

ANDOVER CONSERVATION COMMISSION MEETING MINUTES
VIA TELECONFERENCE
February 3, 2026

APPROVED

Conservation Members in Attendance:

Chair Donald Cooper, Vice Chair Jon Honea, Commissioner Floyd Greenwood, Commissioner Alix Driscoll, Commissioner Ruby Brown, Commissioner Miranda Chave.
Staff members present were Benjamin Meade, Conservation Agent.

Commissioners Absent: Commissioner Stuart Rubin

Chair Cooper opened the Meeting with stating the protocol for remote participation and questions from the public. Chair Cooper also introduced all Commission members in attendance at the meeting.

SCHEDULED ITEMS:

14 Sherry Drive

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **Shane Griffen** 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 an addition and deck at **14 Sherry Drive, Andover, MA.**

Mr. Meade presented this to the Commission. The proposed project is the replacement of an existing open-air deck with an addition and new deck. As part of the application, the wetland line was flagged and a plot plan completed. Staff reviewed the wetland flagging and agrees with the flag placement. The closest point to the wetland is 40 feet from the edge of the new addition/deck. The space between the proposed work area is currently maintained lawn. The addition and deck will be constructed on helical piers which will result in minimal ground disturbance.

Chair Cooper asked for a motion. Commissioner Driscoll made a motion to approve as Pos.2b, Neg 3, it was seconded by Commissioner Chave and unanimously approved by Rollcall vote:

F. Greenwood – yes
J. Honea – yes
R. Brown – yes

A. Driscoll - yes
D. Cooper – yes
M. Chave – yes

5 Hawk Ridge Road

Present in Interest: Andrew DiGiacomo, Dennis Griecci and Maureen Herald

Staff Recommendation: Continue

Public Hearing on a Notice of Intent filed by **Andrew DiGiacomo** 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 an inground pool, paver patio, gazebo, pool equipment area, retaining wall, fence, tree removal and associated grading and utilities at **5 Hawk Ridge Road.**

Mr. Meade presented this to the Commission. The proposed project is the installation of an inground pool, paver patio, gazebo, pool equipment area, retaining wall, fence, tree removal and associated grading and utilities under the WPA only. The work will be contained to existing lawn. Staff provided questions for further information to the Applicant’s representatives, and they provided updated information this afternoon. Staff recommends the hearing be continued to the next meeting to allow for review of the updated materials by both the Commission and Staff.

Chair Cooper asked for a motion. Commissioner Greenwood made a motion to continue to February 17, 2026, it was seconded by Commissioner Driscoll and unanimously approved by Rollcall vote:

- | | |
|--------------------|-------------------|
| F. Greenwood – yes | A. Driscoll - yes |
| J. Honea – yes | D. Cooper – yes |
| R. Brown – yes | M. Chave – yes |

70 Essex Street-Dundee Park

Present in Interest: Michael Rosen, Ellen Keller, Dennis Griecci and Stewart Junge

Staff Recommendation: Continue for site visit

Public Hearing on a Notice of Intent filed by **Dundee Office Park LLC** 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 reconstruction of an existing access driveway connecting Essex Street to the Dundee Office Park, including paving a 20’foot driveway, minor grading, installation of erosion controls and restoration of the disturbed areas at **70 Essex Street.**

Mr. Meade presented this to the Commission. Dundee Office Park has only one entrance/exit which has led to traffic circulation and safety issues. This project proposes a second access/egress from Essex Street. The BVW was flagged in September 2025. Staff reviewed the flagging during a site visit and agrees with the flagging. The wetland is forested and contains a lot of invasive species and litter and eventually drains into the Shawsheen River. As part of the

application, a letter from Attorney Michal Rosen, stated that the proposed project is exempt from the By-Law because an existing way already exists in this location. Staff disagrees as the layout of the new proposed driveway does differ from the existing, cleared corridor. "Maintenance and Repair" applies to a structure or land use feature that is already in place and is being maintained or repaired, the scope of work for this project appears larger than simply maintenance and repair. The project is exempt under Historic Mill Complex as defined in the WPA from Riverfront Regulations. Staff requested updated information from the Applicant's representatives. The project does contain stormwater management improvements. The project must meet the performance standards as the buffer is within 15 feet. Staff recommends a site visit.

Dennis Griecci presented the project to the Commission. This second egress will be through a ROW access gravel driveway from Essex Street which has been in existence since 1999. Under the Historic Mill District Complex, it is not subject to the Riverfront Area regulations. The proposed driveway will be a 20' wide one way entry for emergency access, deliveries and tenant access. The retaining wall will be 6' high and taper down to reduce the impact to the wetland. Water runoff from the driveway will be recharged into the existing culvert.

