

## Select Board Meeting

Tuesday, June 7, 2022 7:00 PM

School Administration Building

2<sup>nd</sup> Floor School Committee Conference Room

30 Whittier Court, Andover, MA 01810

ANDOVER TOWN CLERK  
ROUD 2022 JUN 8 AM 11:08

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**I. Call to Order – 7:00 P.M.**

**II. Opening Ceremonies**

- A. Moment of Silence/Pledge of Allegiance
- B. Proclamation in Recognition of Pride Month

**III. Communications/Announcements/Liaison Reports**

**IV. Citizens Petitions and Presentations**

**V. Regular Business**

A. Preservation Restriction

Board to review and consider voting to approve and accept a Preservation Restriction at 275 South Main Street.

B. Acceptance of Gift from Andover Home for Aged People

Board to consider voting to accept a gift of \$16,000 from the Andover Home for Aged People to Andover Elder Services for podiatry care.

C. Special Municipal Employee Disclosure

Board to review and consider voting to sign Disclosure by a Special Municipal Employee of Financial Interest in Municipal Contract as required by M.G.L. c. 268A, § (20D).

D. Select Board Goal Discussion

Board to discuss potential goals for 2022-2023 Town Manager & Select Board Strategic Goals & Objectives.

**VI. Consent Agenda**

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved and that members of the Andover High School Building Committee be designated as Special Municipal Employees.

Department	Name	Position	Rate/Term	Date of Hire
Andover Fire Rescue	Cameron Connor (Deming Yang)	Firefighter	\$61,359.82/yr	7/5/2022
Andover Fire Rescue	Andrew Silvestro (John McMullen)	Firefighter	\$61,359.82/yr	7/5/2022

Department of Public Works	Nicholas Viens ( <i>Randy Farnan</i> )	Highway Equipment Operator I	\$26.68/hr	6/21/2022
Department of Public Works	Miguel Hernandez ( <i>Patrick Kelley</i> )	Highway Equipment Operator I	\$25.87/hr	6/21/2022
Department of Public Works	Kevin Ring	Temporary Seasonal	\$18.00/hr	5/23/2022
Human Resources	Lynn Wronkowski	Temporary Benefits Assistant	\$40.00/hr	6/13/2022
Memorial Hall Library	Jianna Christopher	Temporary Sunday Substitute Librarian	\$45.00/hr	6/8/2022
Memorial Hall Library	Laura Harrington	Temporary Sunday Substitute Librarian	\$45.00/hr	6/8/2022
Community Services – Youth Services	Dia Arora	Seasonal	\$15.00/hr	5/2/2022
Community Services – Youth Services	Kaitlin MacAllister	Seasonal	\$15.00/hr	6/7/2022
Community Services – Youth Services	Lorenzo Raponi	Seasonal	\$15.00/hr	5/10/2022
Andover High School Building Committee	Andrew Flanagan	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Dr. Magda Parvey	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Caitlin Brown	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Janet Nicosia	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Mark Johnson	Chair	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Nancy Kimmelman	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Michael Prout	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Shannon Scully	Member	Term Expires June 30, 2025	6/7/2022
Andover High School Building Committee	Taylor Webber	Member	Term Expires June 30, 2025	6/7/2022

**VII. Approval of Minutes**

A. Board to approve minutes from the following meetings:

1. April 2, 2022
2. May 18, 2022

## VIII. Adjourn

*If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager's Office at 978-623-8215 or by email at [kathryn.forina@andoverma.us](mailto:kathryn.forina@andoverma.us)*

MEETINGS ARE TELEVISED ON  
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

**PROCLAMATION**

**WHEREAS:** The Andover Select Board recognizes and proclaims the month of June 2022 as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Pride Month throughout Andover; and

**WHEREAS:** Andover recognizes that all human beings are born free and equal in dignity and rights. LGBTQ+ individuals have had immeasurable impact to the cultural, civic and economic successes of our town; and

**WHEREAS:** Andover is committed to supporting visibility, dignity and equality for LGBTQ+ people in our diverse community; and

**WHEREAS:** Celebrating Pride Month influences awareness and provides support and advocacy for Andover's LGBTQ+ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance, eliminate prejudice and advance equal rights.

**NOW, THEREFORE:** We, the Town of Andover Select Board hereby issue this Proclamation and declares June 2022 LGBTQ+ Pride Month in the Town of Andover and urge all residents to take part in this observance.

*IN WITNESS WHEREOF*, we have hereunto set our hands and caused the seal of the Town of Andover to be affixed this seventh day of June in the year two thousand twenty-two.

\_\_\_\_\_  
Alexander J. Vispoli, Chair

\_\_\_\_\_  
Laura M. Gregory, Vice-Chair

\_\_\_\_\_  
Annie Gilbert, Clerk

\_\_\_\_\_  
Melissa Danisch, Member

\_\_\_\_\_  
Christian Huntress, Member



## The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

April 13, 2022

Mark B Johnson, Esquire  
Johnson & Borenstein, LLC  
12 Chestnut St  
Andover, MA 01810

RE: Preservation Restriction Agreement, 275 South Main Street (aka Hannah Parker – Elizabeth Woods House; trad. Leonard Woods House), Andover MA (MHC # ANV.279)

Dear Attorney Johnson:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the revised draft Preservation Restriction Agreement received April 6, 2022 for the property at 275 South Main Street, Andover, Massachusetts. The following comments are provided under the MHC's approval authority for preservation restrictions under M.G.L. Chapter 184, Section 32. The MHC is prepared to approve the Preservation Restriction Agreement for 275 South Main Street, Andover conditional upon the incorporation of the following comments:

- 1) Page 19. Exhibit A. Please delete the bottom 3 lines currently on the Exhibit A page: "[NOTE: LEGAL DESCRIPTION TO BE CONFIRMED TO FINAL DEED AND UPDATED TO INSERT BOOK AND PAGE REFERENCES UPON CLOSING AND PRIOR TO RECORDING]".

Once these final edits are completed the Agreement can be executed by Grantor and Grantee. No further review by MHC is needed. Once executed, the complete original Agreement (or multiple originals if they have been created) with all Exhibits should be forwarded to the MHC for its signature approval. Before forwarding please review all the notary signature verifications to assure they have been correctly completed. Notary errors and omissions are common, and MHC will not approve Agreements with any irregularities in the signature verifications.

Once approved we will return the Agreement to you for recording at the Registry of Deeds. Once the Agreement has been recorded, we ask that you return to us a Registry facsimile copy of the complete agreement, showing the Registry recording and date-received stamps, for our files. Please don't hesitate to contact me with any questions regarding the comments included in this letter.

Best regards,

A handwritten signature in blue ink, appearing to read "Michael Steinitz".

Michael Steinitz  
Deputy State Historic Preservation Officer  
Director, Preservation Planning Division  
Massachusetts Historical Commission  
Michael.steinitz@sec.state.ma.us  
978-836-2438 (mobile)

xc: Karen Herman, Andover Preservation Commission

## PRESERVATION RESTRICTION AGREEMENT

The parties to this Preservation Restriction Agreement are the Town of Andover, by and through the Andover Preservation Commission located at 36 Bartlett Street, Andover, MA 01810, hereinafter referred to as the Grantee, and 275 South Main Street, LLC of 18 Cassimere Street, Andover, MA 01810, hereinafter referred to as the Grantor.

WHEREAS, the Grantor is the owner of certain real property with improvements thereon, the Hannah Parker-Elizabeth Woods House (traditionally known as the Leonard Woods House), with a permanent foundation located at 275 South Main Street in Andover, Massachusetts (formerly located at 1 Judson Road in Andover), hereinafter referred to as the "Premises," which is described in Grantor's Deed recorded with the Essex North Registry of Deeds (the "Registry") in Book 17214, Page 229, and in **Exhibit A**, attached hereto and incorporated herein by reference. The Premises is further described as Lot 1, consisting of 36,689 S.F., on a plan entitled "Plan of Land in Andover, Mass., Prepared for: Pensco Trust Co., Date: April 26, 2016, Scale: 1" 20', Prepared by Andover Consultants, Inc., 1 East River Place, Methuen, Mass. 01844" recorded with the Registry as Plan No. 17459, a copy of which is attached hereto and incorporated herein by reference as **Exhibit B**.

WHEREAS, the Grantor wishes to impose certain restrictions, obligations and duties upon it as the owner of the Premises and on the successors to its right, title and interest therein, with respect to the Hannah Parker-Elizabeth Woods House (traditionally known as the Leonard Woods House) (the "House") located on the Premises in order to protect the architectural, archaeological and historical integrity thereof;

WHEREAS, the Grantee is a governmental body organized under the laws of the Commonwealth of Massachusetts and is authorized to accept these preservation restrictions under M.G.L. Chapter 184, sections 31, 32, and 33 (hereinafter referred to as the "Act");

WHEREAS, this Preservation Restriction Agreement is in accordance with the Andover Zoning Board of Appeals ("ZBA") Decision No. Z-20-42, dated June 19, 2020 and recorded with the Registry in Book 16430, Page 287, a copy of which is attached hereto and incorporated herein by reference as **Exhibit C**, and with the Andover Preservation

Commission Decision, dated July 30, 2020, a copy of which is attached hereto and incorporated herein by reference as Exhibit D;

WHEREAS, the House in its prior location at 1 Judson Road, Andover, Massachusetts, was included in the Andover Historic Building Survey and the Inventory of Historic and Archaeological Assets of the Commonwealth;

WHEREAS, the House is historically significant for its architecture, associations, and/or archeology, and qualifies for the protections of perpetual preservation restrictions under the Act;

WHEREAS, the preservation of the Premises with the House is important to the public for the enjoyment and appreciation of its architectural, archaeological and historical heritage and will serve the public interest in a manner consistent with the purposes of the Act; and

NOW, THEREFORE, for good and valuable consideration, the Grantor conveys to the Grantee the following preservation restrictions which shall apply in perpetuity to the Premises. These preservation restrictions are set forth so as to ensure the preservation of those characteristics which contribute to the architectural, archaeological and historical integrity of the House, which has been listed in the Andover Historic Building Survey, a copy of the inventory form being attached hereto and incorporated herein by reference as Exhibit E.

Characteristics which contribute to the architectural, archaeological and historical integrity of the House include, but are not limited to, the artifacts, features, materials, appearance, and workmanship of the House, including those characteristics which originally qualified the House for listing in the Andover Historic Building Survey. The terms of the Preservation Restriction are as follows:

1. MAINTENANCE OF PREMISES. After the completion of the work authorized by the ZBA pursuant to Decision No. Z-20-42, including relocating the House to the Premises and completing the authorized demolition, alterations and reconstruction work to the House as described in such ZBA Decision No. Z-20-42 and in the plans as referenced therein, and which are attached hereto and incorporated herein by reference as Exhibit F (the "Plans"), including without limitation such alterations and improvements to the Plans in accordance

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with the requirements of Andover Preservation Commission Decision, dated July 30, 2020, and which is attached to this Agreement (**Exhibit D**); the Grantor and its successors and assigns shall be responsible for the continued maintenance, repair and administration of the exterior of the House and Premises so as to preserve the characteristics which contribute to the architectural, archaeological and historical integrity of the House and Premises in a manner satisfactory to the Grantee according to the Secretary of the Interior's "*Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*" (36 C.F.R. 67 and 68), as these may be amended from time to time (hereinafter the "*Secretary's Standards*"). The Grantor may seek financial assistance from any source available to it. The Grantee does not assume any obligation for maintaining, repairing or administering the Premises.

2. INSPECTIONS. The Grantor agrees that the Grantee may inspect the Premises from time to time upon reasonable notice to determine whether the Grantor is in compliance with the terms of this Preservation Restriction Agreement.

3. INSURANCE. Grantor shall keep the Premises insured by an insurance company rated "A" or better by Best's for the full replacement value against loss from perils commonly insured under standard fire and extended coverage policies and comprehensive general liability insurance against claims for personal injury, death and property damage. The Grantor shall deliver to the Grantee, within ten (10) business days of the Grantee's written request thereof, certificates of such insurance coverage. Provided, however, that whenever the Premises are encumbered with a mortgage or deed of trust, nothing contained in this paragraph shall jeopardize the prior claim, if any, of the mortgagee/lender to the insurance proceeds.

4. ALTERATIONS. The Grantor agrees that no exterior alterations, changes or additions shall be made to the House beyond those allowed by ZBA Decision No. Z-20-42 or as shown on the Plans, unless such alterations, changes or addition (a) is approved as a minor modification by the Andover Preservation Commission; (b) is authorized by the Andover ZBA Decision No. Z-20-42; (c) is clearly of minor nature and not affecting the characteristics which contribute to the architectural, archaeological or historical integrity of the House, or (d) the Grantee has previously determined that it will not impair such characteristics after reviewing plans and specifications submitted by the Grantor, (in its review the Grantee will apply the *Secretary's Standards* to all proposed work), or (e) required by casualty or other emergency promptly reported to the Grantee. Ordinary maintenance and repair of the House

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may be made without the written permission of the Grantee. For the purpose of this section, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair shall be governed by the terms of the Restriction Guidelines, which are attached hereto and incorporated herein by reference as Exhibit G, provided however that all work authorized by the ZBA pursuant to Decision No. Z-20-42 and the Plans, as modified by the requirements of the Andover Preservation Commission Decision, dated July 30, 2020 in connection therewith shall be allowed.

4.1 REVIEW OF GRANTOR'S REQUESTS FOR APPROVAL. Grantor shall submit to the Grantee for the Grantee's approval of activities proposed, relative to the terms set out in Section 4, two copies of information (including plans, specifications, and designs where appropriate) identifying the proposed activity with reasonable specificity. In connection therewith, Grantor shall also submit to the Grantee a timetable for the proposed activity sufficient to permit the Grantee to monitor such activity. Within forty- five (45) days of the Grantee's receipt of any plan of written request for approval hereunder, Grantee shall certify in writing that (a) it approves the plan or request, or (b) it disapproves the plan or request as submitted, in which case the Grantee shall provide Grantor with written suggestions for modification or a written explanation for the Grantee's disapproval. Any failure by the Grantee to act within forty-five (45) days of the receipt of Grantor's submission or resubmission of plans or requests shall be deemed to constitute approval by the Grantee of the plan or request as submitted and to permit Grantee to undertake the proposed activity in accordance with the plan or request submitted, so long as the request sets forth the provisions of this Section relating to deemed approval after the passage of time, provided nothing herein shall be construed to permit Grantor to undertake any of the activities prohibited hereunder.

4.2 STANDARDS FOR REVIEW. In exercising any authority created by this Preservation Restriction Agreement to inspect the Premises, to review any construction, alteration, repair, or maintenance, or to review casualty damage or to reconstruct or approve reconstruction of the House or additions thereto following casualty damage, the Grantee shall apply the Secretary's Standards.

4.3 ALTERATION, ADDITION, AND MODIFICATION IN THE EVENT OF DAMAGE. In the event of damage to the historic structure, by natural causes or otherwise, such that the House cannot be repaired, the Grantor will notify Grantee within fourteen (14) days of such damage and may perform temporary reconstruction, so as to prevent further damage. Subject to the conditions and requirements of Sections 4, 4.1, 4.2, 4.4 and 4.5 of this Preservation

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Restriction, Grantor may rebuild on the Premises, provided that the new dwelling does not contain more than the same interior floor area as the historic structure, as it is relocated, altered and reconstructed pursuant to the work authorized by ZBA Decision No. Z-20-42 and meets one of the following requirements: (i) the new dwelling is placed in the existing footprint; or (ii) the new dwelling is built in conformity with the zoning side, front and rear setbacks in effect at the time of rebuilding.

4.4 CASUALTY DAMAGE OR DESTRUCTION. In the event that the House or any part thereof shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement or other casualty, Grantor shall notify Grantee in writing within fourteen (14) days of the damage or destruction, such notification shall include what, if any, emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the House and to protect public safety, shall be undertaken by Grantor without Grantee's prior written approval of the work. Within thirty (30) days of the date of damage or destruction, a report shall be prepared by a qualified restoration architect and an engineer who are acceptable to the Grantor and the Grantee, which report shall include the following: (i) an assessment of the nature and extent of the damage; (ii) a determination of the feasibility of the restoration of the House and/or reconstruction of damaged or destroyed portions of the House; and (iii) a report of such restoration/reconstruction work necessary to return the House to its condition following the completion of the work approved in accordance with ZBA Decision No. Z-20-42 and the Plans, as modified by the requirements of the Andover Preservation Commission Decision, dated July 30, 2020.

4.5 REVIEW AFTER CASUALTY DAMAGE OR DESTRUCTION. If, after reviewing the report provided in Section 4.4 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims, Grantor and Grantee agree that the Purpose of the Preservation Restriction Agreement will be served by such restoration/reconstruction, Grantor and Grantee shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the House in accordance with plans and specifications consented to by the parties up to at least the total of the casualty insurance proceeds available to Grantor.

If, after reviewing the report provided in Section 4.4 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims, Grantor and Grantee agree that restoration/reconstruction of the House is impractical or impossible, or agree that the Purpose of the Preservation Restriction would not be served by

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such restoration/reconstruction, Grantor, may with the prior written consent of the Grantee, demolish, remove or raze the House or construct new improvements on the Premises subject to the requirements of Section 4.1 and 4.2 of this Preservation Restriction Agreement and all in accordance with applicable laws and regulations. If after reviewing the report provided in Section 4.4 and assessing the availability of insurance proceeds after satisfaction of any mortgage's/lender's claims, Grantor and Grantee are unable to agree that the purpose of the Preservation Restriction Agreement will or will not be served by such restoration/reconstruction, the matter may be referred by either party to binding arbitration and settled in accordance with the Commonwealth of Massachusetts arbitration statute then in effect.

