

DECISION OF THE ANDOVER PLANNING BOARD  
AS A SPECIAL PERMIT GRANTING AUTHORITY

ON THE APPLICATION OF  
White House Lane, LLC

For a Modification of Special Permit for Earth Movement under Section 6.3 of the Zoning By-Law.

Decision: SP21-08

YES (with conditions)

A public meeting of the Planning Board was held on November 9, 2021. Present and voting in the affirmative on the matter were members Zachary Bergeron, Rocky Leavitt, Ann Knowles, Neil Magenheim and Morgan von Prella Pecelli.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on September 16, 2021 and September 23, 2021, and notice sent by mail, postage prepaid, to all interested parties pursuant to the provisions of Massachusetts General Laws, Chapter 40A, a public hearing was convened on October 12, 2021 on the application of White House Lane, LLC for a Modification of a Special Permit for Earth Movement associated with a Modification of a Definitive Subdivision development of a residential subdivision. The hearing was closed on November 9, 2021, with the aforementioned members of the Board present throughout.

Premises affected is property owned by White House Lane, LLC located at Murray Hill Lane

---

shown on Assessor's Map 148 Lot 1-E, hereinafter referred to as the "site", on which a definitive subdivision plan entitled Murray Hill Estates would take place.

In consideration of the Modification of Special Permit for Earth Movement, the applicant had submitted an earth quantities plan and an erosion and sedimentation control plan for review. In the analysis, as prepared by Dana Perkins there will be no new removal or additional soil brought into the site.

In consideration of all of the foregoing, including the plans, documents, and testimony given during the public hearing, the Planning Board hereby approves and issues a Modification to a Special Permit for Earth Movement, applicable to the property earlier described, and subject to the following conditions:

#### Conditions of Approval

1. The stormwater infiltration system shall be constructed as shown on plans prepared by Dana F Perkins, Inc. dated September 7, 2021 last revised November 4, 2021 entitled Proposed Infiltration System Murray Hill Lane Sheets 1-3;
2. Prior to construction the recorded Homeowners' Association shall be amended to include the Pollution Prevention Plan, the Operations and Maintenance Plan, and an amended amount to be deposited by the Declarant. The Amended HOA shall be reviewed by the Town Engineer and Town Counsel and approved by the Planning Board prior to recording at the Northern Essex Registry of Deeds;
3. The applicant shall place erosion controls immediately after the subsurface system is installed to avoid potential sediment entering the chambers;
4. All other conditions of approval shall remain in effect.

Following the statutory twenty-day appeal period, and in the absence of any appeal, the plan and an instrument containing the foregoing restrictions will be filed in the Registry of Deeds. The applicant is responsible for the costs associated with the Registry filings.

On November 9, 2021, at a public meeting, the Planning Board voted (5-0) to issue the foregoing Special Permit with conditions.

Date: 11/17/2021

[Signature]  
\_\_\_\_\_  
, Chairman  
THE ANDOVER PLANNING BOARD

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

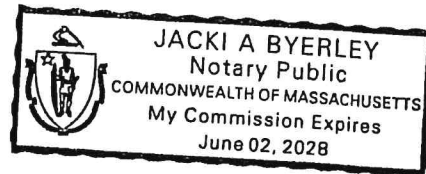
Date: 11/17/2021

On this 17 day of November, 2021, by Zachary Bergeron, the authorized agent of the Andover Planning Board, proved to me through satisfactory evidence, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the documents are truthful and accurate to the best of his knowledge and belief and who acknowledged to me that he signed it voluntarily for its stated purpose and acknowledged the foregoing to be the free act and deed of the Andover Planning Board.

Before me,

[Signature]  
\_\_\_\_\_  
, Notary Public

My Commission Expires:



CERTIFICATION

I, Austin Simko, Town Clerk of the Town of Andover, Massachusetts, do hereby certify that twenty (20) days have elapsed since this decision of the Andover Planning Board was filed in my office on Sept. 8, 2021 and no appeal against said decision has been filed.

Date: 8-28-2022



Town Clerk