Commissioner Greenwood agreed that a site visit is needed.

Mr. Meade added that the BVW is clearly defined, and Staff agrees with the flagging. The project was also reviewed by Town Engineer, Art Martineau.

The site visit was scheduled for February 13, 2026 at 8:30am at 70 Essex Street.

Chair Cooper added that new drainage and a new retaining wall are not maintenance and repair, and he recommended the applicant file under the Andover Wetlands Protection By-Law.

Attorney Michael Rosen stated that the Applicant was reserving the right to file under the By-Law at a later date.

Stewart Junge, an abutter, asked to attend the site visit with the Commission.

Chair Cooper asked for a motion. Commissioner Greenwood made a motion to continue to February 3, 2026, it was seconded by Commissioner Chave and unanimously approved by Rollcall vote:

F. Greenwood – yes

A. Driscoll - yes

J. Honea – yes

D. Cooper – yes

R. Brown – yes

M. Chave – yes

100 Old River Road

Present in Interest: Andrew Thibault, Mark Johnson, Zachary Richards, Peter Mahoney, Kevin Coffey, John Sullivan, Ian Gasco-Wiggins, Bob Bowen and Kevin Ouellette

Staff Recommendation: Continue for peer review

Public Hearing on a Notice of Intent filed by **JMC SVP Old River Road, LLC** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or Andover Wetlands Protection-By-Law for the proposed construction of a 432 unit mixed use building, parking garage, surface parking, outdoor amenities, stormwater management, native landscaping and invasive species management at **100 Old River Road**.

Mr. Meade presented this to the Commission. The project consists of the redevelopment of the property at 100 Old River Road, including the demolition of the existing building, construction of a mixed-use, five story, 432 unit building, parking garage, parking lots, outdoor amenity spaces, stormwater management plan, landscaping and invasive species management plan. The existing condition of the property contains impervious surfaces, mostly paved parking and an existing building with no stormwater management.

An ORAD was issued in March 2024 by the Commission locking in the wetlands, which include a couple of forested BVW and intermittent stream. These areas lie on the margins of the property. The project is subject to the By-Law and meets the 25' and 50' buffers. In some areas the driveway and parking lot setbacks are not met.

Staff recommends a stormwater peer review to include a review of the mitigation and invasive species management and a site visit by the Commission.

Andrew Thibault presented the project to the Commission. He acknowledged the proposal for the peer review was received prior to the meeting. He reviewed the existing conditions and wetlands on the site. There is existing parking within the 25' no disturb and portions of the existing building are within the 50' no build. There will be a parking garage constructed as well as parking around the edges of the site. Work will be pulled out of the buffer zones as much as possible, and all impervious areas will be removed from the 25' no disturb buffer. The newly constructed building will meet the 50' setback. The invasive species removal and management plan were reviewed, and 162 native plantings are proposed as mitigation.

Zachary Richards reviewed the proposed stormwater management for the site. The stormwater management system meets the DEP and Andover Stormwater standards. Currently, there is no treatment of the runoff which flows into the wetlands. The proposed system improves wetland protection by reducing pollutants, slowing flows and improving water quality. Both roof and paved area runoff will be captured in deep sump hooded catch basins.

A site visit was scheduled for March 6, 2026, at 8:30am.

Chair Cooper stated that the driveway and parking setbacks should be met as this is a new development.

Zachary Richards stated that they looked at alternatives and with the constraints of the site the application provided is the best choice by pulling the existing pavement and building outside the 25' and 50' setbacks under the By-Law and improving the buffer zone.

Chair Cooper asked the applicant to review the parking and driveway.

Chair Cooper asked for a motion. Commissioner Greenwood made a motion to continue to March 17, 2026, it was seconded by Commissioner Honea and unanimously approved by Rollcall vote:

F. Greenwood – yes

A. Driscoll - yes

J. Honea – yes

D. Cooper – yes

R. Brown – yes

M. Chave – yes

15 Bancroft Road

Present in Interest: Janet Nicosia, Joe Connelly, Joe White and Michael Lindstrom, Maria Bartlet, Tom Boschar, Mia Angle

Staff Recommendation: Withdraw Without Prejudice

Continued Public Hearing on a Notice of Intent filed by **Janet Nicosia, 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 the proposed replacement of a natural grass athletic field with a synthetic turf multi-sport field at **15 Bancroft Road**.