5. PROHIBITED ACTIVITIES. The following acts or uses are expressly forbidden on, over, or under the Premises, except as otherwise conditioned herein:

a. after completion of the work permitted under ZBA Decision No. Z-20-42 and the Plans, as modified by the requirements of the Andover Preservation Commission Decision, dated July 30, 2020, the House shall not be demolished, removed or razed except as provided in section 4, 4.1, 4.2 and 4.3, above;

b. no new structures, including, but not limited to, satellite receiving dishes (small rooftop dishes excluded), camping accommodations or mobile homes, shall be erected or placed on the Premises hereafter except for temporary structures required for the maintenance or rehabilitation of the Premises, such as construction trailers;

c. the dumping of ashes, trash, rubbish, or any other unsightly or offensive materials is prohibited on the Premises;

d. the Premises shall not be divided or subdivided in law or in fact and the Premises shall not be devised or conveyed except as a unit; and,

e. no above ground utility transmission lines, except those reasonably necessary to serve the House on the Premises, may be created on the Premises, subject to utility easements already recorded.

6. INDEMNIFICATION. TAXES. LIENS.

6.1 INDEMNIFICATION. Grantor hereby agrees to pay, protect, indemnify, hold harmless and defend at its own cost and expense, Grantee, its agent, directors and employees, or independent contractors from and against any and all claims, liabilities, expenses, costs, damages, losses, and expenditures (including reasonable attorney's fees and disbursements hereafter incurred) arising out of or in connection with injury to or death of any person; physical damage to the Premises; the presence or release in, on, or about the Premises, at any time, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any law, ordinance or regulation as a hazardous, toxic, pollution, or contaminating substance; or other injury or other damage occurring on or about the Premises, unless such injury or damage is caused by Grantee or any agent, trustee, employee, or contractor of Grantee. In the event that Grantor is required to indemnify Grantee pursuant to the terms of this section, the amount of such indemnity, until discharged, shall constitute a lien on the Premises with the same effect and priority as a mechanic's lien. Provided, however, that nothing contained herein shall jeopardize the priority or any recorded lien of mortgage or deed of trust given in connection with the promissory note secured by the Premises.

6.2 TAXES. Grantor shall pay immediately, when first due and owing, all general taxes, special taxes, special assessments, water charges, sewer service charges, and other charges which may become a lien on the Premises unless Grantor timely objects to the amount or validity of the assessment or charge and diligently prosecutes an appeal thereof, in which case the obligation to pay such charges shall be suspended for the period permitted by law for prosecuting such appeal and any applicable grace period following completion of such action. Grantee is hereby authorized but in no event required or expected, to make or advance upon three (3) days prior written notice to Grantor in the place of Grantor, any payment relating to taxes, assessments, water rates, sewer rentals and other governmental or municipality charge, fine, imposition, or lien procured from the appropriate public office without inquiry into the accuracy of such bill, statement or assessment or into the validity of such tax, assessment, sale or forfeiture. Such payment if made by Grantee shall constitute a lien on the Premises with the same effect and priority as a mechanic's lien. Provided, however, that nothing contained herein shall jeopardize the priority of any recorded lien of mortgage or deed of trust given in connection with a promissory note secured by the Premises.

6.3 LIENS. Any lien on the Premises created pursuant to any paragraph of this Preservation Restriction Agreement may be confirmed by judgment and foreclosed by Grantee in the same manner as a mechanic's lien. Provided, however, that no lien created

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pursuant to this Restriction shall jeopardize the priority of any recorded lien of mortgage or deed of trust give in connection with a promissory note secured by the Premises.

7. GRANTEE'S REMEDIES. Grantee may, following reasonable written notice to Grantor, institute suit(s) to enjoin any violation of the terms of this Restriction by ex parte, temporary, preliminary, and/or permanent injunction, including prohibitory and/or mandatory injunctive relief, and to require the restoration of the Premises and Building to the condition and appearance required under this Restriction. Grantee shall also have available all legal and other equitable remedies to enforce Grantor's obligations hereunder.

In the event Grantor is found to have violated any of its obligations, Grantor shall reimburse Grantee for any reasonable costs or expenses incurred in connection with Grantee's enforcement of the terms of this Preservation Restriction Agreement, including all reasonable Court costs, and attorney's, architectural, engineering, and/or expert witness fees.

Exercise by Grantee of one remedy hereunder shall not have the effect of waiving or limiting any other remedy, and the failure to exercise any remedy shall not have the effect of waiving or limiting the use of any other remedy or the use of such remedy at any other time.

8. NOTICE FROM GOVERNMENT AUTHORITIES. Grantor shall deliver to Grantee copies of any notice of violation or lien relating to the Premises received by Grantor from any government authority within five (5) days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.

9. NOTICE OF PROPOSED SALE. Grantor shall promptly notify Grantee in writing of any proposed sale of the Premises. Grantor shall provide new owners with a copy of this restriction and provide the opportunity for Grantee to explain the terms of the Preservation Restriction Agreement to potential new owners prior to sale closing.

10. VALIDITY AND SEVERABILITY. The invalidity of M.G.L. Chapter 184 or any part thereof shall not affect the validity and enforceability of this Agreement according to its terms. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement.

11. RECORDING. The Grantor agrees to record this Agreement with the Registry and

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to file a copy of such recorded instrument with the Grantee.

12. RESTRICTIONS SHALL RUN WITH THE LAND. The burden of these restrictions shall run with the land and shall be binding on all future owners of the interest therein. The right of enforcement shall be as provided for in the Act. Anything contained herein to the contrary notwithstanding, an owner of the Premises, shall have no obligation pursuant to this instrument where such owner shall cease to have any ownership interest in the Premises by reason of a bona fide transfer. The restrictions, stipulations, and covenants contained herein shall be inserted by Grantor, verbatim or by express reference, in any subsequent deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Premises or any part, thereof, including by way of example and not limitation, a lease of all or a portion of the Premises.

13. INTERPRETATION. The following provisions shall govern the effectiveness, interpretation, and duration of this Agreement.

a. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of Premises shall not apply in the construction or interpretation of this Restriction and this instrument shall be interpreted broadly to affect its purpose and the transfer of rights and the restrictions on use herein contained.

b. This instrument is executed in two counterparts, one of which is to be retained by Grantor and the other, after recording, to be retained by Grantee.' In the event of any disparity between the counterparts produced, the counterpart retained by Grantee shall in all cases govern. Except as provided in the preceding sentence, each counterpart shall constitute the agreement of the parties.

c. This instrument is made pursuant to the Act, but the invalidity of such statute or any part thereof shall not affect the validity and enforceability of this Restriction according to its terms, it being the intent of the parties to agree and to bind themselves, their successors and their assigns in perpetuity to each term of this instrument whether this instrument be enforceable by reason of any statute, common law, or private agreement either in existence now or at any time subsequent hereto.

d. Nothing contained herein shall be interpreted to authorize or permit Grantor to violate any ordinance or regulation relating to building materials, construction methods or use. In the event of any conflict between any such ordinance or regulation and the

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terms hereof Grantor promptly shall notify Grantee of such conflict and shall cooperate with Grantee and the applicable governmental entity to accommodate the purposes of both this Restriction and such ordinance or regulation.

14. RECORDING AND EFFECTIVE DATE. The terms of this Agreement shall not take full force or effect until approved and signed by the Massachusetts Historical Commission, Andover Preservation Commission and the Andover Select Board and recorded with the Registry.

15. EXTINGUISHMENT. Grantor and Grantee hereby recognize that an unexpected change in the conditions surrounding the Premises may make impossible the continued use of the Premises for the purpose of this Preservation Restriction Agreement and necessitate extinguishment of the Preservation Restriction Agreement, provided, however, that no such extinguishment shall prevent the Grantor from rebuilding the dwelling in accordance with Section 4 hereof. Such a condition may include, but is not limited to, partial or total destruction of the House resulting from casualty. Such an extinguishment must meet all the requirements of the Act and the laws of the Commonwealth for extinguishment, including approvals following public hearings by the Town of Andover and by the Massachusetts Historical Commission to determine that such extinguishment is in the public interest.

16. BASELINE DOCUMENTATION. Following the completion of the work authorized by ZBA Decision No. Z-20-42, as modified by Andover Preservation Commission Decision dated July 30, 2020, Grantor shall record promptly a comprehensive set of high resolution photographic documentation images depicting in detail the exterior appearance of the House, said photographic documentation to be filed with and maintained by the Town of Andover and the Andover Preservation Commission in archival quality print and digital electronic format at Town of Andover municipal offices, together with a numbered list of the photographs indicating photographic view and date taken, said photographic documentation to be used in the administration and enforcement of the Purpose and Terms of this Preservation Restriction Agreement. Said baseline documentation when filed shall be incorporated herein by this reference as a supplemental addition to the Pre-Rehabilitation Photographs presently attached hereto and incorporated herein by this reference as Exhibit H. An additional copy of the Baseline Documentation shall be filed with the Massachusetts Historical Commission.

17. ARCHAEOLOGICAL ACTIVITIES. The conduct of archaeological activities on the

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Premises, including without limitation survey, excavation, and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by the Granter and approved in writing by the Grantee and the State Archaeologist of the Massachusetts Historical Commission (M.G.L. c.9, Sec. 27C, 950 C.M.R. 70.00).

18. SUBORDINATION OF PRIOR LIENS. Grantor represents and warrants to Grantee that the Premises is not subject to any mortgages, liens, or leases prior in right to this Preservation Restriction Agreement (“Restriction”) other than the following: Mortgage granted by 275 South Main Street, LLC to William S. MacLeod, Trustee of The MacLeod Keogh Realty Trust of 2002, recorded with Essex North District Registry of Deeds in Book 17214, Page 235; Mortgage granted to Peter MacLeod and Bridget MacLeod, recorded with the Essex North Registry of Deeds, Book 17302, Page 228; Mortgage granted to William S. MacLeod, Trustee of the MacLeod Realty Trust of 2002, recorded with the Essex North Registry of Deeds, Book 17397, Page 39. William S. MacLeod, Trustee of The MacLeod Keogh Realty Trust of 2002, has subordinated the Trust’s mortgages to this Restriction, and Peter MacLeod and Bridget MacLeod have subordinated their mortgage to this Restriction with their Assents attached hereto and recorded herewith. Grantor agrees not to enter into or permit other mortgages, liens or leases affecting the Premises prior in right to this Restriction.

*[Signatures Follow on Next Page]*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement under seal as of the 27 day of April, 2022.

Grantor:  
275 South Main Street, LLC

  
Kevin O'Brien, Manager

COMMONWEALTH OF MASSACHUSETTS

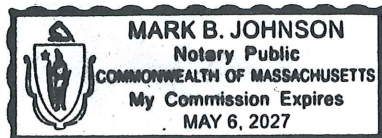
Essex, ss.

On this 27 day of April, 2022, before me, the undersigned notary public, personally appeared Kevin O'Brien, Manager of 275 South Main Street, LLC and proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me; or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose as Manager of 275 South Main Street, LLC.

  
Notary Public

Printed Name: Mark B. Johnson

My Commission Expires: May 6, 2027



APPROVAL AND ACCEPTANCE BY THE ANDOVER SELECT BOARD

The undersigned hereby certifies that the foregoing preservation restrictions have been approved and accepted pursuant to Massachusetts General Laws, Chapter 184, Section 32, on the \_\_\_\_ day of \_\_\_\_\_, 202\_.

Andover Select Board

By: \_\_\_\_\_  
Printed Name: Christian C. Huntress,  
Chair

By: \_\_\_\_\_  
Printed Name: Alexander J. Vispoli,  
Vice Chair

By: \_\_\_\_\_  
Printed Name: Melissa Danisch,  
Member

By: \_\_\_\_\_  
Printed Name: Annie Gilbert,  
Member

By: \_\_\_\_\_  
Printed Name: Laura M. Gregory,  
Member

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Christian C. Huntress, Chair of the Andover Select Board, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me; or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Alexander J. Vispoli, Vice Chair of the Andover Select Board, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me; or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Melissa Danisch, Member of the Andover Select Board, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me; or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Annie Gilbert, Member of the Andover Select Board, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me;  or personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Laura M. Gregory, Member of the Andover Select Board, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me; or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

ACCEPTANCE BY THE ANDOVER PRESERVATION COMMISSION

The undersigned hereby certifies that the foregoing preservation restrictions have been approved and accepted pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Andover Preservation Commission

By: Karen M. Herman  
Karen Herman, Chair, duly authorized

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 9 day of May, 2022, before me, the undersigned notary public, personally appeared Karen Herman, and proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me;  or personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose, acting in her capacity as duly authorized Chair of the Andover Preservation Commission.



[Signature]  
Notary Public  
Printed Name: Mark B. Johnson  
My Commission Expires: 5/6/2027

APPROVAL BY THE MASSACHUSETTS HISTORICAL COMMISSION

The undersigned hereby certifies that the foregoing preservation restrictions have been approved pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Massachusetts Historical Commission

By \_\_\_\_\_  
Brona Simon, Executive Director and Clerk,  
Massachusetts Historical Commission

**COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, the undersigned notary public, personally appeared Brona Simon, and proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency;  personally known to me;  or personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose, acting in her capacity as Executive Director and Clerk of the Massachusetts Historical Commission.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:

## EXHIBIT A

### Legal Property Description of Premises

The land together with any improvements thereon, commonly known as 275 South Main Street, being located in Town of Andover, County of Essex, Commonwealth of Massachusetts, and being shown as "Lot 1" on a plan entitled "Plan of Land in Andover, Mass., Prepared for: Pensco Trust Co., Date: April 26, 2016, Scale: 1"= 20', Prepared by Andover Consultants, Inc., 1 East River Place, Methuen, Mass. 01844" recorded with the Registry as Plan No. 17459, all as more particularly described and shown on said plan, and consisting of 36,689 S.F., more or less, according to said plan.

Being the same Premises as are described in Grantor's Deed recorded with the Registry in Book 17214, Page 229.

**EXHIBIT B**

Plan of Premises – Essex North Registry of Deeds Plan No. 17459

See plan entitled “Plan of Land in Andover, Mass., Prepared for: Pensco Trust Co., Date: April 26, 2016, Scale: 1” = 20’, Prepared by Andover Consultants, Inc., 1 East River Place, Methuen, Mass. 01844” recorded with the Registry as Plan No. 17459, a copy of which is attached hereto and incorporated herein.

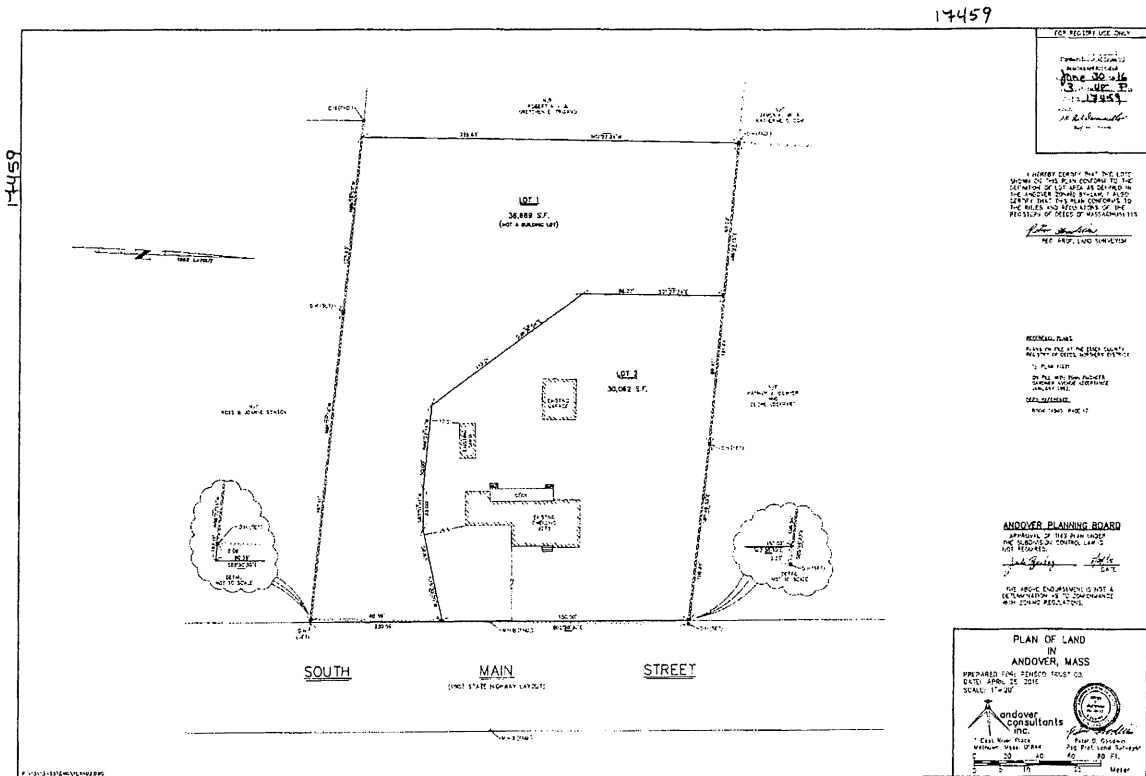


EXHIBIT C

Andover Zoning Board of Appeals Decision Z-20-42

See copy of Andover Zoning Board of Appeals Decision Z-20-42, dated March 9, 2020 and recorded with the Registry at Book 16430, Page 287, a copy of which is attached hereto and incorporated herein.



Bk 16430 Pg287 #20096  
08-05-2020 @ 10:11a  
Essex North Registry

**DECISION OF THE  
ZONING BOARD OF APPEALS  
ANDOVER, MASSACHUSETTS**

(Space above reserved for Registry of Deeds)  
(Space below reserved for Town Clerk)

**Decision Number:** Z-20-42

**Date Application Filed:** March 9, 2020

**Applicant:** Joshua Kelly  
89 North Main Street, Suite 206  
Andover, MA 01810

**Premises Affected:** Land at 275 <sup>South St</sup> North Main Street  
Located in Zoning District SRB  
Town Assessor's Map 78, Lots 28A  
Essex North Registry of Deeds Book 14595, Page 17

**Owner of Record:** Pensco Trust Company  
Custodian: William P. Buck and Anne Marie Associates, LLC  
89 North Main Street, Suite 202  
Andover, MA 01810

**Relief Requested:** Special Permit under Article VIII, §7.9

**Public Notice:** Notice published in the Andover Townsman on March 19 and 26, 2020, and notice sent by mail, postage prepaid, to all interested parties pursuant to the provisions of Massachusetts General Laws.

