponge, and only once house on the street has a basement because of the high water table. He is concerned about anything being added to the storm or sewer drains because Water from Elm Street torrents down Burton Farm Drive. He added that four years ago he had a glacier in front of his house and in the spring the Town cut a trench next to his driveway and went down two feet into the trench and a flood came out. His house had to be tied directly into the stormdrain system.

Lance Fromme of 23 Burton Farm Drive stated that he was not aware of the possibility to connect into the storm drains and that is something that concerns him.

Nan Conte of 134 Elm Street noted that historic homes in the area have fieldstone foundations. She asked what the backup plan is when a system fails so that it doesn't take out a historic home.

Daisy Leung of 27 Burton Farm Drive stated that she lives at the end of the cul-de-sac and when it rains water drains out of Tanglewood Way. It has already changed the landscape, and it is so wet she can no longer walk back there.

139-143 Elm Street and 26 Pine Street (cont'd):

Mark Bernardin of 140 Elm Street asked if the peer reviewer will file something with the Board that answers the questions that have been raised. He also asked if the analysis would change if the water level testing had been done at the end of a long dry summer. Mr. Bergeron stated that the soil would still show the historical water level. Mr. Busto added that the high water mark is based off of modeling of the soil, and water doesn't have to be present at the time of testing to get the measurement. Mr. Bernardin asked what the likelihood is of water migrating underground across the street.

Mr. Barrows reiterated that they will be reducing the peak runoff from the site and the system is designed to handle a 100-year storm. Regulations also require that the project reduce the peak flows over the 2, 10 and 50 year events. He noted that stormwater infiltrates down into the ground following gravity unless it hits something that moves it laterally. He reiterated that they are looking into eliminating recharge area 1, but added that they could install an impermeable barrier to the groundwater elevation to further prevent water from migrating laterally. Ms. Duff asked Mr. Barrows to address the concerns that were made about drainage on Pine Street properties. Mr. Barrows reminded the Board that the requirement is to not make an existing condition worse. They will be creating a retention area in the vicinity that will grab portions of the site that went to that point and reduce the impact out the wetland.

Chris Huntress of Huntress Associates reviewed the open space for the project. He stated the site is over 10 acres of land and the Bylaw requires 30% open space with no more than 25% being. Currently 1.35 acres or 13% of the site are wetlands. Undisturbed areas on the site will equal 5.6 acres or 56%, and the landscaped areas around the building equal approximately .9 acres. The buildings, road and walkways take up 23% of the site. The project more than meets the 30% open space requirement and may be able to provide something closer to 50% of dedicated open space through a Conservation restriction or easement. The applicant feels that the areas around the wetlands and the frontage on Elm Street should be permanently protected open space, as well as the mature tree area behind abutters on Elm Street and Pine Street. He noted that abutters have asked for pedestrian access on the property to access AVIS land.

Mr. Bergeron asked for the acreage of wetlands and buffer zones. Mr. Huntress stated approximately 2 ½ to 3 acres, and noted that the buffer zones can count as dedicated open space. He asked the Board for other areas that should be included. Ms. Schwarz stated that the Board generally likes to see a connection to any existing Conservation or AVIS land, and noted that there is AVIS land abutting the property. Mr. Chiozzi asked if there are existing trails and Mr. Huntress stated that there are trails.

John Smolak an attorney representing the applicant asked for direction as to how the land should be held; by Conservation or a private land trust such as AVIS. He noted that AVIS's Collins Reservation abuts the property. Mr. Bergeron suggested that they reach out to the Conservation Commission first.

Andrew Gordon of 15 Pine Street asked if the existing asphalt driveway will still connect to Pine Street. Mr. Huntress stated that they are showing the driveway as a pedestrian connection. Mr. Barrows added that the asphalt will be taken out in the retention area. Mr. Gordon asked if the

139-143 Elm Street and 26 Pine Street (cont'd):

asphalt to Pine Street will remain. Mr. Huntress stated that the asphalt will remain as pedestrian access per the request of two abutters on Elm Street who would like to use it to access Pine Street when walking the trails behind their homes. Mr. Bergeron asked Mr. Gordon if he was concerned that vehicles would access that pathway. Mr. Gordon stated that he was, and he did not want it to ever be opened up to vehicles. Mr. Bergeron noted that some of the driveway will be ripped up so there will be no way to access the other part of the property by vehicle. Mr. Gordon stated that they were told in the first community meeting that the asphalt would be ripped up. Mr. Huntress stated that they would be happy to remove that asphalt and loam and seed the land so that it goes back to a more natural state.