Mr. Meade presented this to the Commission. This NOI was filed April 2024 under the By-Law only by BSC Group on behalf of the Town of Andover. A hearing was held May 7, 2024. Mr. Meade reviewed the project for the Commission. The footprint of the field has been shifted to the greatest extent possible to avoid the proximity of the wetland and there will be no alteration of the natural area. The underdrains of the proposed field will encourage infiltration. The hearing was continued to allow for the completion of a peer review of the stormwater management design and for a peer review of the materials that are intended to be used for the construction of the synthetic turf field. Both peer reviews were completed. In preparing for the hearing, Staff was reviewing the file/application and found the wetland resource area does not meet the 5,000 square foot threshold to be jurisdictional, it measures 3,621 sq. ft.

As a result, the Commission does not have jurisdiction over the isolated wetland resource area. Chair Cooper stated that without jurisdiction, the Conservation Commission has no authority under the Andover Wetlands Protection By-Law. 5,000 square feet is the threshold for a jurisdictional area under the By-Law.

Janet Nicosia added that there was a misinterpretation of the By-Law which led to the filing of the application. Discussion tonight must be limited to the jurisdictional issue only as the Conservation Commission does not have jurisdiction for this project.

Joe Connelly informed the public and Commission that a public forum will be held March 12, 2026, at 6:00pm in the Selectboard Room for a town-wide discussion regarding synthetic turf fields. He asked that questions be submitted to him no later than February 19, 2026, so they can be addressed at the public forum.

Janet Nicosia asked to withdraw the application without prejudice.

Commissioner Greenwood asked why this was a last minute discovery?

Janet Nicosia informed the Commission that in reviewing the file to prepare for the meeting a discussion took place regarding the size of the wetland and the By-Law threshold and how the By-Law was interpreted.

Commissioner Chave asked who flagged the wetland. BSC Group flagged the wetland in November 2023 and Conservation Staff reviewed the flagging.

Maria Bartlett, 26 Jenkins Road, asked if the WPA is stricter than the By-Law and what the state regulation is.

Mr. Meade responded that the WPA does not govern Isolated Wetlands, the Andover Wetlands Protection By-Law does regulate Isolated Wetlands that are 5,000 square feet or larger.

Chair Cooper asked for a motion. Commissioner Greenwood made a motion to allow the withdrawal without prejudice, it was seconded by Commissioner Driscoll and approved by Rollcall vote:

F. Greenwood – yes

J. Honea – yes

R. Brown – yes

A. Driscoll - no

D. Cooper – yes

M. Chave – yes

CONSENT AGENDA:

Minutes – Approval of Minutes from January 20, 2026.

37 Porter Road – Request for a Certificate of Compliance.

Commissioner Driscoll made a motion to approve the Consent Agenda as presented, it was seconded by Commissioner Honea and unanimously approved by Rollcall vote:

F. Greenwood – yes

J. Honea – yes

R. Brown – yes

A. Driscoll - yes

D. Cooper – yes

M. Chave - yes

DISCUSSION ITEMS:

Staff Update

Winterfest has been rescheduled to February 15, 2026, due to the weather.

A site walk was held at Lightning Tree to discuss the vegetation management work that is planned for the 7 acres. The scope of work for the vegetation management has been agreed upon, and an RDA will be submitted for the work to take place within areas of wetland jurisdiction.

Commissioner Greenwood as for the Commission's support for proposed changes by MA Wildlife Hunting Policies. There are 3 issues in front of the legislature and open for public comment until February 6, 2026. The issues are hunting on Sunday; the use of crossbows; and reducing the 500' setback to 150'. Discussion followed regarding if and when the State makes the requested changes, Andover has the option to adopt the changes or keep our local regulations the same.

Commissioner Driscoll made a motion to authorize Commissioner Greenwood to submit public comment on behalf of the Conservation Commission as discussed. The motion was seconded by Commissioner Honea and unanimously approved by Rollcall vote:

F. Greenwood – yes	A. Driscoll - yes
J. Honea – yes	D. Cooper – yes
R. Brown – yes	M. Chave - yes

The meeting was adjourned at 9:018pm by Motion of Commissioner Greenwood, seconded by Commissioner Driscoll and unanimously approved by Rollcall Vote:

F. Greenwood – yes	A. Driscoll - yes
J. Honea – yes	D. Cooper – yes
R. Brown – yes	M. Chave - yes

The next meeting will be held on Tuesday, February 17, 2026.

Respectfully Submitted,

Lynn Viselli,

Recording Secretary

Documents:

Consent Agenda:

Determination of Applicability: 14 Sherry Drive

Order of Conditions:

ANRAD:

Other: