ANDOVER CONSERVATION COMMISSION MEETING MINUTES
SEPTEMBER 17, 2019

Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7:55PM

Conservation Members in Attendance:
Chairman Donald Cooper, Vice Chairman Kevin Porter, Commissioner Tom Brady,
Commissioner Ellen Townsend, Commissioner Jon Honea, Commissioner Alix Driscoll and
Commissioner Floyd Greenwood (7:55pm). Staff members present were Robert Douglas,
Conservation Director and Ben Meade Conservation Agent.

SCHEDULED ITEMS:
Hidden Road, Forbes Lane and Gardner Avenue
Present in Interest: David Newhall
Staff Recommendation: Approve
Commissioner Alix Driscoll recused herself and left the room.

Public Meeting on a Request for Determination of Applicability filed by Columbia Gas of MA
under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover
Wetlands Protection By-law, Article XIV, for proposed gas line replacement within the exiting
roadway at Hidden Road, Forbes Lane and Gardner Avenue.

Mr. Meade presented this to the Commission. The work described is the replacement of a gas
main within the roadway with a couple of small wetlands within 100 feet of the project. The
wetlands have been flagged. The open trench method will be used with no stockpiling overnight.
Work will only be done during dry weather.
Chairman Cooper asked staff to monitor the project.
Commissioner Townsend asked if the maps provided are an accurate depiction of where the work
will be done. David Newhall replied that the maps provided indicate the roadways in which the
work will be performed, however not the exact placement of the gas lines. Commissioner
Townsend also asked if there are other permits to be obtained from the Town and asked to be
notified of any changes of location of the work.
Commissioner Brady asked how the existing pipes would be abandoned. David Newhall
responded that the gas line would be cut, sealed off and as much gas as possible removed and the
other end would be sealed. All state regulations are followed for capping. Commissioner Brady asked if there would be any testing for contaminants as he is concerned the abandoned gas lines can become conduits for contaminants.

Chairman Cooper asked for a construction plan to be provided prior to construction. He also asked that the capping regulations be provided to Staff.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to Approve as discussed; it was seconded by Commissioner Honea and approved by a 3-2 vote. Commissioners Brady and Townson were opposed. Commissioner Greenwood abstained.

Per the Open Meeting Law, the list of documents used for this hearing is:
  - USGS Map, FEMA Map and NHESP Map Hidden Road, Forbes Lane and Gardner Avenue, Andover, Mass.

40 River Road
Present in Interest: Robby Schramm
Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by Robert Schramm 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 24’ x 16’ garage at 40 River Road.

Mr. Meade presented this to the Commission. The filing is under the WPA only for the construction of a 24’ x 16’ garage. The garage will be no closer to the wetland than the previous garage and will be in maintained lawn. The closest point is 60 feet to the wetland. Staff is working with the Applicant to obtain a revised plan.

Robby Schramm informed the Commission that the garage will be 22’x16’.

Chairman Cooper asked that the garage be staked on site and approved by staff prior to construction.

Staff agreed to hold the issuance until a revised plan is received.

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

72 Central Street
Present in Interest: Amy Farabaugh
Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by Amy Farabaugh under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover
Wetlands Protection By-law, Article XIV, for proposed of an addition and repair of existing deck at 72 Central Street.

Mr. Douglas presented this to the Commission. The project consists of construction of an addition and repair of an existing deck under the WPA only. The addition is at least 60 feet from the resource area and the deck is 50 feet from the resource area. Amy Farabaugh informed the Commission that the deck will be 32'x10'. Vice Chairman Porter asked for an updated plan showing the correct dimension. Commissioner Brady asked that the erosion controls be placed on the plan. Staff agreed to hold issuance until a revised plan is received with the correct dimensions and erosion controls.

Chairman Cooper asked for a Motion. Commissioner Townsend made a Motion to Approve as discussed; it was seconded by Commissioner Driscoll and unanimously approved.

3. 3R and 4 Executive Place (Burtt Road)
Present in Interest: Peter Ellison
Staff Recommendation: Continue to a Date Uncertain

Public Hearing on a Notice of Intent filed by Ballardvale 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 construction of two buildings with parking, landscaping, utility and stormwater management at 3, 3R and 4 Executive Road.

Mr. Douglas presented this to the Commission. The project is for the construction of 2 large buildings on a parcel surrounded by wetlands. Staff recommends peer reviews of the wetland line and stormwater. Chairman Cooper stated there is a potential vernal pool and isolated wetlands on this property. Peter Ellison presented the project on behalf of the Applicant. The parcel is 53 acres total with wetlands cutting the site in half. 25 acres are developed. Burtt Road is the only access to the property. A portion of the property is in Andover and the other is in Tewksbury. There is an electrical easement on the property that is a no-build easement due to low hanging wires. There are 4 resource areas in Andover, A series through D series flags. The corner of the smaller building is at the 50 foot setback. The project meets the stormwater standards. The MESA checklist has been submitted and the habitat report states the site is not agreeable for species habitat for the 3 rare moths. Vice Chairman Porter stated that the rare moths are across the street at the solar farm. He would like to see the pre and post development stormwater calculations.
Peter Ellison informed the Commission that Andover will conduct the stormwater peer review and it should include the entire property. The report will be shared with Tewksbury. The project is designed to meet all Andover stormwater requirements. Commissioner Driscoll asked about an industrial waste pond. Peter Ellison responded that it may be on Gillette property as this parcel is undeveloped. Commissioner Driscoll asked if more trees could be added to the parking area to mitigate fumes from the vehicles. Commissioner Greenwood requested a site visit. September 25, 2019 at noon is the scheduled site visit.

Chairman Cooper asked for a Motion. 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.

**CONSENT AGENDA:**

**Minutes**
Approval of Minutes from September 3, 2019.

**131 Salem Street**
Request for a Certificate of Compliance. Table

**37 Fleming Avenue**
Request for a Satisfactory Completion of Work Certificate.

**11 Knollerest Drive**
Request for a Certificate of Compliance.

**20 NE Business Center Drive**
Request for a Certificate of Compliance.

**268 River Road**
Request for a Satisfactory Completion of Work Certificate.

Commissioner Townson made a Motion to approve the Consent Agenda, excepting 131 Salem Street it was seconded by Commissioner Honea and unanimously approved.

**DISCUSSION ITEMS/ LATE ITEMS:**

**Goals and Objectives**
Prior to discussing the Goals and Objectives, Commissioner Driscoll and Commissioner Townson provided an update on the MVP Committee. Andover was chosen as an MVP Town
and the zoning by-law will be updated regarding stormwater management. Commissioner Townson added that a consultant will be hired to review the zoning by-law with a grant. Changes will be made to the by-law. The Commission would like monies to have the wetlands by-law reviewed and updated.

**Land Manager Position**

Vice Chairman Porter, Chairman Cooper and Bob Douglas will work on Land Manager job description. A copy of the existing job description will be obtained to be compared to the updated version.

**Properties to be Purchased**

Commissioner Greenwood, Chairman Cooper and Bob Douglas will work to update the approved list of properties to be purchased. If there are additional properties to be added to the list, a Warrant Article will need to be submitted for Town Meeting.

**Open Space Task Force**

Chairman Cooper, Vice Chairman Porter and Commissioner Driscoll will work to organize a committee with members from different boards to identify parcels for purchase. Should meet with Town Manager and Select Board and draft a charter.

**Update to Wetland By-Law**

Commissioner Townson and Commissioner Greenwood will review specific sections that need to be addressed.

**Merrimack River Reservation**

Bob Douglas will continue to work with Town Manager’s office and other Town staff to move the project forward.

**CIP and Special Projects**

Commission will provide Staff with ideas for FY21 and will act in an advisory role.

**Overseer Appointment**

Appointment of Scott Hill as an Overseer. Vice Chairman Porter made a Motion to appoint Scott Hill as an Overseer; it was seconded by Commissioner Townson and unanimously approved.

The meeting was adjourned at 9:45 pm by Motion of Commissioner Townson; seconded by Commissioner Brady and unanimously approved.
The next meeting is scheduled for October 1, 2019 at 7:45pm.

Respectfully Submitted,

Lynn Viselli,
Recording Secretary