**Public Hearing(s) held:** April 2, 2020, continued to May 7, 2020 without opening and June 4, 2020

**Decision of the Board:** Special Permit under Article VIII, §7.9 GRANTED with conditions

**Members participating:** Oltman, McDonough, Rechisky, Casper, Faulk

**Date of Decision:** June 19, 2020

RECEIVED  
7-7-20

275 South Main Street  
Decision No. Z-20-42

## I. FACTS PRESENTED AT THE PUBLIC HEARING

A public hearing was held virtually on [www.andovertv.org](http://www.andovertv.org) on Thursday, June 4, 2020 at 6:30 p.m. on the petition of Joshua Kelly for a Special Permit under Article VIII, §7.9 to move a historic house from 1 Judson Road, Andover, to 275 North Main Street. Present were: Elizabeth Oltman, Chair; Carol C. McDonough, Clerk; Lisa Rechisky, Daniel Casper, and Kathy Faulk, Members; David Guerette, Ellen Keller and Michael Novaria, Associate Members.

Joshua Kelly appeared before the Board on his own behalf as the Applicant. Mr. Kelly is requesting a Dimensional Special Permit for Historic Preservation pursuant to §7.9 of the Zoning By-law. The Parent Parcel is a 36,689 SF property located at 275 South Main Street in the SRB district. Mr. Kelly proposes to relocate the existing historic structure located at 1 Judson Road, known as the Leonard Woods House, to the Parent Parcel.

Mr. Kelly proposes to relocate the main two story "box" structure. Two existing additions to the "box" structure will be removed and the two chimneys will be dismantled. The Leonard Woods House will be restored at the new location with new siding, exterior trim, roofing, windows, etc. A garage addition will be constructed on the south side of the relocated structure and a kitchen addition will be constructed on the west side of the structure. The Andover Preservation Commission has approved the proposed relocation and restoration.

The Parent Lot provides a lot area of 36,689 SF, in excess of the 30,000 SF required in the SRB district. The frontage along South Main Street is 80.59 feet, where 150 feet is required, but in excess of the 75 feet required under By-law Section 7.9.4.3. Mr. Kelly indicated that all side, rear and front yard dimensional requirements for the SRB district will be met by the reconstructed historic structure. Municipal water and sewer services will be provided.

The Andover Preservation Commission imposed a 12-month demolition delay for the Leonard Wood House on June 11, 2019 with the hope that a means to preserve the residence could be found. The structure is listed in the Academy Hill National Historic Register District. If issuance of the special permit is approved, the Applicant will execute and record a Preservation Restriction in the form required in §7.9.6.8.

The property at 275 South Main Street was the subject of two prior decisions issued by the Board. The first decision was Z-16-89, which granted a dimensional special permit for historic preservation under By-law Section 7.9, allowing the subdivision of 273 South Main Street to create a Host Lot at 275 South Main Street to facilitate the relocation of a historic structure from 33 Porter Road. The second decision was Z-17-108, which upheld a Notice of Violation by the Inspector of Buildings and denied an appeal from such Notice of Violation, modification of Decision Z-16-89 to remove conditions 10 and 11 and a variance from the requirements of By-law Section 7.9.4, upon the unsuccessful attempt to relocate the historic structure. The lot has been vacant since 2017.

The Board received emailed questions and concerns from Robert Troiano, 40 Hidden Road; David Buka, 41 Hidden Road; and Michael Suffoletto, 46 Hidden Road. Primary concerns included the prior unsuccessful attempt to relocate a historic structure to the site, drainage concerns and buffering the west property line. Mr. Kelly indicated that he would be regrading the property to prevent water runoff from the site onto adjacent properties. Mr. Kelly indicated that the prior applicant (Mr. William P. Buck) is not a party to the proposed relocation and reconstruction other than he is the current property owner. A Purchase and Sale Agreement has been signed and Mr. Buck has given Mr. Kelly authorization to apply for the special permit.

275 South Main Street  
Decision No. Z-20-42

Joanne Stinson, 277 South Main Street, contacted the Board during the meeting to confirm that the condition within Z-16-89 requiring a berm and 12 trees to be implemented along the lot line between 275 and 273 South Main Street would be maintained with the proposed reconstruction. Mr. Kelly indicated that that condition would be acceptable.

Some discussion regarding the requirement for providing additional trees or buffering along the west property line was held by the Board. Mr. Kelly agreed that he would like to maintain and/or add to the existing tree line in this location. He agreed that he would examine the trees on the 275 South Main Street property and should any trees require removal, a sufficient number of trees with a minimum of 3" diameter and 6' height would be planted equating to the number of inches of tree diameter removed.

No one else appeared before the Board to speak either for or against the petition. The Board voted unanimously to waive a viewing of the premises and to close the public hearing. The Board then proceeded to deliberate the matter. In deliberation, the sense of the Board was to approve the requested special permit with appropriate findings and conditions. The Board voted unanimously to continue its deliberation to a special meeting to be held on June 18, 2020 for the purpose of reviewing and voting on the final decision, findings and conditions.

In addition to the written application, the following documents and materials were received by the Board and considered at the public hearing:

- Plan entitled "Site Plan – 275 South Main Street" prepared by Andover Consultants, Inc., dated March 4, 2020
- Plans entitled "Relocated 1 Judson Road Historic Structure to 275 South Main Street" prepared by JK Development Group, Inc., dated March 9, 2020
- Letter from Janet Mitchell and Beverly MacLeod, owners of 1 Judson Road, granting Joshua Kelly permission to apply for permits associated with relocating the structure, dated March 7, 2020
- Letter from William Buck and Dawn Nelson-Buck, owners of 275 South Main Street, granting Joshua Kelly permission to apply for permits associated with the property
- Letter from Joshua Kelly to the Board detailing the proposed work, dated March 9, 2020
- Three photos of existing structure at 1 Judson Road
- Email from Karen Herman, Chair of the Andover Preservation Commission, dated Thursday, June 13, 2019 detailing vote to impose the 12-month demolition delay on razing the structure located at 1 Judson Road on June 11, 2019
- Letter from Karen Herman, Chair of the Andover Preservation Commission, to the Zoning Board of Appeals, dated May 15, 2020, including associated historical information on the Leonard Woods House
- Pages from the Massachusetts Cultural Resource Information System on 1 Judson Road
- Route of proposed relocation in map and written format
- Email from Paul Sanborn, Andover Tree Warden, regarding the proposed relocation route, dated March 9, 2020
- Letter from Todd Hedly, PE, of TLH Consulting, Inc., regarding the structure of the existing 1 Judson Road structure, dated March 5, 2020
- Zoning Board of Appeals Decision Z-16-89
- Zoning Board of Appeals Decision Z-17-108

275 South Main Street  
Decision No. Z-20-42

- Quitclaim Deed for transfer of 1 Judson Road to Beverly MacLeod and Janet Mitchell, dated June 21, 2019 and recorded at Essex North Registry of Deeds at Book 15889, Page 1
- Quitclaim Deed for transfer of 273 South Main Street to Pensco Trust Company, dated April 15, 2016 and recorded at Essex North Registry of Deeds at Book 14595, Page 17
- Quitclaim Deed for transfer of 273 South Main Street to Jason Anton, dated March 10, 2017 and recorded at Essex North Registry of Deeds at Book 15011, Page 160
- Letter from Robert Troiano II, 40 Hidden Road, to the Zoning Board of Appeals, dated June 4, 2020
- Email from David Buka, 41 Hidden Road, to the Zoning Board of Appeals, dated June 4, 2020
- Email from Michael Suffoletto, 46 Hidden Road, to the Zoning Board of Appeals, dated June 4, 2020

The Board deliberated and voted to approve the following findings and decision at a public meeting held virtually on [www.andovertv.org](http://www.andovertv.org) on Thursday, June 18, 2020 at 6:30 pm. Present and voting were: Elizabeth Oltman, Chair; Carol C. McDonough, Clerk; Lisa Rechisky, Daniel Casper and Kathy Faulk, Members; and Ellen Keller and David Guerette, Associate Members.

## II. FINDINGS AND DECISION OF THE BOARD

The purpose of By-law Section 7.9 is to encourage the preservation of buildings, structures, sites and settings of historic significance, by allowing such buildings or features to remain in place, or be moved to another location rather than be demolished or otherwise compromised.

The Leonard Woods House currently located at 1 Judson Road meets the definition of a historic structure by virtue of being listed within the Academy Hill National Historic Register District, as certified by the Andover Preservation Commission, and as required by §7.9.2.1 of the By-law.

Section 7.9.4 of the By-law sets forth specific standards and regulations that shall be applied to a Dimensional Special Permit for Historic Preservation. Per Section 7.9.3 the Host Lot is defined as "the lot on which the historic building or structure is currently located, or, if the historic structure is to be moved from another location, the lot on which the historic structure is to be located. A Host Lot may be the entire Parent Parcel." In this Application, 275 South Main Street is both the Parent Parcel and the Host Lot by this definition. The Board has reviewed the Application and finds as follows:

1. The Parent Parcel/Host Lot is located in the SRB district. (§7.9.4.1)
2. The Host Lot contains 36,689 square feet of contiguous upland lot area, which exceeds the 30,000 square foot minimum lot area for the SRB district. (§7.9.4.2.b)
3. The Host Lot will meet all other dimensional requirements for a Dimensional Special Permit for a property within the SRB district. It will provide 80.59 feet of lot frontage, where 75 feet is required. The relocated and reconstructed structure will provide a side yard depth of at least 15 feet, a front yard depth of at least 35 feet and a rear yard depth of at least 30 feet as required. (§7.9.4.3.b)
4. The Host Lot has its required frontage on a public way. (§7.9.4.4)
5. The Host Lot is located in the SRB Zoning Districts, and will be served by municipal sanitary sewer and water. (§7.9.4.5)

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6. The Host Lot is located in the SRB Zoning District, therefore §7.9.4.6 does not apply.
7. No New Lots will be created, therefore §7.9.4.7 and §7.9.4.8 do not apply.
8. The Host Lot is a vacant existing non-conforming lot, but will meet the standards set forth under subsections 1 through 5 above. (§7.9.4.9)
9. The Board has determined that the historic structure can be placed on the lot without detrimental effect on abutting properties or South Main Street. (§7.9.4.10)
10. No New Lots will be created, therefore §7.9.4.11 does not apply.

Section 7.9.5 of the By-law sets forth specific findings that shall be applied to a Dimensional Special Permit for Historic Preservation. The Board finds that relocating the historic structure from 1 Judson Road to 275 South Main Street is a priority in this application, since without relocation, demolition of the structure will likely result and this portion of South Main Street represents a valid historic setting and context for the structure. The Board finds as follows:

1. The modification of the dimensional requirements is necessary to protect and maintain the historic Leonard Woods House and to protect the house from demolition. The existing house is a significant historic structure as certified by the Andover Preservation Commission, and obtaining a historic preservation restriction on the house will be beneficial in preserving the historic structure.
2. The proposed work on the existing historic structure being relocated from 1 Judson Road is necessary to preserve the primary historical and architectural features of the structure and will be under the authority of the Andover Preservation Commission. The proposed demolition is limited to additions that are not historically significant and are the minimum necessary to relocate the house.
3. The requested modification of dimensional requirements and issuance of this special permit are necessary to protect the historical structure from demolition.
4. No interdepartmental review team meeting was held on this Application.
5. The Andover Preservation Commission supports this Application in its letter dated May 15, 2020.

Based on the forgoing arguments and findings, and the evidence presented at the public hearing, the Board concludes that the application for a dimensional special permit for historic preservation meets the standards and regulations set forth in the Zoning By-law, and therefore the project is eligible for a Dimensional Special Permit for Historic Preservation. The Board finds that providing a historic preservation deed restriction is beneficial in preserving the historic structure. Further, the Board finds that the proposed demolition, relocation, and work to be done preserves, to the maximum extent feasible, the historical and architectural features and character of the Leonard Woods House. Finally, pursuant to §9.4.2 of the By-law, the Board finds that the overall proposal will not be unreasonably detrimental to the established or future character of the neighborhood and Town and that such is in harmony with the general purpose and intent of the By-law. It will serve the community by preserving the historic Leonard Woods House, the relocation will be in keeping with the character of the neighborhood. The utilities provided meet the requirements of §7.9 and will be adequate for the dwelling.

The Board votes unanimously (5-0) to grant the Special Permit for Historic Preservation under Article VIII, §7.9, subject to the following conditions:

275 South Main Street  
Decision No. Z-20-42

1. The historic structure and proposed additions will be located and constructed in substantial conformance with the plan entitled "Site Plan - 275 South Main Street" prepared by Andover Consultants, Inc., and dated March 4, 2020.
2. The existing historic structure located at 1 Judson Road shall be secured and maintained in a good state of repair until such time as it is moved to the lot at 275 South Main Street.
3. The Select Board shall approve the route and the timing of the movement of the historic structure.
4. Prior to the meeting of the Select Board to approve the movement of the historic structure, a statement, prepared and signed by a Structural Engineer licensed to practice in the Commonwealth of Massachusetts, shall be submitted to the Inspector of Buildings, affirming that the historic structure is in suitable condition to be moved. Such statement shall be signed and dated within fourteen days of the posting of the agenda for meeting of the Select Board at which the movement is to be approved.
5. Following the move of the historic structure from 1 Judson Road to its new location at 275 South Main Street, a statement, prepared and signed by a Structural Engineer licensed to practice in the Commonwealth of Massachusetts, shall be submitted to the Inspector of Buildings and the Office of the Zoning Board of Appeals affirming that the structure has been successfully moved and placed on its new foundation, with all temporary supporting structures, including cribbing and beams used in transit, removed so that the building is supported only by its new permanent foundation. No building permits for any additional work shall be issued until such statement has been received and the relocated structure has been inspected by the Inspector of Buildings.
6. The rights granted by this Special Permit shall be deemed to be exercised only upon the successful relocation of the Leonard Woods House to 275 South Main Street and its placement on its new permanent foundation, with all temporary supporting structures removed as described in Condition #5.
7. If the Leonard Woods House is not successfully relocated to 275 South Main Street, this Special Permit shall be null and void and 275 South Main Street shall not be considered a buildable lot under the Zoning By-law. In the event that the Leonard Woods House is destroyed or damaged beyond repair prior to being moved to its new location, this condition shall apply and the Special Permit shall be null and void.
8. In the event of a catastrophic event which results in damage to the historic structure at 275 South Main Street such that the historic structure cannot be repaired, the owner may rebuild on the Host Lot, provided that the new structure does not contain more than the same interior floor area as the historic structure and meets one of the following requirements:
  - a. The new structure is placed in the same footprint as that occupied by the historic structure; or
  - b. The new structure is built in conformity with the zoning side, front and rear setbacks in effect at the time of rebuilding as set forth in Section 4.1.2 of the Zoning By-law.
  - c. If a new structure is to be built pursuant to either (a) or (b) above, the design of the new structure to be built shall be submitted to the Andover Preservation Commission, which shall review the design of the new structure, including factors relating to building massing, materials, siting, dimensions and setbacks as these factors relate to compatibility with the existing neighborhood. Approval of the design by the Andover Preservation Commission shall be required to the issuance of a building permit for the new structure.

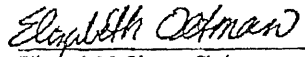
275 South Main Street  
Decision No, Z-20-42

9. After the dimensional special permit for historic preservation has become final, any proposed alterations or changes to the historic structure shall be submitted to the Andover Preservation Commission for its review and approval. If the Preservation Commission determines that the proposed alteration or changes are not minor, the owner shall seek a modification of the special permit from the Board of Appeals.
10. All demolition and reconstruction work to be performed on the Leonard Woods House as described in this Decision shall be done in accordance with the requirements of this Decision and subject to the approval of the Andover Preservation Commission, and any further demolition, repair, restoration or other work to be performed on the Leonard Woods House shall be done in accordance with the requirements of and subject to the approval of the Andover Preservation Commission, all so as to ensure the preservation and integrity of the structure and to prevent deterioration due to neglect or disuse, intentional or otherwise.
11. Architectural plan modifications for the restored structure shall be submitted to the Andover Preservation Commission for approval, with the detail fully described in terms of products used, dimensions and materials. Specification sheets for materials shall be provided where appropriate or requested by the Preservation Commission. All work shall meet the standards necessary for approval of a preservation restriction by the Massachusetts Historical Commission, as required by the special permit. All renovations, modifications and additions to the existing structure shall be approved in writing by the Andover Preservation Commission prior to the issuance of a building permit for the execution of such work.
12. When the decision of the Board of Appeals on the application for a dimensional special permit for historic preservation has become final and has been recorded at the Registry of Deeds, the plan upon which the decision is based shall be submitted to the Andover Planning Board for certification as an Approval Not Required (ANR) plan pursuant to Chapter 41, Section 81P of the Massachusetts General Laws.
13. The Approval Not Required (ANR) plan as certified by the Planning Board shall be recorded at the Essex North District Registry of Deeds.
14. Other than permits required to protect or stabilize the existing Leonard Woods House, no building permit for the Leonard Woods House shall be issued until the ANR plan has been recorded at the Essex North District Registry of Deeds.
15. Prior to the issuance of an Occupancy Certificate for the relocated structure, landscape screening consisting of twelve blue spruce trees, at least 6' high at the time of planting, shall be planted on a 24" to 36" high berm along the south property line bordering 277 South Main Street, as shown on the approved Site Plan.
16. Should any trees along the west property line bordering 40 Hidden Road require removal, a sufficient number of trees shall be planted equating to the number of inches of tree diameter removed with trees of a minimum of 3" diameter and 6' high at the time of planting.
17. Within thirty (30) days following the effective date of this decision, the applicant and/or his legal representative shall contact the Massachusetts Historical Commission to begin the application process for the preservation restriction as required by Condition #18 below.
18. The owner shall record at the Essex North District Registry of Deeds a historic preservation restriction in the form presented to and hereby approved by this Board, with such changes as may be approved by the Andover Preservation Commission. Such restriction shall also be approved and endorsed by the Andover Select Board and by the Massachusetts Historical Commission in accordance with Chapter 184, Section 32, of the General Laws, and shall at a minimum provide for conditions under which alterations, additions or modifications may be made, and in the event of damage to the Leonard Woods House on the Host Lot such that the

275 South Main Street  
Decision No. Z-20-42

historic structure cannot be repaired, the owner may rebuild on the lot, provided that the new dwelling does not contain more than the same interior floor area as the historic structure and meets one of the following requirements: (i) the new dwelling is placed in the existing footprint; or (ii) the new dwelling is built in conformity with the zoning side, front and rear setbacks in effect at the time of rebuilding. Any mortgagee shall subordinate its mortgage to this restriction. No Certificate of Occupancy for the Leonard Woods House shall be issued until the Historic Preservation Restriction has been recorded pursuant to this section.


