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**ANDOVER CONSERVATION COMMISSION MEETING MINUTES**  
**VIA TELECONFERENCE**  
**September 1, 2020 7:00pm**

**APPROVED**

**Conservation Members in Attendance:**

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

**Chairman Cooper opened the Meeting with stating the protocol for remote participation and questions from the public.**

**SCHEDULED ITEMS:**

**51 Glenwood Road**

**Present in Interest: Steve Galuna**

*Staff Recommendation: Approve*

Public Meeting on a Request for Determination of Applicability filed by **Maria Galuna** 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 replacement septic system at **51 Glenwood Road**.

Mr. Meade presented this to the Commission. The replacement septic system will be 32 feet from the edge of Foster's Pond. The Health Department agrees the application is sufficient due to the space limitations on the property and will grant the 2 waivers necessary. A revised plan which includes the silt fence line has been received.

Commissioner Honea asked how the existing cesspool was being decommissioned.

Chairman Cooper stated that the Health Department requires exiting septic systems be decommissioned as a part of the Title V work.

Steve Galuna added that the cesspool will be removed because that is where the new tank will be placed.

Chairman Cooper asked for a Motion. Commissioner Townson made a Motion to Approve as a Pos.2b, Neg.3 with erosion controls as discussed; it was seconded by Commissioner Driscoll and unanimously approved by Rollcall Vote:

Rollcall Vote:

J. Honea - yes

T. Brady – yes

A. Driscoll - yes

F. Greenwood - yes

K. Porter – yes

E. Townson – yes

D. Cooper – yes

**Keolis/MBTA Right of Way**

**Present in Interest: Clary Coutu and Matt Donovan**

*Staff Recommendation: Approve*

Public Meeting on a Request for Determination of Applicability filed by **Keolis Commuter Services** 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 vegetation management at **MBTA Western Route Main Line Right of Way**.

Mr. Douglas presented this to the Commission. The application is for the entire line to be sprayed for vegetation on either side of the tracks. The sensitive areas will receive less spray. Clary Coutu informed the Commission that the wetland have been delineated to ensure they are meeting the FRA requirements for vegetation control. They will be spraying from tie to tie along the railway is always sprayed. There will be an Environmental Monitor on the spray truck observing the conditions and documenting the daily applications.

Commissioner Driscoll asked about the endangered species shown on #19 and #20 on the plan. Clary Coutu stated that Natural Heritage reviews the maps yearly and advised of the location of endangered species. The vernal pools are far from the application areas and will be monitored. Commissioner Greenwood asked how the reduced spraying is enforced.

Clary Coutu stated that they follow the same protocols as Keolis, the conditions are reviewed yearly to determine if spraying is needed.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as Pos.2b, Neg.3; it was seconded by Commissioner Greenwood and unanimously approved by

Rollcall Vote:

Rollcall Vote:

J. Honea - yes

T. Brady – yes

A. Driscoll – yes

F. Greenwood - yes

K. Porter – yes

E. Townson – yes

D. Cooper – yes

**21 Sheridan Road**

**Present in Interest: Dave Seeley**

*Staff Recommendation: Approve*

Public Meeting on a Request for Determination of Applicability filed by **Dave Seeley** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed replacement of an existing septic system at **21 Sheridan Road**.

Mr. Meade presented this to the Commission. The project is for the replacement of an existing septic tank and the proposed septic system will be on maintained lawn. The closest point to the wetland is 70 feet. The existing septic system will be abandoned in place.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as Pos.2b, Neg.3; it was seconded by Commissioner Driscoll and unanimously approved by Rollcall Vote:

Rollcall Vote:

J. Honea - yes

K. Porter – yes

T. Brady – yes

E. Townson – yes

A. Driscoll – yes

D. Cooper

F. Greenwood - yes

**Chandler Road Water Improvements**

**Present in Interest: Jeff Crane**

*Staff Recommendation: Approve*

Public Meeting on a Request for Determination of Applicability filed by **Town of Andover** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed installation of approximately 3900 feet of 12” ductile iron water main, water services and fire hydrants; abandon or remove existing 8” water main at **Chandler Road**.

Mr. Meade presented this to the Commission. The project consists of 3900 feet of 8” water main to be replaced with 12” water main. All work is within the existing roadway. Erosion controls and catch basin protection will be utilized.

