

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES
FEBRUARY 18, 2020**

Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7: 46PM

APPROVED

Conservation Members in Attendance:

Vice Chairman Kevin Porter, Commissioner Tom Brady, Commissioner Ellen Townson, Commissioner Jon Honea, Commissioner Alix Driscoll and Commissioner Floyd Greenwood. Staff members present were Robert Douglas, Conservation Director and Ben Meade Conservation Agent.

SCHEDULED ITEMS:

2 Pond View Place

Present in Interest: Lauren Sullivan

Staff Recommendation: Approve

Public Hearing on a Notice of Intent filed by the **Irene and Norman Jacobs** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for the proposed hydro raking of nuisance vegetation within a 1.2 acre man made pond at **2 Pond View Place**.

Mr. Douglas presented this to the Commission. This is an ongoing project to manage the invasive aquatic vegetation in the small pond by hydro-raking. The application was filed as an ecological restoration limited project under both the Act and By-Law.

Lauren Sullivan presented the project on behalf of the applicant. She informed the Commission that hydro-raking has been successful in the past. Erosion controls will be put in place and the invasive plants will be removed from the property. There will be no use of herbicides due to the flow into Fishbrook.

Commissioner Brady asked if there were any upstream pollutants making the invasive problem any worse. Lauren Sullivan stated the invasive species are growing but she was unsure of any upstream influence.

Vice Chairman Porter asked that a Special Condition be added to prohibit the use of herbicides and a revised page clarifying that portion of the application be sent to Staff.

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

8 Brundrett Avenue

Present in Interest: Chris Sparages and Ramani Yamajala

Staff Recommendation: Continue

Public Hearing on a Notice of Intent filed by the **Sivaram and Ramani Yamajala** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for the proposed construction of a single family home and sports court at **8 Brundrett Avenue**.

Mr. Meade presented this to the Commission. The application is for the reconstruction of a single family home, reposition existing paved driveway, construct a sports court, installation of a walkway, appurtenant site work and landscaping. The old structure has been removed, including the foundation. As shown on the proposed plan, the wetlands surround the proposed house footprint on three sides. Staff has reviewed the wetland line and agrees with it. The new dwelling is located within the WPOD. The footprint for the dwelling is smaller than the previous dwelling and the driveway is being relocated further away from the wetland. The closest point to the wetland is the sports court.

Chris Sparages presented the project to the Commission. The Application is filed under both the WPA and By-Law for the reconstruction of a home that was destroyed by a fire. The lot is located in Priority Zone 2 so no relief from the ZBA is required. Chris provides the background of the permitting for the property, including an OOC from 2004 for the construction of a tennis court that was never built. The house is situated outside the 75 foot buffer. The proposed sports court is smaller than previously approved and will have an infiltration trench for runoff. There will be a reduction in impervious surface by 228 square feet. The driveway is being relocated to improve the sightline and to be as far away as possible from the wetland. The septic system is 88 feet from the wetland and the sports court is 35 feet from the wetland. Due to the scope of work proposed and the layout of the existing lot, compliance with all of the setback regulations may not be feasible.

Vice Chairman Porter stated that the erosion controls will be right up against the wetland. The erosion controls will follow the tree line to maintain the existing lawn. He would also like the tree line labeled on the plan and the setbacks met if possible.

Commissioner Honea agreed the sports court is too close to the wetland.

Chris Sparages replied that the planting plan shows the 25' along the wetland line will be revegetated from lawn.

Commissioner Brady stated this is a new construction, not a reconstruction. He also noted the shift in the driveway will result in work within the 50' buffer. Chris Sparages replied that the

driveway is being moved further from the wetland and the area where the driveway was located will be restored.

Commissioner Driscoll asked that the driveway and sports court be permeable pavers. Chris Sparages replied due to the high groundwater it would impact the permeable pavers.

Commissioner Honea agreed with reestablishing the 25' buffers and the infiltration trench around the sports court.

Staff reviewed the items that need to be addressed:

1. 25' NDZ not shown on the plan;
2. Soil stockpile locations now shown on the plan;
3. No details for the drainage system for the sports court are provided;
4. Clearing and grading within the 25' NDZ necessary for sports court not shown on the plan.

The Applicant agreed to continue to March 17, 2020 to provide the necessary information.

Vice Chairman Porter asked for a Motion. Commissioner Townson made a Motion to continue to March 17, 2020; it was seconded by Commissioner Driscoll and unanimously approved.

400 Federal Street

Present in Interest: Mark Beaudry and Janet Bernardo

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

Continued Public Hearing on an Amendment to an Order of Conditions filed by **Vicor Corporation** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for the proposed new main building entry, elimination of the parking that was proposed along I-93, expansion of the second floor of the north building addition and relocation of the north building entry at **400 Federal Street**.

Mr. Douglas presented this to the Commission. The peer review of the modification to the stormwater has been completed and has been designed to meet all regulations.

Mark Beaudry presented the history of the permit for this project. The changes are the parking area along Route 93 are eliminated resulting in a reduction of pervious area of 31,000 square feet; there is a new entry way with an increase of 500 square feet of pervious area; The 2nd floor is cantilevered without any impact to the ground; and there will only be 2 transformers instead of 4.