Members voting FOR the decision: Oltman, McDonough, Rechisky, Casper, Faulk  
Members voting AGAINST the decision: None

  
Elizabeth M. Oltman, Chair

EMO/bb

#### CERTIFICATION

I, Austin P. Simko, Town Clerk and Chief Strategy Officer of the Town of Andover, Massachusetts do hereby certify that twenty days have elapsed since the above referenced decision of the Board of Appeals, which was filed in the office of the Town Clerk on June 19, 2020 and that no appeal has been filed with the Town Clerk.

  
Austin P. Simko  
Town Clerk and Chief Strategy Officer  
Andover, Massachusetts

**EXHIBIT D**

Andover Preservation Commission Decision dated July 30, 2020

See copy of Andover Preservation Commission Decision, dated July 30, 2020, a copy of which is attached hereto and incorporated herein.



TOWN OF ANDOVER  
Andover Preservation Commission  
36 Bartlet Street  
Andover, MA 01810

Re. Leonard Woods House, 1 Judson Road, Andover Massachusetts  
Andover Preservation Commission Decision July 30, 2020

At a meeting held on July 30, 2020, the Preservation Commission voted (4-2) on a motion by Leo Greene, Eric Daum/second, to approve changes to the historic house at 1 Judson Road in the revised proposal of 7/27/2020 (see below) and revised design document dated 7/27/2020 (attached) with the proposed front elevation depicted on sheet A1-B with the condition that the applicant will make a good faith effort to use the existing bannister in the new interior stair. Roll call vote: Greene/yes, Daum/yes, Frost/yes, Gibson/no, Michalik/no, Herman/yes. Approved Yes 4, No 2.

Revised proposal from an email dated 7/27/2020 from Joshua Kelly, exterior elevation revised plan attached:

Enclosed you will find the revised exterior elevations, as requested. I also revised the list of items that I have agreed to preserve/restore, as follows:

1. The structural framing system for the main house
2. The existing exterior trim at the roof gables, soffits and eaves as well as the entablature and the corner boards.
3. The vestibule structure/enclosure at the front of the main house.
4. The front door and sidelights.
5. The exterior shutters on the structure that is being moved.
6. The newel post from the main staircase.
7. The interior wood door slabs from the structure that is being moved.
8. Bricks that will be used to reconstruct the two false chimneys above the roofline.
9. Arched ornamental window at the front gable.

- Additionally, I have agreed to use new primed cedar bevel siding (clapboards) for the house exterior that will be painted.
- We will remove the existing windows from the structure that we are moving and place them in storage, if required to do so.
- We will use Andersen 400 series, new construction windows.

[www.preservation@mhl.org](mailto:www.preservation@mhl.org)

Tel: 978-623-8220

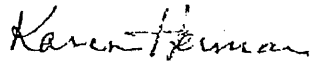
{00171875;v5}

- We will use new wood exterior window trim on the structure that is being moved to match the existing exterior window trim.

The Preservation Commission requires that once removed, the existing windows are saved and placed in storage.

Muntins on the new windows should match as closely as possible the muntin's on the existing windows.

Skirting for the staircase and interior flat stock molding and detail should be replicated in kind.

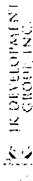


Karen Herman  
Chair  
Andover Preservation Commission  
[preservation.mhl.org](http://preservation.mhl.org)  
[karen.herman@andoverma.us](mailto:karen.herman@andoverma.us)



EXISTING FRONT

PROPOSED FRONT


**K DEVELOPMENT GROUP, INC.**  
 DESIGN • BUILD • ARCHITECTS  
 275 South Main Street  
 Andover, MA 01810  
 www.kdevelopmentgroup.com

Relocated 1 Judson Road  
 Historic Structure to  
 275 South Main Street  
 Andover, MA  
 Project

REVISIONS	DATE	DESCRIPTION

EXISTING AND  
 PROPOSED  
 FRONT ELEVATIONS

Project No.	02
Date	7/27/00
Drawn by	JK
Checked by	JK

**A-1b**



**EXISTING AND PROPOSED REAR ELEVATIONS**

NO.	DATE	DESCRIPTION

PROJECT: Replacated 1 Judson Road  
 Historic Structure 15  
 275 South Main Street  
 Andover, MA

ARCHITECT: JK DEVELOPMENT GROUP, INC.  
 SERVICE: ARCHITECTURE  
 275 South Main Street, 2nd Fl.  
 Andover, MA 01810  
 978.682.1347  
 www.jkdevelopmentgroup.com


DATE: 7/22/16  
 SCALE: 1/8" = 1'-0"

A-2



EXISTING SIDES

PROPOSED SIDES


**EK DEVELOPMENT GROUP INC.**  
 DESIGN - BUILD  
 100 Main Street, Suite 200  
 Andover, MA 01810  
 Phone: 978-475-1111  
 Fax: 978-475-1112  
 www.ekdevelopmentgroup.com

Replaced Jordan Road  
 Historic Structure to  
 275 South Main Street  
 Andover, MA  
 Project

NO.	DATE	REVISION

**EXISTING AND PROPOSED SIDE ELEVATIONS**

Drawing No. **A-3**

**EXHIBIT E**

Massachusetts Historical Commission – Inventory Form B

See copy of Massachusetts Historical Commission – Inventory Form B, a copy of which is attached hereto and incorporated herein.

**FORM B – BUILDING**

MASSACHUSETTS HISTORICAL COMMISSION  
MASSACHUSETTS ARCHIVES BUILDING  
220 MORRISSEY BOULEVARD  
BOSTON, MASSACHUSETTS 02125

Assessor's Number USGS Quad Area(s) Form Number

40-97    ANV.279

Town/City: Andover

Place: (neighborhood or village): Phillips District

Photograph



Address: 1 Judson Road

Historic Name: Hannah H. W. Parker-Elizabeth A. Woods House - traditionally known as Leonard Woods House  
Uses: Present: residential

Original: residential

Date of Construction: circa 1860

Source: ERDS, ENRD, ACHC files

Style/Form: Greek Revival with Gothic/Italianate elements

Architect/Builder: unknown

Exterior Material:

Foundation: brick - concrete

Wall/Trim: clapboards/brick

Roof: asphalt - gable

Outbuildings/Secondary Structures: none

Major Alterations (with dates): moved in 1928 from Wheeler Street to Bartlet Street for construction of Cochran Chapel  
Garage demolished – date unknown.

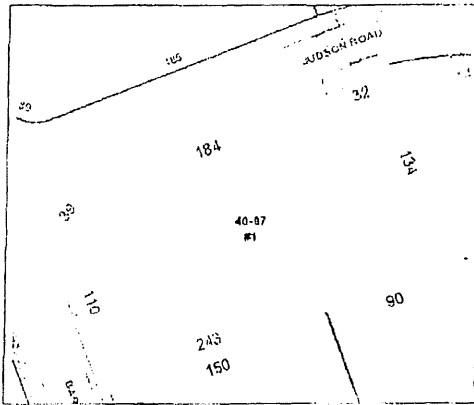
Condition:

Moved: no  yes  Date: 1928

Acreeage: 0.732 A

Setting: residential

Locus Map



Recorded by: Stack/Mofford, Batchelder, Greene, Daum, Herman

Organization: Andover Preservation Commission

Date (month / year): 1975-77, 2006, 2015, 2020

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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Recommended for listing in the National Register of Historic Places.  
*If checked, you must attach a completed National Register Criteria Statement form.*

*Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.*

**ARCHITECTURAL DESCRIPTION:**

*Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

**Architectural Description-Exterior**

**Architectural Style:** Greek Revival with Gothic and Italianate elements.

**Form:** The larger main block of 1 Judson Road is a two story, three bay, double pile, side-gabled structure. Additionally, there is a steep cross gable dormer centered on the primary façade facing Judson Road to the north, and a formal entry porch centered below. There is a gable-roofed ell extending from the east side of the main block, and the ridge lines of this ell and the main block are in the same orientation. There is also a single story, hip-roofed enclosed porch "addition" extending along the length of the main block to the south, and a small partially enclosed half hip-roofed rear entry porch/arcade on the south side of the ell adjacent to the main block.

**General**

1 Judson Road is a wooden clapboard structure with wood trim and wood windows. It has a 3-tab asphalt roof and a brick and concrete foundation.

**Windows:** All windows on both the original main block of house and on the ell are single pane divided light wood windows. Most of the windows on the main block are possibly original. They are all double hung sashes with the exception of some of the casement type in the rear (south), and the fixed arched window in the cross gable. Unless otherwise mentioned in the text, all windows are 6/6 wooden double-hung sash windows with modern storm and black wooden shutters. The presence of shutter hardware was not recorded.

**North (Primary) Elevation**

**Main Block**

The primary facade of the house faces Judson Road to the north. From this orientation, the main block is entirely symmetrical in presentation. At the first floor level, there are two 6/6 double hung wood sash windows occupying the bays to either side of the central entry porch. At the second floor level there are three such windows, with two aligned vertically above the first floor windows and the center window aligned vertically above the central entry porch. At the third floor level, there is a single fixed-pane arched window on the face of the cross gable. All windows have black wooden shutters, and the arched window has suitably shaped shutters.

The roof of the central entry porch is supported by two square columns. The columns have skirt boards and applied trim which imply a base and ogee-edged plinth. At their upper ends, the columns terminate in square 'capitals' which support flattened-arch architraves. At the junction of the architraves and the soffits is a cavetto molding. The fascia trim boards have a similar cavetto molding supported by a bead at the cornice.

Set within the entry porch is an entry enclosure made up almost entirely of individual glass panes, or "lights." These lights are set into what appear to be individual wall panels, the lower ones being the height of the door, and the upper ones being two lights in height. On each side of the enclosure are two lower panels and two upper panels. The lower wall panels consist of a recessed panel at the bottom with fourteen square panes of glass set in two vertical rows above. The upper two panels are each four square glass panes set two over two. The front side of the enclosure consists of a central door, which has a lower recessed panel with twelve lights above arranged in three vertical rows of four panes. To either side of the door are narrow panels consisting of a lower recessed panel with seven lights above in a single vertical run. These panes are oriented horizontally. Above the door and the narrow panels on either side are

*Continuation sheet 1*

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
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eighteen square lights arranged in two horizontal rows of nine. The top panels of both the side and front walls of the enclosure have a cornice detail at the top.

The corner boards, and frieze boards are substantial. The frieze boards have an applied panel molding a bit less than 1/2 of the distance from their bottom to their top edge which consists of a torus profile supported by an ogee. The effect produced is an architrave/frieze relationship of the classical entablature. A cornice detail bridges the gap between frieze board and soffit board. The frieze boards terminate to either side of the central cross gable, allowing the front wall to extend straight up into the face of the gable. There is also a watercourse trim element at the base of the wall. All of the 6/6 windows have flared header caps consisting of a wider flat cap supported by ogee trim. The header caps of the two outer second floor windows are up against the frieze boards.

Protruding adjacent to the ridgeline of the roof at the eastern end is a high rectangular brick chimney. There is a two-course band of corbelling near its top.

**Ell**

At the first floor level there is an entry porch roughly centered on the north side of the ell. There are also two 6/6 windows at the first floor level, one to each side of the entry porch. At the second floor level are two more windows aligned above those on the first floor. The windows to the right of the porch are roughly centered in the space between the porch and where the ell connects to the main block. The windows to the left of the porch are virtually up against the porch, set a considerable distance in from the corner of the ell.

The Italianate entry porch on the attached ell contains some elaborate trim work, which can also be seen on the two porches to the south (rear) of the building. Two triple columns, with skirt boards and capitals support bracketed architraves which imitate the flattened arch detail seen on the entry porch of the main block. There is a delicate ogee at the upper edge of the frieze boards.

The trim on the ell, while mimicking some details from the main block, differs from it in a couple ways. The windows have the same header caps and there are substantial frieze boards. But the frieze boards do not have the applied panel molding seen on those of the main house, and the corner boards on the ell are less substantial.

**East Elevation**

Given that the ell joins the main block at the latter's east wall, the first and second floor windows visible on the main block are pushed to the extreme outer edges of their respective floors. The only first floor window visible on the main block is to the north (front) of the ell, and is a 6/6 identical in size and style to those on the primary façade. However, both the window's side casing and header cap is infringing into the corner board of the house. Directly above this window is a smaller 2/2 window, with its side casing directly adjacent to the corner board. Due to space limitations, neither of these windows has shutters. To the south (rear) of the ell, there is no window on the first floor (there is a small porch addition which occupies that space). There is a second floor window, which is a 6/6 with only one shutter. At the third floor level are two small 2/2 windows centered on the gable without shutters, and a square wall vent above in the eaves. There is substantial overhang at the eaves. Substantial rake boards, corner boards and gable returns are also visible on this gable end of the main block.

The east side of the ell has only two windows. They are smaller 6/6 windows matching those used on the rest of the ell, and they are asymmetrically placed. The first floor window is up against the left-hand corner board, and the second floor window is left of center. At the attic level there is a small square wall vent. The eaves overhang substantially, and there are similar gable returns as seen on the main block of the house.

**South (Rear) Elevation**

**Main Block**

The south elevation of the main block is not symmetrical like the north (primary) façade. However, the frieze board with applied panel molding, the cornice at the soffit, the substantial corner boards, the water course along the foundation, and header caps and other trim surrounding the windows are the same as on the primary (north) façade of the main block.

*Continuation sheet 2*

## INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

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At the first floor level, there is a hip-roofed enclosed porch "addition" extending the entire length of the main block. Interesting to note is the encapsulated, previously open portion of this porch which occupies the bay to the west (left) side. What looks like virtually identical design as that of the Italianate entry porch on the north side of the ell can be seen in the paired columns, with their skirt boards and the bracketed/flattened arches they support forming a small arcade. The space between the columns has since been filled in with two double 6/6 casements, each over a recessed panel. These windows do not match those on the rest of the house. Moving to the east (right) from this feature, there are two 6/6 sash of the same size as those on the front of the main block; one occupying the central bay (without shutters), and one occupying the right-hand bay. To the east (right) of these windows is an aluminum storm door set into flat stock trim. There is a similar header cap over the door as over the windows.

At the second floor level there are four 6/6 windows that match in size the smaller 6/6 windows on the ell. Two windows occupy the west (left) bay, one window (without shutters) occupies the central bay, and one window occupies the east (right) bay. As on the north (primary) façade, the header caps of the second-floor windows butts up against the bottom edge of the frieze board. There is a considerable warp in the frieze board between the two windows to the left.

There are three pipes protruding through the roof near the eaves. Protruding through the ridgeline of the roof at the western end is a high rectangular brick chimney. There is a two-course band of corbelling near its top. There is a skylight installed in the center of the roof near the ridgeline.

**Ell**

At the first floor level there is the small half hip-roofed rear entry porch which occupies the corner between the south side of the ell and the east side of the main block. Here, the delicately-trimmed Italianate columns have not been filled in, and it appears in design identical to that seen from this orientation encapsulated in the addition to the main block, with the exception of shaped wooden inserts between the column pairs. To the east (right) of this entry porch are two 6/6 sash, set well away from the corner.

At the second floor level there are three 6/6 sash. There is one over the entry porch (without shutters), and there are two aligned with the two windows on the first floor. The header caps of the second floor windows butt up against the frieze board.

There is a single pipe protruding from the center of the roof near the eaves, and two attic vents near the ridge.

**West Elevation**

The west elevation of the main block presents a completely symmetrical face with regard to fenestration. There are two windows on the first floor, and two more windows aligned vertically with them on the second floor. They are spaced horizontally so as to be symmetrical on the face of the wall, and clearly correspond to different interior spaces on each floor. At the third floor level there are two smaller 6/6 windows, such as the size seen on the ell perhaps. They are also placed symmetrically on the gable façade. There is a small square attic vent centered above the windows at the peak. The same deep eave overhang, substantial corner boards and rake boards, gable returns and cornice on the fascia details are the same as the east gable end, as expected.

**Architectural Description-Interior**

**Architectural Style:** Greek Revival with later Italianate and Colonial Revival elements.

The house has evidence of several interior renovations throughout its history which contribute to the eclectic styles of its rooms. The main block of the house is Greek Revival, and the service wing to the East is probably 18<sup>th</sup> Century in its origin. The plan of the main house has been modified and adapted from its original configuration. The entry is at the center of the north side of the house through a glazed vestibule into the central stair hall. The Living Room spans front to back along the west side of the ground floor with a fireplace in the center of the long western exterior wall. To the east of the stair hall, a library occupies the front part of the house. The rear of the house has been reconfigured by a one-story addition along the south elevation. The exterior wall between the addition and the main body of the house has been removed so that a dining room spans between the addition and the main volume. The older service wing, to

Continuation sheet 3

**INVENTORY FORM B CONTINUATION SHEET**

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the east of the main block, has lower ceilings and no visible historical elements. The second floor of the service wing is several steps lower than the second floor of the main block and accessed by steps in the hallway at the intersection of the two volumes.

One notable detail is that the central Italianate dormer on the third floor is a false dormer (i.e. not framed with valleys) indicating that it was a later Italianate addition to the Greek Revival house. Within the attic, it is possible to see the existing roof sheathing irregularly cut away and the bottom plate of the dormer's cheek wall nailed directly to the sheathing. The small arched window within the dormer is typical of the Italianate period.

Surviving Greek Revival elements include the stair in the central hall, double hung windows around the first and second floor, and the interior doors. Mantles in the Living Room and Library, as well as casework in the Library have Federal style proportions from the Colonial Revival. Floors are 2 1/4" hardwood strip flooring of undetermined species. Interior trim is flat stock. For both the doors and windows, the vertical casings are approximately 4" wide, the horizontal trim at the heads is approximately 6" tall and it each end overhangs the vertical casing by approximately 1/4". The head casing is also thicker than the jamb casings contributing to its lintel-like appearance. The head casings are crowned by a 1 1/4" Cyma Recta. Baseboards are also flat stock, about 7 inches tall and have no cap moulding though the top surface has a 45-degree chamfer.

