

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday, January 4, 2011**  
**Town Hall, 120 Main Street**  
**7.00 PM**

1 Present: J. Simons, M. Colantoni, R. Glover, C. LaVolpicelo, T. Seibert (arrived at 7:12)

2 Absent: R. Rowen

3 Staff Present: J. Tymon, J. Enright

4 Meeting began at 7:04

5 **POSTPONEMENTS:**

6 **CONTINUED PUBLIC HEARING: 1679 OSGOOD ST.** Definitive Subdivision for 8 single-family residential lots within  
7 the R-3 District, submitted by GMZ Realty.

8 **CONTINUED PUBLIC HEARING: 1003 OSGOOD ST.** Watershed Special Permit and Site Plan Review Special Permit  
9 for construction of a new 21,000 sq.ft. restaurant/office/retail building and relocation of an historic barn.

10

11 **PUBLIC HEARINGS**

12 **NEW PUBLIC HEARING: Dale Street Athletic Fields,** The Town of North Andover is requesting a Watershed  
13 Special Permit to construct an athletic field and parking area outside of 100' buffer to BVW.

14 J. Tymon: This proposal has been submitted by the Fields Committee. The project has already been approved by  
15 the Conservation Commission. It includes a drainage system that they are proposing and a large part of it is within  
16 the 150' buffer zone to the wetlands. The proposal includes a pervious gravel surface for parking area and a swale  
17 along two sides of the field directing stormwater to a detention pond. They also have a level spreader. This project  
18 has not been sent to an outside review consultant. The only questions I have is should we have Ben Osgood, Jr.  
19 since they don't have the best soils for infiltration, give more information on the soil types that were found, were  
20 test pits done, and did he size the detention pond specifically for the soil types found.

21 T. Zahoruiko, member of the Fields Committee: This is a town project. This proposal was presented to the Board,  
22 in concept, to build a ball field some years ago. We have tried to keep it as simple as possible and to take care of the  
23 anticipated parking needs. There are 50 parking spaces planned and conceptually it will be like Carter Field with a  
24 pervious surface, not paved. The proposal has been designed to stay out of the 100' buffer zone. Although there  
25 wasn't a full drainage analysis done when B. Osgood delineated the wetland he also did borings and designed with  
26 that in mind.

27 J. Simons: Is the field area mostly scrub, not mature trees?

28 T. Zahoruiko: There are no mature trees. It used to be a field and it has recent growth. The terrain is relatively  
29 gentle with a slope from left to right.

30 R. Glover: Asked for explanation of what was done to address the runoff issues.

31 T. Zahoruiko: The drainage elements are to keep all the areas pervious in some way, the grading that runs toward  
32 the wetland is intercepted by swales that take runoff to the detention area, there are single and double catch basins.

33 M. Colantoni: Any lighting being added?

34 T. Zahoruiko: No. Nothing intended.

35 C. LaVolpicelo: Any drainage analysis done?

36 T. Zahoruiko: No. It is a community project and we are trying to keep the costs under control. I suggested the  
37 committee not undertake it until it was requested or directed. We wanted to see how far we would have to take the  
38 technical analysis first.

39 J. Simons: asked if Gene Willis has reviewed the project.

40 J. Tymon: No.

41 J. Simons: How big will the detention pond be? It looks very close to the end of the field.

42 T. Zahoruiko: about 120' across and 8' to the overflow. The field is a multi-use field (not just soccer) and will have  
43 a fence all the way around to intercept balls as well as people.

44 J. Simons: Expressed concerned about children risk of standing water in the pond. It is a pretty substantial size and  
45 there will be masses of people coming for a municipal use. Just want you to think through whether you are creating  
46 any potential safety issue.

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47 T. Zahoruiko: I will have to get an answer from B. Osgood on that. If there is a chance of standing water we could  
48 enclose it with a fence. We will look at the design.

49 J. Simons: asked if there is anything else other than comments from G. Willis we are waiting for.

50 J. Tymon: Maybe some comments on the drainage from the design engineer.

51 J. Simons: Asked T. Zahoruiko to submit those comments and we can finish next time.

52

53 **NEW PUBLIC HEARING: 58 Country Club Circle**, Donald Stanley is requesting a Modification to a Watershed  
54 Special Permit in order to finish the interior of a detached garage and to connect the garage to water and sewer  
55 through existing connections between the garage and the house.

56 J. Tymon: Donald Stanley, owner of the property is here. He previously received a Watershed Special Permit  
57 within the non-disturb zone for a detached garage in 2006. I did a site visit. There were BMPs installed, gutters are  
58 connected to underground storage, water and sewerage has been connected to the property. Porous pavers were on  
59 the plans but were not put in yet. Mr. Stanley explained that they were not put in due to weather conditions at the  
60 time. A condition of the Special Permit was that they not build-out the upstairs of the garage.

61 D. Stanley, property owner: The primary focus at the time of the original application was to build the garage. I  
62 didn't have any intent to use the additional space above at the time but I did say that I would come back once I  
63 decided what I wanted to do with it. Up until now it has only been used for storage. I would like to use it as a  
64 bonus room. It would include a half bath.

65 M. Colantoni: Is it just connecting the bath to the sewerage? Is anything changing on the roof line?

66 D. Stanley: No. There are no changes. It is just connecting to the existing lines.

67 J. Simons: The only thing different is that there will be a little bit more use and a half bath. We will just vote it next  
68 time as a modification to the existing conditions.

69

70 **CONTINUED PUBLIC HEARING: Amend the Planning Board Regulations**, including applications and filing  
71 fees to accompany the Town of North Andover's Stormwater Bylaw, Chapter 160 of the town's Bylaw.

72 J. Tymon: Reviewed the items listed in an email sent by L. Eggleston that answer the question asked at the last  
73 meeting of where the proposed regulations go above and beyond the stormwater standards. A copy of the email was  
74 included in the Planning Board information package.

75

76 Public Comment

77 Phillip Christiansen: Distributed and reviewed his comments regarding the proposed regulations. The jurisdictional  
78 reach of this proposal will be a burden on homeowners and the Planning Department. Other concerns discussed:  
79 definitions-TSS, applicability section 3, 6.5 Entry –too open ended, 6.7 Public Hearings---should be limited to larger  
80 projects and smaller projects handled administratively without public hearings, 7.2 Design and Performance  
81 Criteria—A. Low Impact Development--controlling stormwater is not directly related to conserving potable water,  
82 B. Hydrologic and Hydraulic Criteria—calculations for the 1, 2, 10 and 100 year storms should be the same for  
83 Conservation Commission and Planning Dept., C. Recharge—the need for ground water recharge and its  
84 relationship to Curve Runoff Numbers used in the TR-20 model are often misunderstood.

85 J. Simons: asked J. Tymon to have L. Eggleston review the comments submitted. Asked the Board to also take  
86 another look at the material and we should have another meeting to discuss the issue.

87 J. Smolak: Has taken a closer look at the regulations and the bylaw and submitted technical comments. Does not  
88 think the regulations are necessary. The EPA permit will be reissued in May and we don't know yet what will be  
89 required. He would like to hold off on the regulations until that permit is issued. The regulations are adding a ton of  
90 costs to small projects and large developments.

91 J. Tymon: We do have a draft of the permit that will be issued in May.

92 T. Zahoruiko: Only recently found out about the proposed regulations. Are these an overlay or beyond the  
93 stormwater that we deal with Conservation and the Subdivision approval process? It seems like it is another step or  
94 process that would affect even individual Form A lots?

95 J. Tymon: Any project that is not covered by a current bylaw or regulation by the Conservation Commission. If  
96 your project is under the jurisdiction of the Conservation Commission it would not require a Land Disturbance  
97 Permit. If your project is in the jurisdiction of the Planning Board for a Site Plan Review, Subdivision, or

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98 Watershed it would not require a Land Disturbance Permit. A Form A lot would not require a Land Disturbance  
99 Permit unless the developer was disturbing an acre or more or causes a change in drainage pattern of an acre or  
100 more.

101 T. Zahoruiko: Concerned about the process and costs and would like the opportunity to review the material.

102 J. Simons: We will hold it over until the next meeting.

103

104 **BOND RELEASE**

105 **0 Stiles Street**: Gene Willis requested a bond release of one thousand dollars for a Definitive Subdivision. An as-  
106 built plan has been submitted.

107 J. Tymon: I have a request from Gene Willis. I have received an as-built and visited the site. I did not see any  
108 issues. They had to put a driveway in. It is a paved driveway according to the plan.

109 **MOTION**

110 A motion was made by R. Glover to release all remaining funds for 0 Stiles Street definitive subdivision. The  
111 motion was seconded by T. Seibert. J. Simons, M. Colantoni, R. Glover and T. Seibert voted in favor. C. LaVolpicelo  
112 had left the room.

113

114 **MOTION**

115 A motion was made by T. Seibert to approve the meeting minutes for Planning Board meetings held on  
116 12/14/2010 and 12/21/2010. The motion was seconded by M. Colantoni. J. Simons, M. Colantoni, R. Glover and T.  
117 Seibert voted in favor. C. LaVolpicelo had left the room.

118

119 **MOTION**

120 A motion was made by M. Colantoni to adjourn the meeting. The motion was seconded by R. Glover. J. Simons,  
121 M. Colantoni, R. Glover and T. Seibert voted in favor. C. LaVolpicelo had left the room.

122

123 The meeting adjourned at 8:27 PM.

124

125 Meeting Materials: Jan 4, 2011 agenda, meeting minutes for 10/16/08 pertaining to 58 Country Club Circle, copy of  
126 application for WSP for 58 Country Club Circle from Nov. 2006, proposed site plan for 58 Country Club Circle,  
127 Notice of Decision for 58 Country Club Circle date 2/27/2006, North Andover proposed stormwater management  
128 and erosion control regulations, follow up letter from L. Eggleston regarding proposed stormwater management  
129 and erosion control regulations, Watershed Special Permit application submitted by T. Zahoruiko for the town of  
130 NA for a proposed athletic field and parking outside of 100' buffer to BVW, web soil survey for proposed athletic  
131 field location, proposed site plan for athletic field to be located at Town Farm, Dale St, NA., meeting minutes  
132 12/14/2010, meeting minutes 12/21/2010, comments concerning NA Stormwater Management and Erosion  
133 Control Regulations submitted by Christiansen & Sergi, Inc., comments concerning NA Stormwater Management  
134 and Erosion Control Regulations submitted by John T. Smolak, Esq.