Commissioner Honea asked if the new pipe would be going into the wetland.

Jeff Crane stated that when dewatering of the trench takes place, infiltration basins will be used to make sure water is free of suspended solids. The material excavated will be put back in the trench. The existing 8” main will be either removed or abandoned in place.

Commissioner Greenwood asked what happens to the metals over time in the abandoned pipe. Chairman Cooper explained that the metals are sticky and if it was to leak, they would not go very far.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as Pos.2b, Neg.3; it was seconded by Commissioner Greenwood and unanimously approved by Rollcall Vote:

Rollcall Vote:

J. Honea - yes

K. Porter – yes

T. Brady – yes

E. Townson – yes

A. Driscoll – yes

D. Cooper – yes

F. Greenwood – yes

### **252 River Road**

**Present in Interest: Corinne Chase**

*Staff Recommendation: Approve*

Public Meeting on a Request for Determination of Applicability filed by **Corinne Chase** 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 replacement deck at **252 River Road**.

Mr. Douglas presented this to the Commission. The application is for a replacement deck and stairs which are about 50 feet from the wetland. The deck will be 14'x36'. The applicant authorized staff to correct the application and permit to reflect the deck size to be 14'x36'.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as Pos.2b, Neg.3; it was seconded by Commissioner Honea and unanimously approved by Rollcall Vote:

Rollcall Vote:

J. Honea - yes

K. Porter – yes

T. Brady – yes

E. Townson – yes

A. Driscoll – yes

D. Cooper - yes

F. Greenwood - yes

## **24 Pomeroy Road**

**Present in Interest: Maureen Herald**

*Staff Recommendation: Continue*

Continued Public Hearing on a Notice of Intent filed by **Thomas Fuerst** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed razing of the existing dwelling, deck and concrete pad; construction of a new single family dwelling on the existing foundation, deck, porch with stairs and associated utilities at **24 Pomeroy Road**.

Mr. Meade presented this to the Commission. A site visit was held with the homeowner and Maureen Herald on August 28, 2020 to review the application and review the past compliance issues. Mr. Meade reviewed the outstanding past compliance issues and what is needed to close them out. Maureen Herald agreed to provide a timeline of the tasks to be completed and a restoration monitoring report.

Maureen Herald advised the Commission that of the outstanding conditions listed in the Enforcement Orders have been met except the fall inspection report. The Certificate of Compliance for the open Order of Conditions for the septic system will be on the next Agenda for approval.

Mr. Meade suggested a site visit for the Commission.

Vice Chairman Porter asked that the fall inspection report be filed before opening this application.

Chairman Cooper asked for a Motion. At the Applicant's request, Vice Chairman Porter made a Motion to continue to October 6, 2020; it was seconded by Commissioner Driscoll and unanimously approved by Rollcall vote:

Rollcall Vote:

J. Honea - yes

K. Porter – yes

T. Brady – yes

E. Townson – yes

A. Driscoll – yes

D. Cooper - yes

F. Greenwood - yes

## **ACTION ITEMS:**

### **5 Tucker Road**

**Present in Interest: Patrick Nysten**

Issuance of Order of Conditions. The additional Special Condition regarding the 25 foot and 50 foot boundaries are included.

Commissioner Townson made a Motion to issue the Order of Conditions as drafted; it was seconded by Commissioner Brady and unanimously approved by Rollcall vote:

Rollcall Vote:

J. Honea - yes

T. Brady – yes

A. Driscoll – yes

F. Greenwood - yes

K. Porter – yes

E. Townson – yes

D. Cooper - yes

**CONSENT AGENDA:**

**Minutes**

Approval of Minutes from August 18, 2020.

**7 Pettingell Avenue**

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

**109 Pine Street**

Request for a Satisfactory Completion of Work Certificate.

Commissioner Honea made a Motion to approve the Consent Agenda, excepting 7 Pettingell Avenue; it was seconded by Commissioner Townson and unanimously approved by Rollcall Vote with Vice Chairman Porter abstaining from the Minutes vote:

Rollcall Vote:

J. Honea - yes

T. Brady – yes

A. Driscoll – yes

F. Greenwood - yes

K. Porter – yes

E. Townson – yes

D. Cooper - yes

**7 Pettingell Avenue**

Request for a Certificate of Compliance.

Applicant has requested to continue to a date uncertain.

