

Conservation Commission Meeting Minutes
February 8, 2012

Members Present: Louis A. Napoli, Chairman, John T. Mabon, Vice Chairman, Deborah A. Feltovic, Douglas W. Saal.

Members Absent: Joseph W. Lynch, Jr., Sean F. McDonough, Albert P. Manzi, Jr.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Heidi M. Gaffney, Conservation Field Inspector, Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:45 PM Quorum Present.

General Business

Approval of Minutes: 1/26/11 & 12/7/11

A motion to approve the minutes of 1/26/11 and 12/7/11 made by Ms. Feltovic, seconded by Mr. Mabon.

Vote unanimous.

242-784, Request for Partial Bond Release, Abbott Village (Key Lime, Inc.)

- The applicant Benjamin C. Osgood, Sr. of Key Lime, Inc. is present.
- The administrator states Eggleston Environmental has reviewed the stormwater management plan and received almost all of the information she requested.
- Eggleston Environmental continues to work with Hayes Engineering to include forebays in existing detention basins to make easier to clean after acceptance.
- The NACC discusses the status of the project and work remaining.
- A motion to release \$50,000 bond made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Document: Letter from Howard P. Speicher Attorneys at Law dated 1/31/12

Recess 5 minutes

Public Hearing: 8:00 PM

Request for Determination of Applicability

61 Coachman's Lane (Papalia)

- The applicant Charles A. Papalia of 61 Coachman's Lane is present.
- Mr. Saal reads the legal notice.
- The administrator states this is an after the fact filing and that the penalty filing fee was paid.
- Mr. Papalia explains how and why fill was brought to the property.
- Mr. Napoli states more fill and grading was done after a cease and desist was issued.
- Mr. Mabon states the project needs a determination and conditions.
- Mr. Saal questions if the grading will go to the street and if it will fill in around trees.
- Mr. Papalia states that the bases of the trees will not be covered. The fill will go up to the edge of the street.

- Mr. Saal states the applicant will need to speak with the Town Engineer for decisions about what can be done in the public right of way.
- The NACC discusses erosion control for the site.
- The administrator states a 12 inch bark mulch tube off the edge of the roadway would be adequate.
- Mr. Saal recommends the applicant be sure he did not disturb roadway monumentation.
- The NACC's standard condition regarding fertilizer and herbicides/pesticides should be included since this is in the watershed.
- A motion to grant to issue negative determination with conditions made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.
- *Documents:*
 - *Application Checklist-Request for Determination of Applicability*
 - *WPA Form 1-Request for Determination of Applicability and associated documents*
 - *Photographs dated 2/8/2012*

242-1480, 14 Lorraine Avenue (Breenmore Realty Trust) (The Neve-Morin Group, Inc.)

- The applicant was not present.
- The applicant requests a continuance to the February 22, 2012 meeting.
- A motion to grant the request for a continuance to February 22, 2012 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Document: Continuance request letter from The Neve-Morin Group, Inc. dated February 1, 2012

**242-1539, 102 Peters Street (Dundee Properties, LLC) (Andover Consultants, Inc.)
(cont. from 1/25/12)**

- The applicant Jeffery Sheehy of Dundee Properties, LLC, and James S. Fairweather II, P. E. of Andover Consultants, Inc. are present.
- NACC reads review letters from Eggleston Environmental and Town Engineer.
- Mr. Fairweather discusses outstanding issues brought up in the letters including sewer easement, traffic, and stormwater outlet.
- Mr. Napoli recommends a continuance to resolve those issues.
- Mr. Fairweather agrees to continue.
- A motion to grant the request for a continuance to February 22, 2012 meeting made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
 - *Letter from Andover Consultants, Inc. dated 1/30/12*
 - *Letter from Eggleston Environmental dated 2/7/12*
 - *Letter from Town Engineer Eugene Willis dated 2/7/12*
 - *Revised Proposed Site Plan dated 1/25/12*

**242-1543, 26 Dartmouth Street (Jeffco Corp.) (Merrimack Engineering Services, Inc.)
(cont. from 1/25/12)**

- The applicant Douglas Ahern of Jeffco Corp. is present. Abutter Bryon Long of 134 Cotuit Street is in attendance.
- The administrator states the awaited DEP# has been received.

- The administrator summarizes the commissions decision regarding keeping the roof drywells/infiltrator as proposed.
- A motion to close the public hearing and issue a decision within 21 days made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1531, 315 Turnpike Street (Merrimack College) (VHB, Inc.) (cont. from 1/25/12)

- Jeffery Doggett and Robert Coppola of Merrimack College and Christopher Lovett of VHB are present.
- The administrator states Eggleston Environmental has done final review and the Town of Andover issued an Amended Order of Conditions allowing the project under the current stormwater master plan.
- The administrator summarizes additional items outstanding that can be conditioned including an illicit discharge statement and enhancement area planting plan.
- A motion to close the public hearing and issue a decision within 21 days made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.
- *Documents:*
 - *Volpe Athletic Center Expansion Plan dated 2/8/12*
 - *Amended OOC DEP File# 090-0750 issued January 31, 2012*
 - *Final Review email from Lisa Eggleston dated 1/25/2012*

242-1544, Rear of 24 Main Street (26 Main Street) (Jeffco, Inc.) (Andover Consultants, Inc.)

- The applicant Douglas Ahern of Jeffco, Inc., James S. Fairweather II, P. E. of Andover Consultants, Inc. are present.
- Abutter's present David Paul of 25-27 Main Street, John Tnopdis of 10-16 Main Street, Vasiliy Matte of 22-24 Saunders Street are present.
- Ms. Feltovic reads the legal notice.
- The administrator summarizes the proposal for an 8-unit condominium complex within 100-feet of Sutton Pond. Stormwater management is being reviewed by Eggleston Environmental.
- The project will also be in front of the Planning Board and Zoning Board of Appeals.
- Mr. Fairweather presents the project to the NACC including stormwater management.
- Mr. Fairweather discusses test pits done for the site.
- The project results in a reduction in impervious area.
- There is discussion of unit 7 and possible movement of stairs into the 50' No-Build Zone.
- Mr. Napoli states there should be a stone wall 2 x 2-feet along the 25-foot No-Disturbance zone.
- Ms. Feltovic states the erosion controls need to be silt fence and haybales.
- Mr. Saal discusses encroachments from adjacent properties.
- A Conceptual Landscape Plan is submitted at the meeting. The administrator will meet with the applicant's landscape architect to discuss.
- Mr. Matte an abutter discusses his concerns about drainage and fencing.
- Mr. Ahern states he will work with the abutter on encroachments.
- Mr. Fairweather requests a continuance to the March 14, 2012 meeting.
- A motion to grant the request for a continuance to March 14, 2012 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.
- *Documents:*
 - *Application Checklist-Notice of Intent*

- *WPA Form 3-Notice of Intent and associated documents*
- *Plan 1/19/12*
- *Supplemental Documents:*
 - *Letter from Andover Consultants, Inc. dated 1/25/12*
 - *Conceptual Landscape Plan dated 2/8/12 submitted at the meeting*

Decisions

242-1543, 26 Dartmouth Street

- The board reviews the special conditions.
- A motion to accept the Order of Conditions as-drafted and amended made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1531, 315 Turnpike Street

- The administrator presents the special conditions.
- The NACC amends several conditions.
- A motion to accept the Order of Conditions as-drafted and amended made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

A motion to adjourn the meeting at: 9:30 PM made by Ms. Feltovic, seconded by Mr. Mabon. Vote unanimous.