Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7:45PM

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. Staff members present were Robert Douglas, Conservation
Director and Ben Meade Conservation Agent.

SCHEDULED ITEMS:
0 Harold Parker Road
Present in Interest: Andy Sherman and Pat Keck
Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by Northshore New
England Mountain Bike Association 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 bog bridge or boardwalk at 0 Harold Parker Road.

Mr. Douglas presented this to the Commission. A revised plan has been received with the
addition of a boardwalk instead of planks. The additional boardwalks are required to span wet
areas and keep riders on the trails.
Andy Sherman presented the project to the Commission. The existing fire road at Harold Parker
is under water. A 150 foot boardwalk will be constructed with the precutting done off site. The
boardwalk will run alongside the fire road and not interfere with it.
Commissioner Greenwood asked how wide the boardwalk will be. Andy Sherman informed the
Commission that the boardwalk will be 30 inches wide, wide enough for two people to pass.
Commissioner Greenwood also asked if it could be made wider and that all sawdust be kept out
of the wetland.
Pat Keck, representing the Friends of Harold Parker Forest stated her support of the project.
Chairman Cooper asked for a Motion. Commissioner Greenwood made a Motion to Approve as discussed; it was seconded by Commissioner Townson and unanimously approved.

Per the Open Meeting Law, the list of documents used for this hearing is:

- Town of Andover MiMap

12 Olympia Way
Present in Interest: Matthew Davidge
Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by Matthew Davidge 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 a propane tank at 12 Olympia Way.

Mr. Meade presented this to the Commission. The filing is under the WPA only for the installation of a 500 gallon propane tank and trench for propane line. The closest point to the BVW is 60 feet. The location is on maintained lawn. Staff has received a revised plan showing the erosion control. Applicant to utilize best soil management practices.
Fire Prevention inspects and permits the installation of propane tanks for fuel storage.

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

34 Sunset Rock Road
Present in Interest: Tina Morris
Staff Recommendation: Approve

Commissioner Townson recused herself from the hearing and left the room.

Continued Public Meeting on a Request for Determination of Applicability filed by The Pike School, Inc. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed maintenance of the structures and stream vegetation and along the Pike School Nature Trail at 34 Sunset Rock Road.

Mr. Douglas presented this to the Commission. A site walk was conducted and have received an updated map and better description of the project. We have a detailed trail map showing the area of replacement, additional areas and the cross section specs of the boardwalk.
Vice Chairman Porter asked that all cutting be done off site. Tina Morris responded that the boardwalks would be built off-site as much as possible.
Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to Approve as discussed; it was seconded by Commissioner Greenwood and unanimously approved.

7 Pettingell Avenue
Present in Interest: Andy Pojasek and Scott Smith
Staff Recommendation: Continue
Commissioner Brad recused himself for this hearing and left the room.

Continued Public Hearing on a Notice of Intent filed by Scott Smith and Kristen Meyers 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 single family house, driveway and associated grading at 7 Pettingell Avenue.

Mr. Meade presented this to the Commission. This hearing was continued from May 7th for a peer review of the wetland line and to allow the Applicant to add some regulatory information. The application is under both the WPA and our local By-Law. The peer review is complete and resulted in several minor changes to the wetland delineation in the “A” and “C” series. These changes are reflected in the updated plan. The proposed driveway is located within 10 feet of the flagged wetland boundary. Under the By-Law in the WPOD, a new driveway is required to be 55 feet from a wetland boundary. The entire lot is subject to the WPOD. As a limited project, a driveway this close is allowed under both the WPA and the By-Law. The proposed house and septic system both meet the required setbacks. After the peer review, the driveway was moved as far as possible from the wetland and the driveway will be gravel instead of pavement. The driveway was also shortened within the buffer zone.

In the WPOD earth disturbance within 50 feet of a water body requires a zoning variance to be granted by the ZBA. Under the WPA it states variances need to be applied for.

The WPA allows driveways close to the wetland if it is the only feasible location for the driveway.

Chairman Cooper asked if the Commission would rather have a gravel driveway, pavement or pervious pavers. There are concerns the driveway will erode into the wetland after construction. There was discussion regarding a low retaining wall to protect the wetland from any erosion from the driveway.

Commissioner Townsend and Commissioner Driscoll expressed their concerns with the property being close to the land fill where arsenic was found.

Andrew Pojasek, representing the Applicant, informed the Commission that both the house and the septic meet the 100 foot setback and test pits had been done with the Board of Health. He also confirmed the Applicant is aware of the Ledge Road landfill and the flow of any water is northward, away from this property and the Applicant confirmed he did his due diligence prior to purchasing this property.

Commissioner Greenwood stated the possibility of arsenic is not an issue for the Commission.
Chairman Cooper reviewed the issues to be decided

1. Is this a limited project and is the Commission compelled to allow the driveway under the WPA or can it be denied under our By-Law;
2. Zoning variance is needed, we can require it be obtained before issuing the Order of Conditions.

