



# TOWN OF ANDOVER

Town Offices  
Conservation Department  
36 Bartlet Street  
Andover, MA 01810  
(978) 623-8630  
[www.conservation@andoverma.gov](http://www.conservation@andoverma.gov)

September 12, 2017

Dear neighbor,

The Andover Conservation Commission is scheduling fall maintenance of the Dug Pond parcel. We intend to remove some downed trees, stumps, dead brush, and about 5 standing dead trees. We also plan to put wood preservative on the waterfront benches, cut the remaining bittersweet vines, and cut/treat or pull invasive seedlings, and discuss possible blueberry and other wildlife friendly plantings.

The Conservation staff will be on site 9:05 am Friday September 22, 2017 . We invite you to join us and to share any suggestions or concerns. If you are not able to join us, please feel free to email us. We will follow up at our scheduled Conservation meeting Tuesday October 3, 2017.

(Please submit written comments by September 29 to [Conservation@andoverma.gov](mailto:Conservation@andoverma.gov))

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Andover Conservation  
36 Bartlet Street  
Andover, MA 01810

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# Frequently Asked Questions about Being a Neighbor of Andover Conservation Land

## **Why did I get this flier?**

We are neighbors, and we felt you might find this information helpful.

Your property abuts public land managed by the Andover Conservation Commission. These lands are deeded to the Inhabitants of the Town of Andover and placed in the care and custody of the Conservation Commission pursuant with MGL Chapter 40 Section 8C.

The Conservation Commission is obligated to protect these public resources and maintain their natural condition so that they can continue to improve water quality and storm water control as well as provide wildlife habitat, public enjoyment, and other services and values. This will benefit the general public and you, our neighbors.

## **Why are the boundaries being marked?**

It is part of the Conservation Commission's legal obligation to make sure all Town conservation land is protected under Article 97 of the Massachusetts Constitution.

In some circumstances, parcels were donated to the Town for conservation purposes, and the Commission is legally bound to uphold the donor's intention. This may include certain restrictions on the parcel.

Boundary marking will help us better manage these lands. Over the past several years, the Commission has been working to mark the boundaries of the Town's conservation land. We have marked corners along the property with steel bars, wood stake bounds and sometimes with small circular boundary signs mounted on posts.

## **What can I do as a neighbor?**

To protect the health of these public lands, there are rules and regulations regarding their maintenance and use. We rely on neighbors and volunteers to keep an eye out for any misuse.

Should you observe any encroachments or other misuse, please let us know as soon as possible so we may resolve the issue and protect the land.

## **What is an encroachment?**

Encroachments are alterations of Town conservation land, such as:

- extension of lawns or gardens
- clearing/cutting of underbrush or trees
- erection of sheds, fences, or play sets
- dumping of any yard debris or trash

Encroachments are violations of the state laws and result in degraded water resources, decreased storm water control, increased flooding, reduced wildlife habitat value, and diminished public access.

## **Isn't an encroachment an "improvement" of this land?**

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No. Even with the best of intentions, any encroachment is inconsistent with our conservation mission and constitutional law.

Lawn and cleared woods have less capacity to clean water and buffer storm water flows and also have decreased wildlife habitat value. This often results in flooding to the encroacher's property and/or neighboring property. Dense piles of leaves and brush destroy underlying vegetation and do not decompose rapidly.

Chemical lawn fertilizers, pesticides and herbicides, even "natural" or "organic" ones, by their nature are poisonous to a wide variety of living organisms beyond the target species and so can reduce ecosystem health as rainwater runoff carries the chemicals off your property. Please be conservative and judicious in their use.

## **What if an encroachment was already there when I bought my property?**

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Home owners are responsible for current conditions. If a "historic" encroachment is discovered, the Commission will help you through the process of reversing the encroachment. Our office staff and volunteers are available to answer any questions and provide you with any information you may need.

## **What happens after an encroachment is discovered?**

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The Commission will review the situation and develop a plan with you to resolve the

issue. If the encroachment was created by another landowner, the Commission will address it with that individual. Sometimes abutters are not aware of property boundaries or Conservation regulations governing land protected under Article 97 of the Massachusetts Constitution.

## **What other information do I need to know?**

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Most homeowners make excellent neighbors and have the best interest of the land in mind. However, failure to restore an area of Conservation land that has been altered, to the specifications of the Commission, may be subject to a one-hundred dollar fine per day. In addition, the Commission, as land managers, may develop and implement a restoration plan at the responsible party's expense, or seek further legal remedies.

## **How can I actively help?**

One way a neighbor can help is to volunteer as a Conservation Overseer. This role holds a three-year term and entails occasionally inspecting the particular property an overseer has chosen to steward, as well as consistently keeping an eye out for any concerns. Let us know if a tree has fallen and blocked a trail or if you notice dumping or other misuse.

Overseers are appointed by the Conservation Commission to be the eyes and ears of the property. A handbook is provided that details roles and responsibilities. We would love to have you join our team.

Other less formal volunteer opportunities exist. These include building and maintenance of trails, bridges and boardwalks to name a few. Contact us if you are interested in volunteer opportunities.

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*If you have questions about this flier or would like more information, please contact  
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You may also email us at [conservation@andoverma.gov](mailto:conservation@andoverma.gov)*