It is impossible to determine whether the interior mouldings are original to the house, though their consistent design in the original and renovated rooms suggests they are a later installation.

Doors/Door hardware (workmanship/materials): Many of the doors in the original structure appear to be original (recessed, flat four-panel doors). Additionally, there are many examples of different door hardware (hinges/doorknobs/lock escutcheons) that are contemporary to the house's construction date and should be retained.

Main stair: The stair has an elaborately turned Greek Revival newel post capped by a cur-tailed railing. The railing itself has a delicate profile and is continuous from the top of the newel to its terminus on the second floor at a wall. The balusters, two per tread, are simple turned dowels of approximately 1 1/2" diameter. The newel and railing are stained hardwood, the balusters, risers and treads have painted finishes. In the first-floor stair hall, the skirt board of the stair is beaded at its bottom edge and transitions, by means of a large radius, from the slope of the stair to be nearly perpendicular to the floor. The stair is a significant Greek Revival staircase.

Windows: The existing windows are double-hung, six-over-six with the exception of one two-over-two in a second floor east-facing bedroom. The windows appear to be original, and are in excellent condition. The muntins are 1/2-5/8" in width and are of a delicate extended elliptical shape. Much of the glazing appears to be original and has subtle wavy distortion typical of cylinder glass.

**HISTORICAL NARRATIVE**

*Discusses the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

Themes: Architectural, community development.  
Trustees of Phillips Academy owner 1908 until 2019.

The street was named for Adoniram Judson, pioneer missionary trained at Andover Theological Seminary who was sent to India by American Board of Commissioners for Foreign Missions. Judson was later sent to Burma as representative of American Baptists. The road was created in the 1920s when the Leonard Woods house was moved from Bartlet Street in 1920's (Bessie Goldsmith). Bessie Goldsmith claims that Woods and the brick Brewster House were the only houses on street until early 1950's.

This home was built on the northeast corner lot of the present Cochran Chapel at Phillips Academy. The house faced Bartlet St. and was located at the corner of Wheeler St. In 1900 this property was numbered #79 Bartlet and the Eaton

*Continuation sheet 4*

## INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
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- French house on the opposite corner was #77. When Bartlet St. was renumbered Eaton - French House was given the number 79 Bartlet.

This home traditionally carries the name "Leonard Woods House" after the Reverend Leonard A. Woods who was "inaugurated as Abbot Professor of Christian Theology at Andover in 1808" of the Andover Theological Seminary. Author Robert Domingue in his book, Phillips Academy, Andover Massachusetts, confirms that the building was named for Reverend (Professor) Woods, and located on Wheeler Street opposite Graham House. Woods however never lived in the home as it was built by his daughter-in-law Hannah H. [Woods] Parler. Hannah H. W. Parker purchased the original 1/2 acre lot from the Trustees of Phillips Academy on Bartlet Street for \$450 and had the house built. The deed sale was voted by the Academy on February 15, 1854 and recorded on Nov. 4, 1856. Reverend Woods died six months after the sale vote of the lot to his daughter-in-law Hannah.

The 1860 Andover Valuation Schedule lists Mrs. Hannah H. W. Parker; Center District, 1/2 acre with Dwelling house \$2800 and Money \$2800.

Leonard A. Woods was born on June 19, 1774 in Princeton, MA, son of Samuel & Abigail Whitney (Underwood) Woods. Leonard graduated from Harvard Divinity College in 1796 and was ordained in West Newbury, MA in 1798. He married in October 1799 to Abigail Wheeler b. Feb. 29, 1776 at Harvard, MA, daughter of Joseph & Mary (Greenleaf) Wheeler.

Leonard & Abigail had ten children; Samuel b. Oct. 26, 1800 d. 1884, Joseph Wheeler b. July 30, 1802 - d. Nov. 8, 1827, Mary Greenleaf b. Oct. 3, 1804 - , Leonard b. 1807 - d. 1878, Daniel Bates b. 1809 - d. 1892, Abigail B. b. 1811 - d. 1883, Margarette b. 1823 - d. 1898, Harriette Newell b. 1815 - d. 1893, Sarah Abbott b. 1817 - d. 1836 and Sophia Walker b. 1819 - d. 1892.

Leonard Woods resigned his teaching post in 1845 after 38 years. The following year his beloved wife Abigail Woods died on Feb. 20, 1846. She was interred in the Chapel Cemetery on the campus the Andover Theological Seminary, now Phillips Academy Chapel Cemetery. Leonard would later re-marry on Nov. 5, 1846 in Hartford, CT to Lucia J. (Jones) Ives, the widow of Dr. Ansel G. Ives of NY. Dr. Ives died on Feb. 5, 1838 in NYC. Ansel & Lucia Ives had two sons Edward and Leonard W. Ives. Leonard Woods died on August 25, 1854 in Andover and was interred with his wife. Woods headstone was erected by his students in his memory and contains a profile portrait of the Professor.

The Woods home was sited behind the former Headmasters house "Samaritan House" at 2 Chapel Ave. now the site of Cochran Chapel.

The former corner lot was sold by the Trustees of Phillips Academy on Nov. 4, 1856 to Hannah H. W. Parker, daughter-in-law of Leonard & Abigail Woods. (b. 541 leaf 167 Salem deeds) Hannah O. Holkins (or Harkins) was born about 1805 in CT. and married Joseph Wheeler Woods on Dec. 17, 1824, son of Rev. Leonard and Abigail Woods. Reverend Woods married the couple.

Joseph & Hannah Woods would have two children; Elizabeth Abby Woods b. March 13, 1825 and a son Joseph Wheeler Wood Jr. b. Nov. 11, 1827 both in Ashburnham, MA. Sadly Joseph Sr. had died three days prior to his son's birth on Nov. 8, 1847. He is interred in the Woods lot at the Chapel Cemetery. Hannah then re-married to George G. Parker Esquire of Ashburnham. Hannah and George had two children; George H. Parker b. 1838 and Harriet T.

Continuation sheet 5

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER 1 JUDSON ROAD

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Parker b. Apr. 11, 1844. Joseph W. Woods Jr., died on Aug. 1, 1844 at age 16 and was interred next to his father.  
George G. Parker died of consumption in 1852 in Ashburnham.

In the 1855 Mass. State census Hannah H. W. (Woods) Parker has moved to Andover and appears to be living on Main St. Harriet is now age 50 and is running a boarding house. Children Elizabeth Abby Woods age 30, and George H. Parker age 16 and Harriet T. Parker age 11 are with their mother. Hannah has one domestic living in the home where she is boarding 15 male students of the Academy. They move to Bartlet St. in 1856.

Hannah's son George H. enlisted in the Army during the Civil War, married when he returned on on Oct. 8, 1868 in Fitchburg, MA to Elizabeth S. Mahon b. in Ipswich, MA daughter of Thomas & Mary W. Mahon. George H. Parker became a druggist in Andover.

Daughter Harriet T. Parker married on June 13 1865 to Rev. Asher H. Wilcox b. Norwich, CT. son of William B. & Mary H. Wilcox. They lived in Marblehead, MA. Harriet H. W. Parker died in 1881 and her estate went to her children.

George H. Parker's wife Elizabeth S. died in June 1885 and George died in 1902 of tongue and throat cancer. Elizabeth A. Woods never married and sold her share of the property to her half sister Harriet P. Wilcox on Apr. 11, 1904. The house was then acquired by the Trustees of Phillips Academy by 1908.

With the re-design of the Academy campus in the 1920's the site of Samaritan House and Woods - Parker House was chosen for the new chapel building. Samaritan House was moved to 6 School St. The Parker-Woods house, renovated in 1914, was moved to 1 Judson Rd in 1928 and thereafter used for faculty housing.

The Judson Rd property was once owned by Isaac Abbot in 1808. Abbot took a mortgage from the Trustees of Phillips Academy on Sept. 3, 1808 this lot being the 3rd parcel. Book 184 leaf 137. Abbot defaulted and the Trustees foreclosed in 1823. Adjudication - Equity Action Abbot Vs. Trustees of P.A. by Supreme Judicial Court, Ipswich, MA on the 3rd Tuesday April 1823. Case #307 awarded in favor of Phillips Academy.

Robert E. Maynard, b. 1909- listed at 1 Judson Road in 1977 - is a Phillips Academy faculty member. With him are wife Clara, b. 1909 and Christine, b. 1937, teacher, reside in the house.

The property was sold on June 21, 2019 to Beverly J. MacLeod and Janet Mitchell. The plans are to remove the home and develop the property.

**BIBLIOGRAPHY and/or REFERENCES**

Owners: Bartlet St - Wheeler Ave. site

Trustees of Phillips Academy - 1856

Hannah H. W. Parker - Nov. 4, 1856 - b. 541 leaf 167 - Salem deeds.

Hannah H. W. Parker, estate, heirs: Elizabeth A. Woods, George H. Parker, Harriet T. (Parker) Wilcox

Elizabeth A. Parker &amp; Harriet T. Wilcox - 1902

Harriet P. Wilcox - April 11, 1904 - b. 210 p. 55

Trustees of Phillips Academy - 1908 - 2019

*Continuation sheet 6*

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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Owners of the Judson Road Property:

Isaac Abbot - 1808

Trustees of Phillips Academy - Sept. 3, 1808 - b. 184 leaf 137 - mtg. deed

Trustees of Phillips Academy - foreclosure - 3rd Tuesday April 1823 Case #307

Trustees of Phillips Academy - Oct. 15, 1974 -

Trustees of Phillips Academy - June 20, 2019 - b. 15888 p. 333 - Affidavit

Trustees of Phillips Academy - June 20, 2019 - b. 15888 p. 349 - CFO

Beverly J. MacLeod & Janet Mitchell - June 21, 2019 - b. 15889 p. 1

Andover Center for History and Culture, files

Domingue, Robert A., Phillips Academy, Andover Massachusetts, The Hampshire Press, Wilmington, MA, 1990

Essex County Registry of Deeds, Salem, MA

Northern Essex County Registry of Deeds, Lawrence, MA



Photo 1 North Elevation 4-30-2020

Continuation sheet 7

{00171875.v5}

INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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Photo 2 North Elevation 4-30-2019

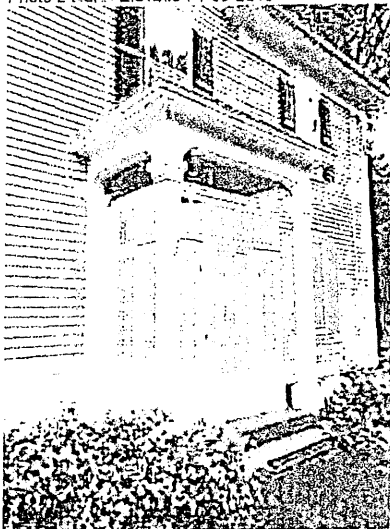


Photo 3, North Elevation, 4-30-2020

*Continuation sheet 8*

{00171875;v5}

INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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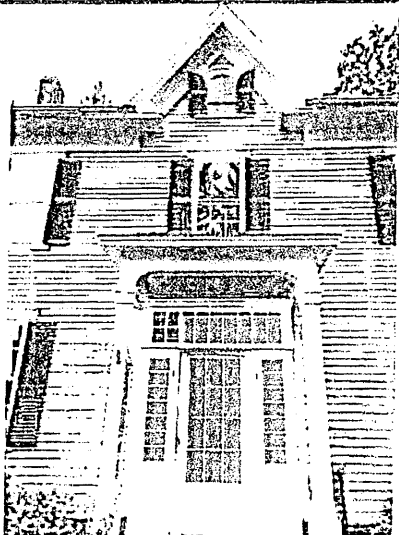


Photo 4, North Elevation, 4-30-2020

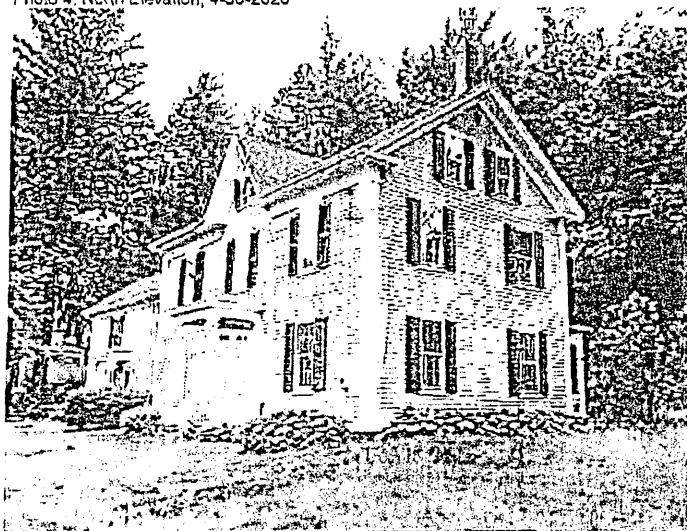


Photo 5 Northwest Elevation, 4-30-2019

Continuation sheet 9

{00171875;v5}

INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Photo 6 West Elevation 4-30-2019



Continuation sheet 10

INVENTORY FORM B CONTINUATION SHEET

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Photo 7 South Elevation, 4-31-2019



Photo 8 South Elevation, 4-31-2019



Photo 9 South Elevation, 4-31-2019

*Continuation sheet 11*

{00171875;v5}

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER | JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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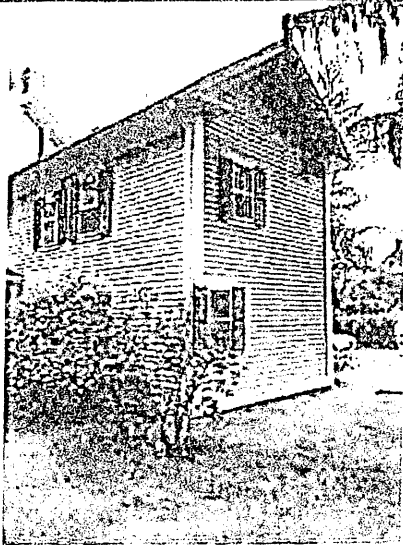


Photo 10 Southeast Elevation, 4-31-2018

*Continuation sheet 12*

{00171875;v5}

**INVENTORY FORM B CONTINUATION SHEET**

ANDOVER 1 JUDSON ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Photo 11 Southeast Elevation, 4-31-2019

*Continuation sheet 13*

{00171875;v5}

**EXHIBIT F**

Existing and Proposed Elevation Plans

See copy of Existing and Proposed Elevation Plan set prepared by JK Development Group, Inc., dated July 27, 2020, for Project entitled "Relocated 1 Judson Road Historic Structure to 275 South Main Street, Andover, MA, consisting of 4 sheets including: (i) Drawing No. A-1a (Existing and Proposed Front Elevations), (ii) Drawing No. A-1b (Existing and Proposed Front Elevations), (iii) Drawing No. A-2 (Existing and Proposed Rear Elevations), and (iv) Drawing No. A-3 (Existing and Proposed Side Elevations), a copy of which plan set is attached hereto and incorporated herein.



EXISTING FRONT

PROPOSED FRONT

**JK DEVELOPMENT GROUP, INC.**  
 ARCHITECTS • PLANNERS • INTERIORS  
 1000 Main Street, Suite 200  
 Andover, MA 01810  
 Phone: 978.686.2200  
 Fax: 978.686.2201  
 www.jkdevelopmentgroup.com

Relocated 1 Judson Road  
 Historic Structure to  
 275 South Main Street  
 Andover, MA  
 PROJECT

REVISIONS	DATE	BY

EXISTING AND PROPOSED FRONT ELEVATIONS

Project No.	100
Date	7/2/06
Drawn by	J.K.
Checked by	J.K.