Commissioner Greenwood would require infiltration of the water from the driveway and keep any erosion out of the wetland.

Chairman Cooper would also like assurance there is room to build the driveway and have some permanent barrier between the wetland and the driveway.

Commissioner Driscoll asked that the ZBA application be submitted and heard then come back to the Commission.

Andrew Pojasek suggested residential curbing for driveway instead of a retaining wall which would direct the water away from the wetland.

The Commission provided the Applicant with the following requests:

1. Determine how to deal with the 50 foot setback under the ZBA;
2. Provide building details of the driveway;
3. Provide construction phasing;
4. Provide permanent erosion protection

Chairman Cooper asked for a Motion. At the Applicant's request, Vice Chairman Porter made a Motion to continue to November 5, 2019; it was seconded by Commissioner Townsend and unanimously approved.

**ACTION ITEMS:**

**36 Fleming Avenue**
**Present in Interest: Dennis Griecchi**
Request for an Insignificant Change. Reduction in the footprint from 2,160 to 1,568 square feet and to construct a 12'x16' patio in place of the approved deck. Minor grading to accompany these changes.

Vice Chairman Porter made a Motion to find the change insignificant to the WPA; it was seconded by Commissioner Townsend and unanimously approved.

**131 Salem Street**
**Present in Interest: Dennis Griecchi**
Request for an Insignificant Change. A walkway was constructed with permeable pavers in the same footprint as the asphalt walkway with no impact to the wetland.

Vice Chairman Porter made a Motion to find the change insignificant to the WPA; it was seconded by Commissioner Townsend and unanimously approved.
Field Pond Dam and Dike Rehabilitation
Present in Interest: Allen Orsi, Jim Sutton
Request for a waiver of site monitoring. Allen Orsi provided a letter based on the success of past project and including the qualifications of personnel working on this project. Staff stated this is a complicated project and would like to keep the independent site monitor. Chairman Cooper stated he was reluctant to make the change to remove the site monitor as this would be setting a precedent for every project after this to discuss the need for a site monitor. Jim Sutton, an abutter, informed the Commission he would like to keep the site monitor in place. Vice Chairman Porter agreed that it is our policy to employ a site monitor. Commissioner Townson made a Motion to deny the request to waive the site monitor; it was seconded by Commissioner Driscoll and unanimously approved.

CONSENT AGENDA:
Minutes
Approval of Minutes from September 17, 2019.

131 Salem Street
Request for a Certificate of Compliance.

1 Burtt Road
Request for a Certificate of Compliance. Table

Vice Chairman Porter made a Motion to approve the Consent Agenda, excepting 1 Burtt Road it was seconded by Commissioner Townson and unanimously approved.

DISCUSSION ITEMS/ LATE ITEMS:
CIP FY2020
Bob Douglas presented the CIP proposals for FY2020 to the Commission for review. Commissioner Townson expressed her concern with the proposals being put forth for projects on Conservation Land without prior approval of the Commission. Staff provided an explanation of the CIP process, including an email from Deputy Town Manager Mike Lindstrom. Moving forward the Commissioners will submit ideas with proposals and costs for CIP projects no later than June 1st and the Commission will review all ideas prior to the deadline for CIP submittals to the Town Manager.

Eagle Scout Project
Present in Interest: Garrett Shokum and Len Shokum
Garrett’s project includes extending an existing trail at Yardley Road, construction of 2 benches and a kiosk at the road. He will also remove trash from the site. He provided a handout to the
Commission detailing the project. Chairman Cooper recommended Bob DeCelle be present for the beginning of the project. Garrett confirmed he has spoken with Bob DeCelle. Commissioner Townson made a Motion to approve the project; it was seconded by Commissioner Greenwood and unanimously approved.

400 Federal Street
Bob Douglas informed the Commission that a leak of less than 10 gallons of hydraulic fluid from a Waste Management trash compactor onsite due to a mechanical problem. An LSP was on site and DEP was contacted. ACV Environmental was contacted and deployed absorbent booms in the stormwater retention pond and absorbent pads at the initial spill location.

High Plain Road- Art in Public Places
Cassie Doyon has reached out to Staff asking to place one of her sculptures at a Reservation. The Community Garden would be a good site for this. Vice Chairman Porter asked if there was a timeframe for the placement of the sculpture. Chairman Cooper recommended Staff check with Town Counsel and the Land Group for any further information we may need.

The meeting was adjourned at 9:50 pm by Motion of Vice Chairman Porter seconded by Commissioner Honea and unanimously approved.

The next meeting is scheduled for October 15, 2019 at 7:45pm.

Respectfully Submitted,

Lynn Viselli,
Recording Secretary