At the Applicant's request, Commissioner Townson made a Motion to continue to a date uncertain; it was seconded by Commissioner Driscoll and unanimously approved by Rollcall vote:

Rollcall Vote:

J. Honea - yes

T. Brady – yes

A. Driscoll – yes

F. Greenwood - yes

K. Porter – yes

E. Townson – yes

D. Cooper - yes

**DISCUSSION ITEMS:**

**Open Space Task Force**

Discussion regarding Open Space Task Force Appointment.

Chairman Cooper reviewed the history of the Open Space Task Force and advised that the appointment will be one year from July 1<sup>st</sup> to June 30<sup>th</sup>.

Vice Chairman Porter nominated Commissioner Greenwood; seconded by Commissioner Honea and unanimously approved by Rollcall vote:

Rollcall Vote:

- |                    |                  |
|--------------------|------------------|
| J. Honea - yes     | K. Porter – yes  |
| T. Brady – yes     | E. Townson – yes |
| A. Driscoll – yes  | D. Cooper - yes  |
| F. Greenwood - yes |                  |

**Overseer Nominations**

Appoint Kevin Loucks and Dave Bunting; Reappoint Chas Bicking, David Brown, Suzanne Scarpulla, Gail Ralston and Ellen Townson.

Commissioner Greenwood made a Motion to approve the appointments and reappointments; seconded by Commissioner Driscoll and unanimously approved by Rollcall vote:

Rollcall Vote:

- |                    |                  |
|--------------------|------------------|
| J. Honea - yes     | K. Porter – yes  |
| T. Brady – yes     | E. Townson – yes |
| A. Driscoll – yes  | D. Cooper - yes  |
| F. Greenwood - yes |                  |

**Wragg Bridge**

Discussion regarding pedestrian bridge to cross the Shawsheen River by the Horn Bridge. A donor has come forward to donate a pedestrian bridge to cross the Shawsheen River near Central Street by the Horn Bridge. It would cross from Abbott Bridge Road property to the AVIS property. A survey will be sent out to residents for their input on the location.

Chairman Cooper stated the Town will not pay for 2 bridges to cross the Shawsheen... He believes this location is not better than Dale Street.

Commissioner Townson stated consumer usage and flooding should be taken into consideration. There is a safer crossing needed at Abbott Bridge.

Commissioner Driscoll agreed with the safety concerns crossing by the Horn Bridge.

Commissioner Greenwood would like the bridge closer to Central Street where more people could use it.

Commissioner Honea agreed it is an unsafe area to cross and there need to be a safer way to cross Central Street.

**CIP Funding**

CIP requests are due in September. If the Commission has any ideas, please submit them in writing to Staff.

**Enforcement Order**

Ratification of Enforcement Order issued for 170-182 Jenkins Road. An EO was issued for building activities near a wetland at 180 Jenkins Road. The Building Inspector issued a stop work order for conducting work without a permit and we issued an Enforcement Order.

Commissioner Driscoll made a Motion to ratify the Enforcement Order; it was seconded by Commissioner Townson and unanimously approved by Rollcall vote:

Rollcall Vote:

- |                    |                  |
|--------------------|------------------|
| J. Honea - yes     | K. Porter – yes  |
| T. Brady – yes     | E. Townson – yes |
| A. Driscoll – yes  | D. Cooper - yes  |
| F. Greenwood - yes |                  |

**Staff Updates**

Scouts will be at Pole Hill in September.

2-3 Dundee Park If more information is needed regarding the stormwater, the Commission can recommend a peer review.

Commissioner Driscoll thanked the Shawsheen River Watershed Association for the cleanup at the Sacred Heart Reservation.

**The meeting was adjourned at 9:56 pm by Motion of Commissioner Townson; seconded by Commissioner Driscoll and unanimously approved by Rollcall Vote:**

Rollcall Vote:

- |                    |                  |
|--------------------|------------------|
| J. Honea - yes     | K. Porter – yes  |
| T. Brady – yes     | E. Townson – yes |
| A. Driscoll – yes  | D. Cooper - yes  |
| F. Greenwood - yes |                  |

**The next meeting is scheduled for September 15, 2020 at 7:00pm.**

**Respectfully Submitted,**

**Lynn Viselli,  
Recording Secretary**

Documents:

Consent Agenda

- Draft Minutes of August 18, 2020