Jane Bernardo presented her peer review to the Commission. The removal of the large parking area significantly reduced the impervious area which reduced the subsurface recharge area.

These are all positive changes in stormwater management.

Vice Chairman Porter asked for a Motion. Commissioner Townson made a Motion to Close the Public Hearing; it was seconded by Commissioner Driscoll and unanimously approved. Commissioner Townson made a Motion to Issue the Amended Order of Conditions; it was seconded by Commissioner Driscoll and unanimously approved.

254 South Main Street/1 Highland Road

Present in Interest: Elaine Hines, Janet Bernardo, John Galanis, Jerry Burke and Steve Garvin

Staff Recommendation: Close Public Hearing and Issue Order of Conditions

Continued Public Hearing on a Notice of Intent filed by **Phillips Academy** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for the proposed re-alignment of Field House Road; construction of 39,500 square foot building with associated parking; landscaping; new stormwater management system; utilities; additional gravel parking and an additional 26 parking spaces at **254 South Main Street/1 Highland Road**.

Mr. Meade presented this to the Commission. The peer review is complete and the site walk was held in late December.

Janet Bernardo reviewed her findings of the peer review. Stormwater is discharging into two existing discharge points and the project meets the Stormwater Management Standards. The trees to be removed to allow for the shifting of the entry are outside the jurisdiction of the Commission.

Vice Chairman Porter asked for pre and post development runoff calculations. He is concerned with the impact on Rogers Brook.

Janet Bernardo informed the Commission that the project will reduce impervious area with the driveway reconfiguration.

Steve Galanis reviewed the project with the Commission as well as parking and future parking plans. There is currently no infiltration and the project will install catch basins, 4 foot sumps and fore bays. BMPs are outside the buffer zone.

Elaine Hines, an abutter was concerned with the height of the building and the water table.

Steve Galanis informed the Commission that there were last minute changes from public safety and revised plans were created. Janet Bernardo was provided with a revised plan prior to the meeting.

Staff requested the revised plans and pre and post runoff calculations. The Applicant agreed to continue to March 3, 2020.

Vice Chairman Porter asked for a Motion. Commissioner Townson made a Motion to continue to March 3, 2020; it was seconded by Commissioner Driscoll and unanimously approved.

ACTION AGENDA:

52 Williams Street

Request for Temporary Cessation of Site Monitoring.

The site is stable per the site monitor.

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

CONSENT AGENDA:

Minutes

Approval of Minutes from February 4, 2020.

58 Juniper Road

Request for a Satisfactory Completion of Work Certificate.

51 Gould Road

Request for a Satisfactory Completion of Work Certificate.

2 Pond View Place

Request for a Certificate of Compliance.

Commissioner Townson made a Motion to Approve the Consent Agenda; it was seconded by Commissioner Driscoll and approved with Vice Chairman Porter and Commissioner Honea abstaining on the Minutes vote.

DISCUSSION ITEMS/ LATE ITEMS:

Bald Hill/Dog Park Land Swap

Nothing new to report.

USATF N.E. Trail Run Championship

Present in Interest: Steve Peterson, John Hess and David Lapierre

Discussion regarding use of Conservation land for USATF New England Trail Run Championship.

Steve Peterson informed the Commission that this the 29th year the race has been run with the last 26 races starting at the Wyndham Hotel. The trail stays as close to the River as possible, up the pumping station road to a lollipop turnaround and back. Public safety is notified and liability insurance is in place. There will be small flags in the ground marking the trail which will be picked up after the race. The timeframe for the race is 8am to 12noon and they are expecting

150 runners. Entry fee funds collected are donated to help fund a scholarship at UMass Lowell. Steve has also donated to AVIS personally. There were 120 finishers last year and there may be a bump in attendance this year. The runners do not generally run off the trail and with the number of bridges it makes it easier to remain on the trail.

Commissioner Greenwood asked if portable toilets were available. 3 portable toilets are brought in and runners are discouraged from using the hotel facilities.

John Hess of AVIS asked if there would be money made from the race. Steve reiterated that the money collected from all the entry fees are donated to a scholarship at UMass Lowell. Dave Lapierre informed the Commission that the prize money for this race is provided by USAT, not the entry fee collected.

John Hess informed the Commission that there has been no damage to AVIS property in the past and the area is cleaned up after the race.

Staff will talk with Town Counsel regarding the entry fee charge and liability.

Continue to March 3, 2020 for further information.

Staff Updates

The Land Manager position is in the budget for a part-time position.

The meeting was adjourned at 9:22 pm by Motion of Commissioner Townson; seconded by Commissioner Brady and unanimously approved.

The next meeting is scheduled for March 3, 2020 at 7:45pm.

Respectfully Submitted,

**Lynn Viselli,
Recording Secretary**

Documents:

8 Brundrett Avenue

- Plan entitled, "Proposed Plot Plan 8 Brundrett Avenue, Andover, MA" dated 2/4/2020

400 Federal Street

- Plan entitled, "Site Development Plans – Vicor Corporation," revised 1/31/2020

Minutes

- Draft Minutes of February 4, 2020