**A-1a**



EXISTING FRONT

PROPOSED FRONT

**JK DEVELOPMENT GROUP, INC.**  
 100 MAIN STREET, SUITE 200  
 ANDOVER, MA 01917  
 TEL: 978.686.1234 FAX: 978.686.1235

Relocated 1/2 Juction Road  
 Historic Structure to  
 275 South Main Street  
 Andover, MA  
 Project

REVISIONS

No.	Description	Date

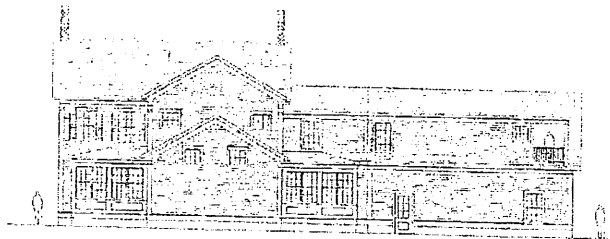
EXISTING AND  
 PROPOSED  
 FRONT ELEVATIONS

Project No.	Date
01-001	7/2/20
Drawn by	JK
Checked by	JK

**A-1b**



EXISTING FRONT



PROPOSED FRONT

**IR DEVELOPMENT GROUP, INC.**  
 DESIGN • BUILD • OPERATE  
 1000 State Street, 2nd Floor  
 Andover, MA 01810  
 978.677.3437 [www.irdesigngroup.com](http://www.irdesigngroup.com)

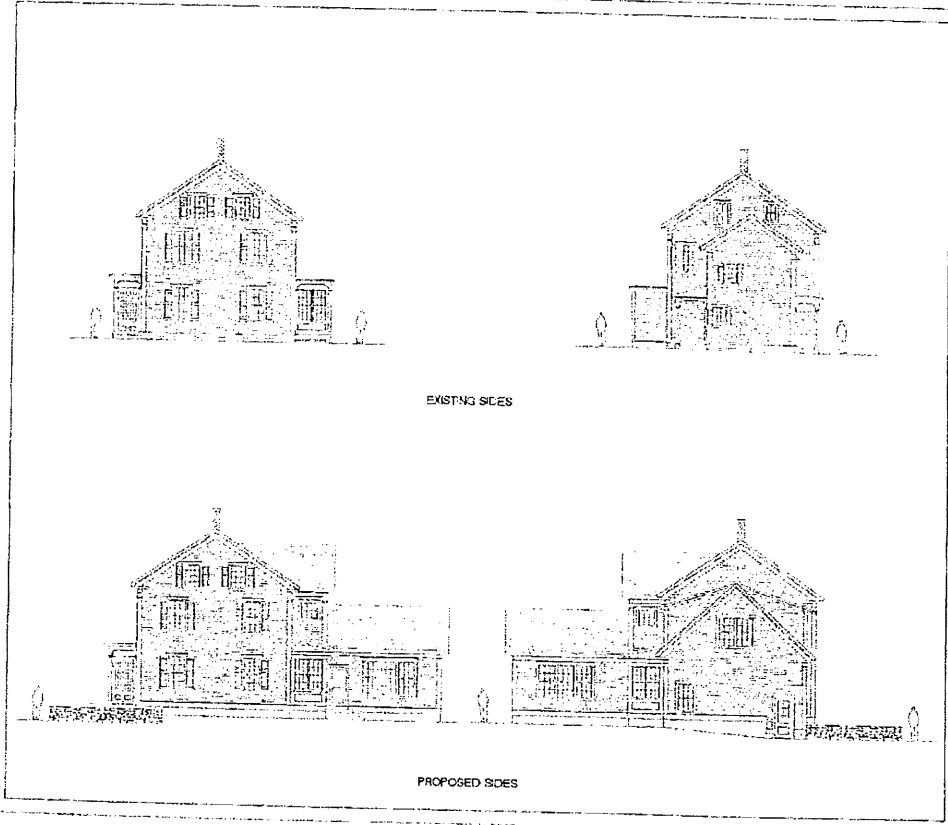
Replaced 1 Ludlow Road  
 Historic Structure to  
 275 South Main Street  
 Andover, MA  
 Project

REVISIONS	
No.	Description

EXISTING AND  
 PROPOSED  
 REAR ELEVATIONS

Project No.	72200
Drawn by	
Checked by	
Scale	1/8" = 1'-0"

**A-2**



EXISTING SIDES

PROPOSED SIDES

JK DEVELOPMENT GROUP, INC.  
 DESIGN: BRUCE J. JACOBUS  
 1414 West Street, Suite 204  
 Charlottesville, VA 22904  
 www.jacobusgroup.com

Relocated 1 Judson Road  
 Historic Structure to  
 275 South Main Street  
 Andover, VA  
 Project

REV. NO.	DATE	DESCRIPTION

EXISTING AND PROPOSED SIDE ELEVATIONS

Project No.	Date
Drawn by	7/21/20
Checked by	BJJ
Scale	1/8" = 1'-0"

A-3

## EXHIBIT G

### Restriction Guidelines

In an effort to explain what constitutes a minor alteration and what constitutes a major change, which must be reviewed by the Andover Preservation Commission (APC) the following list has been developed. By no means is this list comprehensive: it is only a sampling of some of the more common alterations, which may be contemplated by building owners.

#### PAINT

Minor – Exterior hand scraping and repaint of non-decorative and non-significant surfaces as part of periodic maintenance.

Major – Painting or fully stripping decorative surfaces or distinctive stylistic features including ornamental woodwork.

#### WINDOWS AND DOORS

Minor – Regular maintenance including caulking, painting and necessary reglazing. Repair or in-kind replacement of existing individual decayed window parts.

Major – Wholesale replacement of units; change in fenestration or materials; alteration of profile or setback of windows. The addition of storm windows is also considered a major change; however, with notification it is commonly acceptable.

#### EXTERIOR

Minor – Spot repair of existing cladding and roofing including in-kind replacement of clapboards, shingles, slates, etc.

Major – Large-scale repair or replacement of cladding or roofing. Change involving inappropriate removal or addition of materials or building elements (i.e. removal of chimneys or cornice detailing; installation of architectural detail which does not have an historical basis); altering or demolishing building additions; spot repointing of masonry. Structural stabilization of the Premises is also considered a major alteration.

#### LANDSCAPING/OUTBUILDINGS

Minor – Routine maintenance of outbuildings and landscape including lawn mowing, pruning, planting, painting, and repair.

Major – Moving or subdividing buildings or Premises; altering of Premises; altering or removing significant landscape features such as gardens, vistas, walks, plantings;

ground disturbance affecting archeological resources.

#### WALLS/PARTITIONS

Minor – Making fully reversible changes (i.e. sealing off doors in situ, leaving doors and door openings fully exposed) to the spatial arrangement of a non-significant portion of the building.

Major – Creating new openings in walls or permanently sealing off existing openings; adding permanent partitions which obscure significant original room arrangement; demolishing existing walls; removing or altering stylistic features; altering primary staircases.

#### HEATING/AIR CONDITIONING/ELECTRICAL/PLUMBING SYSTEMS

Minor – Repair of existing systems.

Major – Installing or upgrading systems which will result in major appearance changes (i.e. disfigured walls or floors, exposed wiring, ducts and piping); the removal of substantial quantities of original materials in the course of construction.

Changes classified as major alterations are not necessarily unacceptable. Under the preservation restriction such changes must be reviewed by the APC and their impact on the historic integrity of the premise assessed.

It is the responsibility of the Premises owner to notify the APC in writing when any major alterations are contemplated. Substantial alterations may necessitate review of the plans and specifications.

The intent of the preservation restriction is to enable the APC to review proposed alterations and assess their impact on the integrity of the structure, not to preclude future change. APC will attempt to work with the Premises owners to develop mutually satisfactory solutions, which are in the best interests of the Premises.

EXHIBIT H

Pre-rehabilitation Photographs

Photo No. 1; Front view from South Main Street; Date photo taken: March 16, 2022.



Photo No. 2; Rear view from back yard; Date photo taken: March 16, 2022.

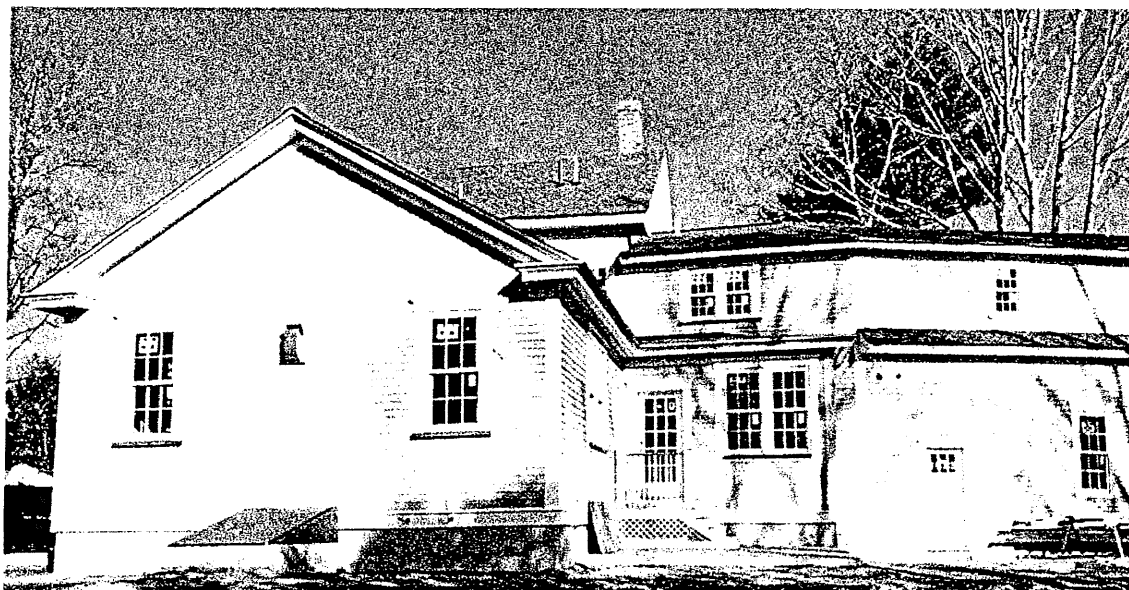


Photo No. 3; Side view from north side yard; Date photo taken: March 16, 2022.



Photo No. 4; Side view from south side yard; Date photo taken: March 16, 2022.



(SPACE ABOVE THIS LINE RESERVED FOR REGISTRY OF DEEDS USE)

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ASSENT BY MORTGAGEE

Property Address: 275 South Main Street, Andover, MA 01810

Peter MacLeod and Bridget MacLeod, having a mailing address of One East River Place, Methuen, Massachusetts 01844 (“Peter MacLeod” and “Bridget MacLeod” collectively hereinafter “Mortgagee”), are the holders of a Mortgage from 275 South Main Street, LLC, said mortgage being dated January 5, 2022, and recorded with the Essex North District Registry of Deeds at Book 17302, Page 228.


The Premises affected by this instrument is 275 South Main Street, Andover, Essex County, Massachusetts.

Said Mortgagee by this instrument assents to the Preservation Restrictions from its Mortgagor, 275 South Main Street LLC, to the Town of Andover as set forth in an Agreement dated April 27, 2022, and recorded herewith, and agrees that upon the Mortgagee's exercise of its right to foreclose on the mortgaged Premises it shall assume the burdens of the Preservation Restrictions accepted by the Mortgagor.

By the execution hereof the undersigned certifies that they are the true holders of the above-referenced Mortgage and have full power and authority to execute and deliver this Assent by Mortgagee without consent or authorization of any other person.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

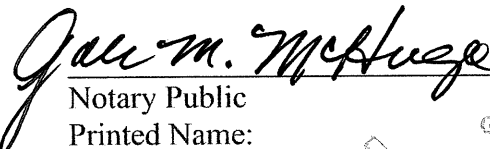
Signed as a sealed instrument this 28 day of APRIL, 2022.

  
\_\_\_\_\_  
Peter MacLeod

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.


On this 28<sup>th</sup> day of April, 2022, before me, the undersigned Notary Public, personally appeared Peter MacLeod, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  personally known to me, or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, acting in his capacity as Trustee.

  
\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires:



GALE M. MCHUGO  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
May 22, 2022

Signed as a sealed instrument this 28 day of April, 2022.


  
\_\_\_\_\_  
Bridget MacLeod

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 28 day of April, 2022, before me, the undersigned Notary Public, personally appeared Bridget MacLeod, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  personally known to me, or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose, acting in her capacity as Trustee.



  
\_\_\_\_\_  
Notary Public  
Printed Name: Mark B. Johnson  
My Commission Expires: MM 6, 2027

(SPACE ABOVE THIS LINE RESERVED FOR REGISTRY OF DEEDS USE)

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ASSENT BY MORTGAGEE

William S. MacLeod, Trustee of The MacLeod Keogh Realty Trust of 2002, under Declaration of Trust dated September 17, 2002, and filed with Essex North Registry District of the Land Court as Document No. 79504, having a mailing address of P.O. Box 1216, Salem, New Hampshire 03079, is the holder of a Mortgage from 275 South Main Street, LLC, said mortgage being dated March 30, 2022, and recorded with the Essex North District Registry of Deeds at Book 17397, Page 39.

The Premises affected by this instrument is 275 South Main Street, Andover, Essex County, Massachusetts.

Said Mortgagee by this instrument assents to the Preservation Restrictions from its Mortgagor, 275 South Main Street LLC, to the Town of Andover as set forth in an Agreement dated Apr. 27, 2022, and recorded herewith, and agrees that upon the Mortgagee's exercise of its right to foreclose on the mortgaged Premises it shall assume the burdens of the Preservation Restrictions accepted by the Mortgagor.

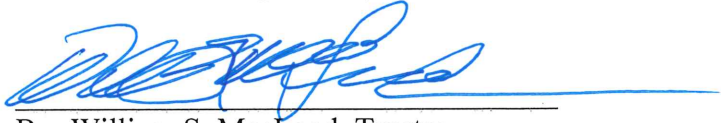
By the execution hereof the undersigned certifies that he is the sole trustee of The MacLeod Keogh Realty Trust of 2002 under Declaration of Trust dated September 17, 2002 and duly filed with the Essex North Registry District of the Land Court as Document No. 79504, the trust is in full force and effect without unrecorded modification or amendment, and the undersigned trustee has full power and authority to execute and deliver this Assent by Mortgagee without consent or authorization of any other person.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

Property Address: 275 South Main Street, Andover, MA 01810

Signed as a sealed instrument this 29 day of April, 2022.

The MacLeod Keogh Realty Trust of 2002




By: William S. MacLeod, Trustee

COMMONWEALTH OF MASSACHUSETTS

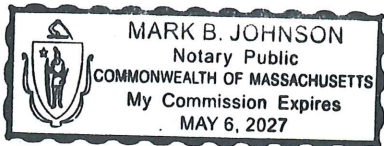
Essex, ss.

On this 29 day of April, 2022, before me, the undersigned Notary Public, personally appeared William S. Macleod, Trustee of The MacLeod Keogh Realty Trust of 2002, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  personally known to me, or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, acting in his capacity as Trustee.

  
\_\_\_\_\_  
Notary Public

Printed Name: Mark B. Johnson

My Commission Expires: 5/6 (2027)



(SPACE ABOVE THIS LINE RESERVED FOR REGISTRY OF DEEDS USE)

---

ASSENT BY MORTGAGEE

William S. MacLeod, Trustee of The MacLeod Keogh Realty Trust of 2002, under Declaration of Trust dated September 17, 2002, and filed with Essex North Registry District of the Land Court as Document No. 79504, having a mailing address of P.O. Box 1216, Salem, New Hampshire 03079, is the holder of a Mortgage from 275 South Main Street, LLC, said mortgage being dated November 2, 2021, and recorded with the Essex North District Registry of Deeds at Book 17214, Page 235.

The Premises affected by this instrument is 275 South Main Street, Andover, Essex County, Massachusetts.

Said Mortgagee by this instrument assents to the Preservation Restrictions from its Mortgagor, 275 South Main Street LLC, to the Town of Andover as set forth in an Agreement dated April 27, 2022, and recorded herewith, and agrees that upon the Mortgagee's exercise of its right to foreclose on the mortgaged Premises it shall assume the burdens of the Preservation Restrictions accepted by the Mortgagor.

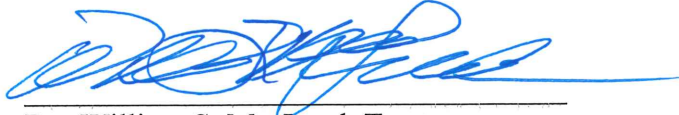
By the execution hereof the undersigned certifies that he is the sole trustee of The MacLeod Keogh Realty Trust of 2002 under Declaration of Trust dated September 17, 2002 and duly filed with the Essex North Registry District of the Land Court as Document No. 79504, the trust is in full force and effect without unrecorded modification or amendment, and the undersigned trustee has full power and authority to execute and deliver this Assent by Mortgagee without consent or authorization of any other person.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

Property Address: 275 South Main Street, Andover, MA 01810

Signed as a sealed instrument on this 29 day of April, 2022.

The MacLeod Keogh Realty Trust of 2002



By: William S. MacLeod, Trustee

COMMONWEALTH OF MASSACHUSETTS

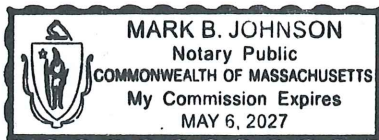
Essex, ss.

On this 29 day of April, 2022, before me, the undersigned Notary Public, personally appeared William S. Macleod, Trustee of The MacLeod Keogh Realty Trust of 2002, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  personally known to me, or  personally known to 3<sup>rd</sup> party witness personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, acting in his capacity as Trustee.

Notary Public 

Printed Name: Mark B. Johnson

My Commission Expires: 5/6/2027



## CERTIFICATE OF CONVEYANCE

I hereby certify on this \_\_\_ day of \_\_\_\_\_, 2022, this Preservation Restriction Agreement for the premises located at 275 South Main Street, Andover, Massachusetts, was conveyed to the Town of Andover, by and through the Andover Preservation Commission, free and clear of all liens and encumbrances, except for the following items, there are no holders of any interest in the land:

### Financial Liens

Mortgage to William S. MacLeod, Trustee of The MacLeod Keogh Realty Trust of 2002 dated November 2, 2021 in the amount of \$655,000.00 and recorded with Essex North Registry of Deeds in Book 17214, Page 235.

Mortgage to Peter MacLeod and Bridget MacLeod dated January 5, 2022 in the amount of \$151,500.00 and recorded with said registry in Book 17302, Page 228.

Mortgage to William S. MacLeod, Trustee of the MacLeod Keogh Realty Trust of 2002 dated March 30, 2022 in the amount of \$404,000.00) and recorded with said registry in Book 17397, Page 39.

**Note: The above mortgagees have executed an Assent by Mortgagee agreeing that upon the Mortgagee's exercise of its rights to foreclose on the mortgaged Premises it shall assume the burdens of the Preservation Restriction accepted by the Mortgagor**

**Note: This will be obtained prior to the Selectboard executing the Preservation Agreement**

### Other Matters of Record

Decision of the Andover Zoning Board of Appeals granting Special Permit issued to William P. Buck and Pensco Trust Company, et als, dated 9/16/2016 and recorded in Book 14827, Page 195.

Easement by Pensco Trust Company Custodian FBO William P. Buck IRA, et als, to Massachusetts Electric Company and Verizon New England, Inc., dated 2/1/2017 and recorded in Book 14993, Page 70.

Sewer Easement by Pensco Trust Company Custodian FBO William P Buck IRA, et als, to Jason T. Anton, dated 3/7/2017 and recorded in Book 15011, Page 130; see Plan No.17571.

Declaration of South Main Street Sewer Easement Homeowners' Association by Pensco Trust Company Custodian FBO William P Buck IRA, et als, dated 3/7/2017 and recorded in Book 15011, Page 138.

Easements and other matters set forth in this deed of Pensco Trust Company Custodian FBO William P Buck IRA, et als, to Jason T. Anton, dated 3/7/2017 and recorded in Book 15011, Page 160; see Plan No. 17459.

Decision of the Andover Zoning Board of Appeals issued to William P. Buck and Pensco Trust Company, et als, dated 12/8/2017 and recorded in Book 15352, Page 1.

Decision of the Andover Zoning Board of Appeals granting Special Permit issued to Joshua Kelly and Pensco Trust Company, et als, dated 6/19/2020 and recorded in Book 16430, Page 287.