Susan Stott of 30 Pasho Street and member of AVIS stated that the AVIS area is frequently used by the neighborhood, and a lot of people downtown would walk to that reservation instead of driving to others. She felt it would make sense to give the land to AVIS and it would also allow for better access to Merrimack College land.

Mr. Smolak reviewed the affordability. He stated that 15% of the units will be set aside as affordable complying with the Bylaw. To the greatest extent of the law they intend to provide a local preference, and reviewed the state consideration of the term "resident." Mr. Bergeron noted that in the past the Board has considered residents to also include relatives of residents and Town employees. Mr. Materazzo recommended that the Board narrow the category down for consistency and Mr. Pouliot agreed.

Joe McElwee of Capital Seniors Housing stated that they have met with the Design Review Board and Preservation Commission, and at the next meeting they plan on presenting a new design with a smaller footprint. He added that the new design will be for a 96 unit building with 14 affordable units. The affordability spread will be 3 units at low income levels, 7 at moderate income levels and, 4 at upper moderate income levels. Melissa Sheeler of 170 Elm Street asked that the income limits be put on the record. Mr. McElwee stated that he did not have that information tonight but he would provide it at a later date. Ms. Schwarz noted that Andover is part of the HUD data sets for Lawrence and New Hampshire, for those who would like to look the information up online.

Ms. Schwarz reviewed for the Board information about earth movement located in sections 6.3.3 and 6.3.5 of the Bylaw. She stated that the Inspector of Buildings will look into the earth movement calculations for the site, but as of today he does not have an application to review. She noted that the Inspector of Buildings has stated that the Planning Board may ask for the earth movement numbers during their review of stormwater data collection.

The Board reviewed what will be discussed at the next hearing on March 10th. Mr. Bergeron stated that the Board would review the new design of the building and he would like be provided the earth movement numbers. Ms. Schwarz agreed that they would look at the new design as well as landscaping, character, signage and traffic if possible. She added that stormwater review would continue on March 31st.

139-143 Elm Street and 26 Pine Street (cont'd):

Linda Linderman of 4 Cedar Road asked if blasting had been addressed. Mr. Bergeron stated that the Board can discuss excavation at the next meeting.

On a motion by Ms. Duff seconded by Mr. Pouliot the Board continued the public hearing on 139-143 Elm Street and 26 Pine Street to March 10, 2014 at 8:30 p.m. **Vote:** Unanimous (4-0).

Town Meeting Articles:

Mr. Materazzo informed the Board that there are two warrant articles for Town Meeting 2015 regarding sidewalks. Article P-32 is a Town sponsored article to construct a sidewalk on a portion of Woburn Street and Article P-59 is a private article to construct a sidewalk on a portion of River Street. He added that the construction of sidewalks in Town is consistent with the Master Plan and would provide unimpeded access and a natural connection to the existing sidewalks.

Chris Huntress of 17 Tewksbury Street asked if the Town plans to put a sidewalk on Tewksbury Street in the future. Mr. Bergeron noted that Tewksbury Street is not on the 5 year plan of sidewalks that was provided to the Board by DPW.

On a motion by Ms. Duff seconded by Mr. Chiozzi the Board recommended Town Meeting approval of Article P-32 Sidewalk Construction – Woburn Street, whereas the extension of sidewalks in this neighborhood would provide for superior pedestrian linkages, while providing for unimpeded pedestrian movement to South Elementary School. Article P-32 would be consistent with the Town's 2012 Master Plan. **Vote:** Unanimous (4-0).

On a motion by Ms. Duff seconded by Mr. Chiozzi the Board recommended Town Meeting approval of Article P-59 Sidewalk Construction – River Street. This article would allow for a small section of sidewalk to be extended between 53 River Street to 83 River Street, thus connecting existing sidewalks on either end, while extending the pedestrian linkage from the Lowell Junction area to Ballardvale. Article P-59 would be consistent with the Town's 2012 Master Plan. **Vote:** Unanimous (4-0).

Adjournment: The meeting was adjourned at 9:31 p.m.