

## ANDOVER CONSERVATION COMMISSION MEETING MINUTES

March 3, 2020

APPROVED

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

### **Conservation Members in Attendance:**

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

### **SCHEDULED ITEMS:**

#### **Route 28/Main Street**

**Present in Interest: Kyle Purdy, Stefan Csigay**

*Staff Recommendation: Approve*

Continued Public Hearing on a Notice of Intent filed by the **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 upgrade to Main Street from Wheeler Street to north of Highland Road to include the installation of a separate bicycle lane at **Route 28/Main Street**.

Mr. Douglas presented this to the Commission. This was continued for more information regarding the drainage and pervious area. The project is strictly work in the buffer zone. There will be an increase in impervious area from 195,538 sq. ft. to 203,251 sq. ft., and a decrease of pervious area from 48,812 sq. to 41,099 sq. ft. The increase in impervious area is due to the median between the roadway and path being narrowed. Drainage will remain the same post construction. Catch basins inlet will be replaced in kind with no increase in pipe size. There is no increase in runoff to Rogers Brook.

Commissioner Driscoll asked about certifying the vernal pool on Phillips property. Mr. Csigay have staff permission to visit the possible vernal pool for certification.

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

**98 Bellevue Road**

**Present in Interest: Tyler Bishop and Jose Ossa**

*Staff Recommendation: Approve*

Public Hearing on a Notice of Intent filed by the **Jose Ossa and Claudia Perez** 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 installation of a 11'x16' pool at **98 Bellevue Road**.

Mr. Meade presented this to the Commission. The application is under both the WPA and our By-Law. The entire project consists of the installation of a pool, associated patio, and landscaping in the back yard. The work will be done on the area of maintained lawn. The closest point to the wetland is in excess of 50 feet. The wetland is further away than shown on the MiMap provided as determined during staff site visit. A revised, more accurate plan was received which includes dimensions, pool and patio design and soil management.

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

**70 Stevens Street**

**Present in Interest: Saravanan Dhakshivamoorthy**

*Staff Recommendation: Approve*

Public Hearing on a Notice of Intent filed by **Saravanan Dhakshivamoorthy** 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 removal of an existing deck and construction of a 24'x12' deck at **70 Stevens Street**.

Mr. Meade presented this to the Commission. The proposed scope of work is the removal of the existing deck, construction of a 24'x12' addition on pilings and construction of a walkway adjacent to the house. Staff worked with the applicant regarding the placement of erosion controls and the exact parameters of the project. The closest point to the wetland is 55 feet.

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

**12 Highland Avenue**

**Present in Interest: Tom Childs, Henry Wrigley and Joan Wrigley**

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

Public Hearing on a Notice of Intent filed by the **Henry and Joan Wrigley** 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 12'x12' addition at **12 Highland Avenue**.

Mr. Douglas presented this to the Commission. The addition is separated from the wetland by a retaining wall and will be connected to the existing porch. The wall of the kitchen addition encroaches into the 25 foot non-disturb by 6 inches. The application is under the WPA only. Tom Childs informed the Commission that the pilings for the addition would be hand dug, no use of heavy equipment and the soil will either be removed or used to fill in the trench.

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 approve the Order of Conditions; it was seconded by Commissioner Driscoll and unanimously approved.

#### **254 South Main Street/1 Highland Road**

##### **PAN Athletic Center**

**Present in Interest: Stephen Garvin**

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

Continued Public Hearing on a Notice of Intent filed by the **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 a 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. Douglas presented this to the Commission. This hearing was continued from February 18, 2020 for the review of the final plans and updated stormwater information which were revised the day of the hearing. Janet Bernardo presented her peer review findings based on the revised plans at the last hearing. The plan changes were made by public safety, which included widening of the road to 24' wide and the roadway was straightened. There will be a reduction in the flow to Rogers Brook.

Commissioner Driscoll commended the project for adding a gravel parking lot for better infiltration. She asked if rain gardens could also be implemented. Stephen Garvin informed the Commission that the space is too tight and there is not enough depth in this area.

Vice Chairman Porter asked for a Motion. Commissioner Greenwood made a Motion to close the public hearing; it was seconded by Commissioner Driscoll.

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

**CONSENT AGENDA:**

**Minutes**

Approval of Minutes from February 18, 2020.

**2 Pond View Place**

Request for a Certificate of Compliance.

**138 Holt Road**

Request for a Satisfactory Completion of Work Certificate.

**98 Bellevue Road**

Request for a Satisfactory Completion of Word Certificate. Commissioner Townson made a Motion to approve; it was seconded by Commissioner Driscoll and unanimously approved.

Commissioner Townson made a Motion to Approve the Consent Agenda, excepting 98 Bellevue Road; it was seconded by Commissioner Driscoll and unanimously approved.

**DISCUSSION ITEMS/ LATE ITEMS:**

**Bald Hill/Dog Park Land Swap**

The surveys have been accepted by the State.

**USATF N.E. Trail Run Championship**

**Present in Interest: Steve Peterson, and David Lapierre**

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

Staff met with Town Counsel who reviewed the blanket waiver and requested to have the Town added as an Additional Insured on the Liability Policy. The entry fee for the race was discussed and was decided that since the entry fee was donated to a scholarship at UMass Lowell, there was no profit being made from the use of Conservation land. All prizes for the winners are paid by United States Track and Field, not the entry fees collected. Commissioner Greenwood asked that all trash be picked up and any trail damage repaired. Steve Peterson agreed to inspect the trails when the flags are picked up.

**Staff Updates**

**349 South Main Street**

An enforcement letter was sent for the cutting of the shrub layer of the buffer zone on the lot that asked the homeowner to appear at the March 17<sup>th</sup> meeting.

**Field Pond Dam and Dike Project**

There was a significant amount of sediment that breached the erosion controls and accumulated in the wetland and stream channel downstream. This was the result of thawing ground, melting snow and heavy rain. Immediately additional ground stabilization and erosion controls were deployed and the sediment was to be hand removed where possible.

**Fleming Avenue-DEP File No. 090-1280**

An enforcement letter was issued for issues not addressed in site monitoring reports dating back to December, 2019. Multiple requests have been made to correct these issues with no response from the developer. The developer was asked to attend the March 17<sup>th</sup> meeting unless all issued are resolved prior to that.

**Postage Increase**

Effective March 1, 2020 all applications will be charged an increased legal ad fee. RDA applications will increase to \$145.00 and NOI applications will increase to \$185.00 due to increased costs of publication.

**The meeting was adjourned at 8:55 pm by Motion of Commissioner Townson; seconded by Commissioner Brady and unanimously approved.**

**The next meeting is scheduled for March 17, 2020 at 7:45pm.**

**Respectfully Submitted,**

**Lynn Viselli,  
Recording Secretary**

Documents:

Route 28/Main Street

- Plan entitled, "Site Plans, Andover, MA" dated 120/20/19

254 South Main Street/1 Highland Road

- Plan entitled, "Existing Conditions Plan," revised 1/24/2020

Consent Agenda

- Draft Minutes of February 18, 2020