The Easements are required for the development of the Property as a single-family dwelling.

---

Mark B. Johnson  
(Attorney for Grantor)



# TOWN OF ANDOVER

Jane Burns, Director  
Andover Elder Services  
The Robb Center  
30 Whittier Ct.  
Andover MA 01810

978.623.8320 (phone)  
978.623.8392 (fax)  
jane.burns@andoverma.us

April 15, 2022

Thomas Urbelis  
Andover Home for Aged People  
PO Box 143  
Andover, MA 01810

Dear Mr. Urbelis

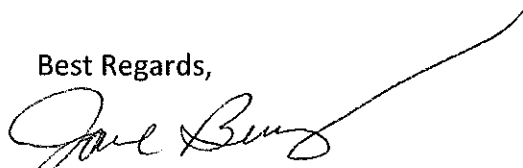
Andover Home for the Aged (AHAP) has generously partnered with Andover Elder Services to provide affordable podiatry care for those aging in the Town of Andover for some time. The steady growth in program participation over time belies the need for these important medical services.

We project the 2021 grant of \$12,500 in AHAP funds will be exhausted in June 2022 after having facilitated 375 podiatry appointments March 1, 2021 through March 1, 2022.

In January of 2022, Footcare Focus increased their fee from \$40 per Center visit to \$45 and from \$80 to \$90 per home visit. We have also increased the number of office visits from 8 to 9 per day in order to keep up with the increasing demand. We respectfully request your consideration of a 2022 award of \$16,000 which we project will meet the demand for service through March 1, 2023 based on this year's performance.

I speak for all when expressing our sincere appreciation for your continued support. We remain committed to ensuring Andover's elders have access to affordable podiatric services now and long into the future.

Best Regards,




Jane Burns

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(d)**

<b>SPECIAL MUNICIPAL EMPLOYEE INFORMATION</b>	
Name of special municipal employee:	Grace Lin
Put an X beside one statement.	<p>I am a <b>special municipal employee</b> because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input checked="" type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input checked="" type="checkbox"/> I serve in a municipal position for which <b>no compensation</b> is provided, or</p> <p><input type="checkbox"/> I earned <b>compensation for fewer than 800 hours</b> in the preceding 365-day period, or</p> <p><input type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am <b>permitted to have personal or private employment during normal business hours.</b></p> <p><input type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a <b>"key employee"</b> because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the <b>contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</b></p>
Title/ Position	Council on Aging Advisory Board
<b>Fill in this box if it applies to you.</b>	If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Municipal Agency/ Department:	This is "my Municipal Agency." The Robb Center (Andover Elder Services)
Agency Address:	30 Whittier Ct, Andover MA 01810
Office phone:	978-623-8320
Office e-mail:	Senior.center@andoverma.us
	<b>Check one:</b> <input type="checkbox"/> Elected            or <input checked="" type="checkbox"/> Non-elected
Starting date as a special municipal employee.	July 1, 2021

<p><b>BOX # 1</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an <b>X</b> by your financial interest.</p>	<p><b>ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am an elected special municipal employee.</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p><b>BOX #2</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an <b>X</b> by your financial interest.</p>	<p><b>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A contract between a municipal agency and myself, but not an employment contract.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><b>OR</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input checked="" type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>Name and address of municipal agency that made the contract</p>	<p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p> <p>This is the "contracting agency."</p> <p><b>The Andover Senior Community Friends</b>  <b>PO Box 576</b>  <b>Andover, MA 01810</b></p>
<p>Write an X to confirm this statement.</p>	<p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>
	<p><b>ANSWER THE QUESTION IN THIS BOX</b></p>

<p><b>FILL IN THIS BOX OR THE NEXT BOX</b></p>	<p><b>IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</b></p> <ul style="list-style-type: none"> <li>- Please explain what the contract is for.</li> </ul> <p>Teaching art at the Robb Center.</p>
	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</b></p> <ul style="list-style-type: none"> <li>- Please identify the person or entity that has the contract with the municipal agency.</li> <li>- What is your relationship to the person or entity?</li> <li>- What is the contract for?</li> </ul> <p>The Andover Senior Community Friends are paying me to teach Chinese Brush Painting 1 x per week for 8 weeks at the Robb Center. I will be compensated \$400.00 for this class.</p>
<p>What is your financial interest in the municipal contract?</p>	<ul style="list-style-type: none"> <li>- Please explain the financial interest and include the dollar amount if you know it.</li> </ul> <p>\$400.00 for an 8 week session.</p>
<p>Date when you acquired the financial interest</p>	<p>Starting June 2, 2022</p>
<p>What is the financial interest of your immediate family?</p>	<ul style="list-style-type: none"> <li>- Please explain the financial interest and include the dollar amount if you know it.</li> </ul> <p>NA</p>
<p>Date when your immediate family acquired the financial interest</p>	<p>NA</p>
<p>Employee signature:</p>	
<p>Date:</p>	<p>4-28-22</p>

**SEE NEXT PAGE FOR APPROVAL  
BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN. TOWN COUNCIL,  
OR DISTRICT PRUDENTIAL COMMITTEE**



**APPROVAL OF EXEMPTION  
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,  
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body:  <b>Write an X by one selection.</b>	<input type="checkbox"/> City Council <input type="checkbox"/> Board of Aldermen <input type="checkbox"/> Board of Selectmen <input type="checkbox"/> Town Council <input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
<b>APPROVAL OF § 20(d) EXEMPTION</b>	
	<p>We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.</p>
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

File your completed, signed, approved Disclosure with the city or town clerk.

Form revised February, 2012

**Joint Meeting**  
**Select Board and Finance Committee**  
Saturday, April 2, 2022 9:00 AM  
Memorial Hall, Memorial Hall Library  
2 North Main Street, Andover, MA 01810

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**I. Call to Order/Roll Call**

Chairman Chris Huntress called the Joint Meeting to order at 9:00 AM. Members present from the Select Board: Roll call: Alex Vispoli-Y, Melissa Danisch-Y, A. Gilbert-Y,

Finance Committee Chair John Barry called the Finance Committee to order. Members present from the Finance Committee: Roll call: Paul Russo-Y, Paul Monticciolo-Y, Mary Ellen Logee-Y, Kevin O'Handley-Y, Paula Colby-Clements-Y, Paul McKay-Y, Ken Russo-Y.

Others Present: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, and Finance Director Donna Walsh.

**II. Opening Ceremonies/Moment of Silence/Pledge of Allegiance**

The meeting began with a Moment of Silence followed by a Salute to the Flag.

**III. Opening Remarks**

A. The Town Manager began the meeting with an overview of the FY-2023 budget goals which are to develop a budget that is within the limitations of Prop 2.5 and to maintain a level service budget, while identifying opportunities to improve service delivery through efficiency and commitment to collaboration and innovation and to maintain employee compensation in a manner that provides opportunities for equity through modest adjustments and that is consistent with the Town's long-term financial planning efforts. They are in the process of negotiations with all of the town units on new contracts.

They continue to aggressively manage employee benefits and associated impacts both long and short term and to identify opportunities to reduce the Town's unfunded liabilities including pension and OPEB Costs. The Water and Sewer Enterprise Fund also support the pension liabilities. We have the Pension Obligation Bond (POB) in place and will continue to develop a long-term financial model that provides for predictability and sustainability of operations. We have established a capital program based on an annual spending rate (5.72%) for capital capacity and to fund investments in both infrastructure and facilities within the limitations of Prop 2.5.

Revenue assumptions:

Tax levy to increase by 2.5% as allowed by Prop 2.5 plus new growth of \$1,931,422 projected and based on an adjusted 10-year average. Local receipts \$11,634,191 projection based on trend analysis on each individual category is reflective of reductions made as a result of Covid-19. State Aid projections of \$14,527,860 have been adjusted to reflect the Governor's budget; and Free Cash in the amount of \$1,870,340 which may go up a bit due to snow and ice, to be appropriated only for one-time capital expenditures while maintaining a balance that will provide for a stable amount of Free Cash in future years.

### FY-2023 Expense Assumptions

Town and School Operating budgets to increase only by the amount of funds available after funding requirement and obligations. Retirement contribution will look a little different this year. The total will be \$6,253,955 per the existing funding schedule established by the Retirement Board. Debt Service for the POB will total \$11,325,290 for FY-2023. \$6.2M will be used for normal cost (pension line) and \$11,325,290 is a fixed amount that takes the place of the unfunded portion with \$502,481 appropriated from the stabilization fund and transferred to the Pension Obligation Reserve Account. The retirement contribution will look a little different this year because there was an amount that increased every year that was necessary to fund the unfunded portion by 2040 and it was the growth of that portion of pension appropriation that created the greatest challenge.

Employee Health Insurance expenses to decrease by 0.49%. Health care is expected to increase by 2.5% and the incremental savings in health insurance resulting from the OPEB Funding Plan will be appropriated into the Trust; the Town Budget will increase by 2.5%.

Capital Expenditures The total appropriation will be based on a percentage of the budget (5.55%). Total Town Budget to increase by 3.30% (2.7% employee contributions to the ULO account).

### Explanation of Budget Changes in the FY-23 Budget

- School Committee budget: \$3,407,439 is an increase of 3.68% over FY 2022 budget.
- Information Technology beginning to move IT-2 for student devices out of the operating budget with funds from the School Dept being transferred to the IT Budget in the amount of \$363,025.
- Facilities: Funding for an additional custodian in the amount of \$55,715.  
Compensation Fund: Available funds in the amount of \$695,013 for town union contracts.
- Wellness and Support Services Division increase of \$106,685 to transfer an existing position from the Police Department into this newly created Division
- Tax Implications projecting the annual single family tax bill will increase by 5.91%.
- Budget Development: Increase of \$376
- Senior Tax Exemption: Increase of \$13 subject to pending state legislature that may double the circuit breaker.
- West Elementary School Exempt Debt first payment due 0.20% or \$22.00.
- Pension Obligation Bond increase of 2.2% or \$244 of the overall increase.

All of the above items are subject to valuations and changes to the tax levy.

FTE Impacts: Requesting an increase of one FTE custodian (for a total of 9) as a result of major increases in the total square footage of Town Buildings and to provide adequate services to the newest facilities and those with the highest usage.

## IV. FY2023 Budget Presentations

### A. General Government

Town Manager / Other No substantial changes. FTE's remain the same at four employees. Increase for COLAS \$15,246, and expenses of \$43,500 is an increase of \$200 over last year.

Capital Budget request in the amount of \$50,000; Town Manager is recommending \$30,000 to complement funds from ARPA for capital projects.

Mr. Flanagan provided a brief review of the 2021-2022 proposed Town Manager and Select Board Goals and Objectives.

Mike Lindstrom reported on the proposal to move the Veteran Services Offices under the Town Manager's Office and located in the Robb Center. The rationale for changing the reporting line is due in terms to community events and with Community Services and DEI taking on two new services within their scope.

Veterans Services: Recommended Budget Total of \$192,171 includes salaries of \$99,771 and expenses of \$92,400 with one FTE and one part-time employee. Expenses regulated under MA State Law and reimbursed 75% by the State. Mark Comeiro, Director of Veteran Services, has been able to obtain over \$300,000 for Veteran services this year.

Sustainability: Recommended budget total of \$111,239 includes salaries of \$91,849 and Expenses of \$19,390. The Sustainability Dept. has one employee.

Capital Budget Recommendations for Climate and Sustainability is \$40,000 from General Fund Revenues. They completed phase one of the Climate Action Plan and the Climate Action Summit kick off is scheduled for April 8<sup>th</sup>.

Human Resources: Jess Porter, HR Director for the Town reported on the newly created HR department on the Town-side as a result of a split from the Joint HR Office with Town and Schools. Recommended budget of \$155,000 with Salaries of \$135,00 and expenses of \$20,000. The fulltime benefits manager is paid through the Health Trust Fund. They are doing a full overview of all current benefit offerings and providers to determine if employees and retirees are receiving equality care at affordable prices. They are excited of bringing a Vision Plan. A full comprehensive audit of the Health Insurance Plan will be conducted to insure there are not individuals on our plan who do not have the legal right to not be on our insurance plan. Working with the Director of Equity and Inclusion and actively involved with them on hiring and job descriptions as well as working on expanding training programs for employees. The \$20,000 for the audit is coming out of the Health Insurance Trust Fund.

Finance Department -Finance Administration:

Finance Director Donna Walsh reported on the expenses and capital budget requests for this department. Salaries -\$33,281. The decrease in salaries is due to charging .5 FTE to ARPA for the next two years. Expenses are increasing by \$7,000 for support services for MUNIS software. The total recommended budget is \$368,952 change of -\$26,281 over last year. There are 1.5 FTE's.

Accessor's Office: Salaries in this office is \$406,656 a decrease of \$-9,877 and expenses of \$2,500. No change in FTE's at 5.0.

Collector/Treasurer: increase of \$5,000 due to COLAs. No change in FTE's.

Central Purchasing (Town and School) 60% of the expenses are charged to Town and 40% to the School Department. FTE's of 1.6.

Town Accountant: No changes. Salaries of \$2,063 for 4.5 FTE's.

CIP Recommendation of \$15,000 for Munis Software Improvements and Patriot Accessing Software used by the Assessor in the amount of \$30,000 from the General Fund.

Goals: Report and manage the ARPA funds in accordance with Federal regulations (\$10.4M) tracking and reporting will be required. Implementation of Tyler Content Manager to facilitate a paperless environment. Preparing for and executing upgrade to Munis version to 2021 which is a major upgrade scheduled for October 2022. Significant testing and training must be done before and after the upgrade and they will solicit bids for banking services to reduce the numerous banks the Treasurer has to deal with, to save money by reducing fees.

Recommended budgets:

- Select Board - Budget of \$900. \$700 for Salaries and \$200 for expenses.
- Finance Committee – recommended budget of \$28,900,
- Commission on Disability of \$7,000 budget with \$1,200 for salaries and \$5,800 in expenses.
- Town Counsel budget of \$254,000; \$6,500 in salaries and \$247,000 for expenses.
- Central Services recommended Budget of \$100,700 an increase of \$4,000 for expenses.
- Employee Benefits Recommended budget of \$1,091,806 an increase of \$41,667 in accumulated employee benefits account for expected retirements.
- Damages to persons and property recommended budget of \$2,000. No change.
- Patriotic and Civic Celebrations recommended budget of \$30,000. No change.
- Fixed Costs – Retirements recommended budget of \$-6,253,955 a reduction of \$51.51% represents the appropriation for normal costs and the required allocation for the unfunded liability. The debt service associated with the pension obligation bond is funded through the Debt Service Account.
- Fixed Costs -OPEB- recommended budget of \$1,753,413 an increase of \$57,387. A 2.5% increase plus incremental savings in health insurance from the OPEN Funding Plan.
- Health Insurance. Recommended Budget of \$23,034,797 a reduction of -\$112,665 due to employees funding more of the share of health insurances. Total subscribers of 206 an increase of 39 participants.
- General Insurance predicting a 10% or \$124,000 increase for a recommended budget of \$1,364,000.
- Technical Schools. Greater Lawrence Tech School and Essex North Shore Agricultural: Due to an increase in student enrollment, the recommended budget is \$1,074,000 an increase of \$274,000.
- Debt Service Fund includes the pension obligation bond debt service. The total recommended budget is \$23,333,892 an increase of \$12,276,339.
- Unemployment Compensation Fund recommended budget of \$164,00 an increase of \$4,000.

- **Compensation Fund:** Includes fund for the settling of successor agreements with the Town's unions. No cost-of-living adjustments are reflected within the department budgets. Recommended budget of \$848,399 a change of \$693,013.
- **Reserve Fund** of \$200,000 per year with no changes.

**Community Services:** Jemma Lambert, Director

The Department is in transition and includes Elder Services, Recreation, Youth Services, Andover DIVERSE, Wellness and Support. The recommended budget for Administration is \$130,590 with \$140,590 in Salaries and \$10,000 for expenses.

**Elder Services** Total budget recommendation of \$736,763 includes salaries of \$637,863 an increase of \$12,279. There are 11.28 FTEs. Federal grants of \$3,000 are offset by -\$3,000 in Sale of Service.

**Recreation** Budget recommendation of \$178,249 a change of -\$37,506. \$483,480 recommended for salaries and \$226,300 in expenses. They have more programming and an all-time high participation rate. FTE's 5.5.

**Youth Services** recommended budget of \$505,733 which is an increase of \$650 over last year with Salaries of \$425,909 and expenses of \$126,824. There is no change in FTE's (5).

**Andover DIVERSE** recommended budget of \$96,273 includes \$90,273 in salaries (1 FTE) and \$6,000 in expenses.

**Wellness & Support Division:** new hire salary of \$100,885 and expenses of \$6,000 for a recommended budget of \$106,885. FTE's 1.0.

**Goals and Actions:** There are a lot of moving parts as they advance community driven initiatives and engagements with the goal of building a more inclusive Andover. Goals are to ensure that AYS maintains and builds a range of programs and services to support Andover's youth and their social and emotional well-being. In conjunction with Andover Police Department and other stakeholders, they will be establishing the Division of Wellness and Support Services. They continue to build upon organizational capacity to ensure the long-term success of the department. There is lots of work to be done with their leadership team and focusing on professional development for that group.

**B. Public Safety**

**Police Department** – Chief Keefe

Recommended salaries of \$7,032,892 and Expenses of \$903,018.

Transfer of one FTE to Wellness & Support Services Division

Total FTE's now stands at 59.0.

Total Recommended budget of \$7,875,910.

**Dispatch:** Replacing two resignations. Total budget recommended \$943,471 with \$914,471 in salaries for 11 FTE' and \$29,000 in expenses.

**Parking Control:** One resignation that has not been filled currently a .5 position. Recommended budget of -\$152,426. Total FTE's 1.5. \$95,426 for Salaries and \$57,000 in expenses with a -\$152,426 for reserve funds.

**Animal Control:** Recommended budget of \$79,673 with expenses of \$7,300 a total budget reduction of -\$3,632.00. Total FTE's 1.0.

**Emergency Management** recommended budget of \$23,500 an increase of \$1,500.

**Capital Budget** Recommendations \$205,00 for Police Vehicle Replacement.

### **Goals & Objectives:**

- Implement Body Worn Camera Program, awarded a \$102,484 Grant.
- Staff the Department on the needs and wants of the Town and the Department to better serve the community.
- Start the process of being Nationally Accredited (CALEA Standards).
- Train, educate and mentor officers and staff to create an environment of lifelong learners who will continue to strive for excellence in their profession.
- Maintaining 100% department strength, although the last two years have been difficult.
- Increase the number of patrol officers from 38 to 42 over the next 4-5 years.
- Update existing Policies and Standards
- Ensure Officers are meeting mandatory training requirements under POST and Police Reform Bill. Continue to send staff to new and challenging training to better individual officers and staff to serve the community in multiple skill sets.

### **Fire Rescue – Chief Mansfield**

**Andover Fire Rescue.** Salaries decreased by -0.19% due to the retirements and new hires coming in at a lower rate of pay. The Department has 70 FTE's (authorized to have 72) for a total recommended salary of \$8,611,698 for FY-23 and recommended expenses of \$612,050 an increase of \$40,500. Recommended Sale of Service for FY-23 \$1,300,000 a decrease of \$50,000 which includes an increase in ambulance billing revenue.

Expenses increased due to fixed costs; if not for grant funding, this number would be much higher. They have seen a 22% increase in the cost of protective garments and are also experiencing supply change issues.

Sale of Service comes from the Andover billing fees, with a change from \$1.25M to \$1.3M due to increased transport of patients that they were not allowed to transport as much during Covid. They are tracking to see how this trend will continue. They are also experiencing manpower issues and overtime needs. The number of incidents is putting a strain on their department, with only two full-time ambulances who each average 16 calls per day. Even with the increases in incidents, they have seen a decrease in the total budget by \$26,149. They will be coming before the Select Board to request an increase in ambulance billing fees.

**CIP** requests include: \$260,000 for Fire Apparatus Replacement. TM Recommendation of \$145,000 from Free Cash and requesting Multi-band Portable Radios at a cost of \$385,000. The Town Manager's recommendation is \$200,000 from General Fund Borrowing.

### **Goals & Objectives:**

Funding for Multi-band portable radios for all Andover Fire Rescue personnel.

Develop specifications and begin the design of Engine 1 replacement.

Engage with Civil Service to begin the process of hiring a minimum of two personnel to fill existing vacancies.

Collaborate with Facilities to repair or enhance the operational and living conditions at the West and Central Fire Stations.

Assist with negotiating a successor agreement with IAFF Local 1658.

### **C. General Government**

**Community Development & Planning** – Paul Matarazzo, Chris Clemente, Tom Carbone.

Salaries: Recommending \$2,084,409 which is an increase of 3.16%

Expenses: Recommending \$237,396 an increase of \$3,101

Reserve Funds are - \$25,000.

Total Requests of \$2,296,805, an increase of \$67,006.

They have 22.2 FTE's and are asking to change the part-time Land Manager to 1.0 FTE.

- CIP Recommendation of Conservation Land Management of \$15,000.
- Review of Andover Wetlands Protection By-law of \$20,000.
- Highlights: Historic Mill District coming to the goal line with the sale of the Old Town Yard with Minco Development. As a result of robust community conversation, the Town is poised to make its first investment at Essex St/Red Spring/ Shawsheen Road intersection reconstruction.
- Zoning Bylaw Re-codification is an on-going process over the past 18-months., providing a level of clarity to be able to respond to applications.
- Parking & Hardscape Improvement Project – working to finalize a bid going out for construction this summer that will provide an opportunity for the community to come together in a different way.
- Chandler Road Recreation Area. They are moving forward with next steps by engaging the community in what they would like to see by holding community conversations in-person and virtually.

### **Conservation Department** – Bob Douglas

Community Engagement with Winterfest at Pomp's Pond, and the Fishing Derby held this winter. They are working to upgrade kiosks and making signage more consistent for the conservation properties. This year, they applied for and received an Municipal Vulnerability Preparedness Grant in the amount of \$131,700 for Shawsheen River Watershed Land Conservation Planning to plan for climate resilience and environmental justice. In conjunction with GLTS, they finalized the Merrimack River Reservation Concept Plan. They are putting more racks on the Merrimack River Reservation property for canoes and kayaks and clearing trails and looking at encroachments.

### **Building Department** - Chris Clemente

They continue to be exceedingly busy adding new content to the Building Division webpage which is on-going. They are converting the permitting system to a new version which offers 100% of permitting to be done online and on-line approvals. In addition, they are coordinating a unified platform of multiple regulatory departments. They are also working on the process to identify, quantify, and periodically inspect specified occupancy per 780 CMR Table 100. They are also collaborating with consultants, the Planning Division, and other stakeholders on the the comprehension recodification of Article VIII- Zoning By-law. Out of the 10,000 permits from the Columbia Gas Disaster, there are approximately 300 permits open related to electrical permits that they are closing out with EverSource.

### **Public Health Division** - Tom Carbone

They will be partnering with the Town of North Andover to put out a Health Needs Assessment and from there a plan will be developed on how to implement it. They have been able to convert health permits on-line and still working on adjustments to it. They are now through their first renewal system which was difficult they hope it will be less.

Immunization Clinics for COVID19. Weekly mini clinics were held for booster shots and the 1<sup>st</sup> and 2<sup>nd</sup> vaccine doses from December thru February. Planning is underway for regional clinics to be available when a second booster is available. They are working with neighboring Towns to continue to look to see how they can best serve the community. They have added three temporary personnel who are being paid through grant funding from the State.

**Town Clerk** – Melissa Ripley

Salaries down 1.09% due to seniority and staffing changes.

Expenses are up 17.62% because of the upcoming State Primaries and November Election. FTE's are still at 4.0 for a total salary expense of \$386,945 and expenses of \$92,400 for a total budget request of \$6,335.

They would like to stay with three polling locations this year and look further into making a change next year. New precinct maps will be distributed and available at the Library, Town Hall, and the Robb Center. The E-plus program allows them to check everyone in and in the right location and additional Poll Pads will be purchased resulting in the hire of fewer poll workers. They will continue to cross-train staff in the office to cover for existing personnel when needed and review training opportunities for all staff. They hope to increase the number of dog licenses that they receive.

**Information Technology** – Paul Puzanghera, CEO of IT

Total Recommended Salaries of \$2,112,453 an increase of 1.9% due to contractual agreements. Recommended expenses of \$848,550 an increase of 61.37% for a total budget recommendation of \$2,961,003 with 21.5 FTE's for FY-23 an increase of .5.

**Highlights:**

- Funding for Student Devices of \$250,000 will be transferred from the School Dept Budget into the IT budget.
- Procured additional computers for students through the CARES Act during the pandemic.

**Capital Budget Recommendations:**

- Updates to Annual Staff Device Refresh \$379,363 from Free Cash.
- Annual Student Device Refresh budget recommendation for FY-23 is \$436,477 from Free Cash.
- IT Platforms and Infrastructure budget recommendation for FY-23 is \$450,000 (of their request of \$799,500) from Free Cash.

Last year, they began the migration from Office 365 to the Cloud with 100% of users now in the Cloud and will begin the process of reducing the footprint of the two Data Centers. The focus is on improving collaboration ability for information purposes and linkage. Video conference needs grew throughout the pandemic. They will begin to deploy the one-touch video for all conference rooms.

Cyber-security: They participated in a Cyber-audit and have completed the first round of training with significant efforts in all dimensions of cyber resiliency, backup and ransomware protection.

Data Center Upgrade right size computer/server footprint as more workloads move to the Cloud. They are moving to digitize all of the management documents and upgrading the current Laserfiche equipment and starting to digitize all historical records. This will be a multiyear project that will touch all town/school departments.

Critical updates: Major update to MUNIS moving to the Cloud and Town and School Web Sites separating out a new intranet.

**D. Library Services** – Barbara McNamara, Library Director

Recommended Salaries	\$2,307,538	increase of .61%	\$14,172
Recommended Expenses	\$660,687	Increase of .87%	\$ 5,750

Budget reduction of \$8,422 due to reduction in salaries, and an increase in digital service requests. There are no capital requests this year. Their goal for this is year is to work on a 5-year Strategic Plan required by the State in order to access grant funding. They are preparing to build Makers Space on the ground floor that is both visible and accessible. They have completed the Diversity Audit and are updating the lists of books to ensure they include diverse books and continuing their work on Social Injustice and Creative Conversations. They have had a year of staff changeover and she recognized Jess Porter for assisting her in this process.

**Facilities** Janet Nicosia, Director of Facilities

Facilities Administration. FTE's 8.0

Salaries	\$783,130	Change of -\$11,822
Expenses	\$80,350	Change of \$7,400

Facility Services FTE's 10.0\*

Salaries	\$ 655,838	Increase of \$55,715
Expenses	\$ 345,500	Decrease of \$53,500
Sale of Service	-\$ 40,000	Change of -\$20,000
AYF Gift	<u>-\$ 8,000</u>	No change
TOTAL	\$953,338	Recommended budget for FY-23

\*They are requesting one additional FTE for custodial services. They want to provide custodial services at Youth Services and for the night program at the Robb Center so they can have custodial staff in the immediate area. This would bring the total FTE's for Facility Services to 10.0. The AYF Gift of \$8,000 to Youth Services comes from the \$30,000 yearly donation to the Town and is an offset for the Dept of Facilities servicing the Center.

**Facilities Building Maintenance**

Facilities Street Lighting \$75,000. Reduction of \$(15,000)

They are looking to adding some street lights in Town for walkability and it has been much easier to replace since going to LED Lighting. They had one FTE transfer to Mechanical Division from the Electrical Division. They have been using a professional estimator to keep track of inventory and increase of costs due to delay in the supply chain.

Recommending 5.5 FTE's for FY-23

Salaries	\$419,087	Decrease of \$-76,317
Expenses	<u>\$357,000</u>	Increase of \$33,000
Total	\$819,404	Total change of \$-43,317

Mechanical/Electrical

Recommended Salaries	\$734,036	Increase of \$116,179	*FTE's 9.0
Recommended Expenses	<u>\$497,000</u>	Increase of \$57,500	
FY-23 Recommended Budget	\$173,679		

\*Includes one FTE transfer from Building Maintenance

CIP requests:

\$ 444,000	Building Division for Town Projects
\$. 345,000	Mechanical & Electrical Division for Town Projects
\$. 100,000	Town and School Security Projects
\$ 65,000	Town Vehicle Replacement
\$. 550,000	Town Parks and Playground Equipment
\$1,600,000	Major Town Projects
\$ 90,000	Town & School Energy Projects

**Major School Projects**

SCH-I	\$ 870,000	Projects by building totals \$401,500.
SCH-5	\$1,750,000	Major School Projects

**Goals & Objectives**

- WESP School Building Project: Control costs and maintain budget. Work is on-going and entering construction phase in April 2022.
- DMS Elevator construction planning and continued implementation for closed captioning assisted listening devices in all major meeting rooms.
- Meet needs of citizens of all abilities to engage in the government process by making enhancements and ADA compliance, major construction projects are underway.
- Staff completion of the Level 2 Community Access Monitor Program from the Massachusetts Office on Disability so that we can continue to be a voice for people with disabilities.
- Manage the procurement and construction of the Town's first municipal rooftop solar array to be installed at Sanborn Elementary School.
- Continue to improve safety and security with enhancements to security systems, alarms.
- Continue to deliver excellence in building maintenance, keeping pace with changing needs, codes and requirements.

E. **Public Works** Chris Cronin, Director

FY-23 Recommended Budget

Administration: FTE's 2.0

Salaries	\$245,007	Expense \$9,150	\$ 254,157
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Business Office: FTE's 3.1

Salaries	\$273,834	Expenses \$3,000	\$ 3,912
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<u>Engineering</u>	FTE's 3.0		
Salaries	\$325,962	Expenses \$10,000	\$ 13,294
<u>Public Works</u>	FTE's 15.5		
Salaries	\$1,231,728	Expenses \$523,400	\$1,755,128
<u>Snow &amp; Ice</u>			
Salaries	\$198,000	Expenses \$1,049,000	\$1,247,000
<u>Solid Waste:</u>			
Salaries	\$ 8,510	Expenses \$3,399,555	\$3,408,065
<u>Forestry:</u>	FTE's 4.0		
Salaries	\$321,391	Expenses \$111,150	\$. 432,541
<u>Spring Grove Cemetery</u>	FTE's 3.0		
Salaries:	\$234,584	Expenses \$44,645	
Sale of Service	-\$60,000		\$. 2,372
<u>Parks &amp; Grounds</u>	FTE's 7.5		
Salaries	\$650,635	Expenses \$150,350	\$. 800,895
<u>Vehicle Maintenance</u>	FTE's 4.0		
Salaries	\$344,632	Expenses \$460,000	\$. 804,832
<u>Sewer</u>	FTE's 4.0		
Salaries	\$357,873	Expenses \$2,978,124	
		Sewer Debt Service \$1,602,416	\$ 4,938,413
<u>Water</u>	FTE's 23.0		
Salaries	\$2,343,272	Expenses \$3,926,102	
		Water Debt Service \$3,801,472	\$10,070,846

They are having trouble with expenses due to the uncertainties of where they are. There are few changes in administrative costs.

Business Office. \$3,000 increase in expenses for office supplies

Engineering: \$10,000 to meet storm water management requirements

Highway: No significant change.

Snow/Ice Due to the increase in ice and increased snowplow rates there will be a significant deficit in this account.

Solid Waste. Recycling is reduced.

Forestry: Salaries additional \$10,000 in overtime

Spring Grove: No change

Parks & Grounds: \$7,500 increase to keep the downtown holiday decorations going.

Public Works Vehicle Maintenance – two retirements reflect the difference in salaries.

Sewer: Debt Service for Sewer is decreasing.

Water: I s a bit of a challenge – expenses in increased chemicals and utilities

### **Capital Improvements:**

Chapter 90 road work \$1,364,279: Minor Road work \$250,000 Town Sidewalks \$850,000.

Public Works vehicles small \$150,000 Large Vehicles: \$400,000.

Water & Sewer Vehicles \$350,000.

Water Main Replacement Project (WEB) \$6,000,000.

Spring Grove Cemetery Improvements. \$20,000.

Dale Street Pumping Station (SEB) \$210,000

Parks & Grounds

**Goals & Objectives**

Replacing all lead service lines in the Andover Water Distribution System. The DEP is not telling us how to pay for the replacement, but that they have to be replaced and have been working with them to develop a draft replacement plan. Every home owner in Town has been alerted.

Maintaining the highways in Andover. Public Works continues to pave the roads within the gas impacted areas completing approximately 60% and on progress to complete all within the timeline.

Adopt a new comprehensive sidewalk master plan they have completed the Sidewalk Master Plan and develop and adopt a Complete Streets Policy.

They have increased the capacity of the Water Treatment Plan

**V. Adjourn**

Select Board Chair Chris Huntress thanked everyone for their efforts today.

At 1:45 P.M. on a motion by Alex Vispoli and seconded by Annie Gilbert the Select Board voted 4-0 to adjourn the meeting of Saturday, April 2, 2022.

Finance Committee: On a motion by Kevin O’Handley and seconded by Paul McKay, the Select Board voted 4-0 to adjourn.

Respectfully submitted,

Dee DeLorenzo  
Recording Secretary

*If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager’s Office at 978-623-8215 or by email at [kathryn.forina@andoverma.us](mailto:kathryn.forina@andoverma.us)*

**MEETINGS ARE TELEVISED ON COMCAST CHANNEL 22 AND VERIZON CHANNEL 45**

Select Board  
Meeting Minutes of Wednesday, May 18, 2022  
Andover High School, Classroom Number 110  
80 Shawsheen Road, Andover, MA 01810

**I. Call to Order**

Chairperson Chris Huntress called the Select Board Meeting of Wednesday, May 18, 2022 to order at 5:50 PM. Members in attendance: Melissa Danisch, Annie Gilbert, Laura Gregory (arrived at 5:55 p.m.) and Alex Vispoli.

**Others in Attendance:** Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Assistant Town Manager Patrick Lawlor, Town Counsel Tom Urbelis, Director of Public Works Chris Cronin and Courtney Famiglietti, resident of 3 Hacienda Way.

**II. Regular Business – Annual Town Meeting**

Article 33 - Funding to Repair Hacienda Way for Street Acceptance

Mr. Flanagan informed the Board that the Town collaborated with the article's petitioner, Courtney Famiglietti, on an amendment that would be agreeable to both the Town and residents. Mr. Flanagan passed out a copy of an amendment that would revise the amount requested from \$110,000 to \$50,000. It is anticipated that this amount would be for the legal and engineering work. The street could potentially be on the warrant for acceptance as early as next year. Mr. Flanagan noted that the Finance Committee was meeting at 6:30 p.m. to vote on this amendment and the Planning Board would be meeting if they had a quorum.

On a motion by Mr. Vispoli, seconded by Ms. Gilbert, the Board recommended approval of Article 33 with the amendment as presented. Vote: Unanimous (4-0).

Date for Third Night of Town Meeting

Mr. Flanagan informed the Board that they would need to provide the Moderator with a date for a third night of Town Meeting. He noted that Thistle Communications is not available on Thursday, May 19<sup>th</sup>. They are not needed if Town Meeting is continued to a date that the Collins Center is available. The next date the Collins Center is available is Tuesday, June 7<sup>th</sup>. The Board discussed continuing Town Meeting to Tuesday, May 24<sup>th</sup> at the Memorial Auditorium. Mr. Cronin stated that he would contact the facilities coordinator to see if Memorial Auditorium is available on May 24<sup>th</sup>.

On a motion by Mr. Vispoli, seconded by Ms. Gilbert, the Board voted to continue Annual Town Meeting, if needed, to either Tuesday, May 24<sup>th</sup> or Tuesday, June 7<sup>th</sup>. Vote: Unanimous (5-0).

**III. Adjourn**

On a motion by Mr. Vispoli, seconded by Ms. Danisch, the meeting was adjourned at 6:05 p.m. Vote: Unanimous (5-0).

Documents: Amendment to Article 33 – Funding to Repair Hacienda Way

Respectfully submitted,  
Kathryn Forina