

**Conservation Commission Meeting Minutes**  
**August 22, 2012**

**Members Present:** Louis A. Napoli, Chairman, Joseph W. Lynch, Jr., Vice Chairman  
Deborah A. Feltovic, John T. Mabon (arrived 7:14 p. m.), Albert P. Manzi, Jr., (arrived 7:35  
p .m.) Douglas W. Saal.

**Member Absent:** Sean F. McDonough.

**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: 7:08 PM Quorum Present.*

**Approval of Minutes of 7/25/2012 & 6/20/2012**

- A motion to accept the meeting minutes of 7/25/2012 and 6/20/2012 as drafted and reviewed is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

*Small Project*

**NACC#99, 48 Camden Street (Installation of a Shed)**

- Field inspector reviews the project and states that it is for a 10' x 10' shed, proposed to be more than 50' from the edge of the wetland. Wetland markers are on the site as required when the condominium was built in 2008. There is also a dying tree that needs to be cut down.
- A motion to accept this as a small project 4.4.2 C & G is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to approve this as a small project with conditions of a pre-construction and post-construction inspection is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Application Checklist-Small Project*
  - *Small Project Procedures*
  - *Photo dated 8/22/12*

***Public Hearings: 7:10 P. M.***

***Request for Determination of Applicability (RDA)***

**394 Boston Street (Perocchi) (New Water Line)**

- Michael Reilly of F. P. Reilly and Abutter's Paul Maus and Maryanne Maus of 65 Old Cart Way are present.
- Mr. Saal reads legal notice.
- Field inspector gives a brief overview.
- Mr. Reilly presents the project and states that it is for a water line to hook into town water.
- Mr. Maus states that he does not believe that there is an active water stub at the location where Mr. Reilly states it is.
- Mr. Reilly states that the Town of North Andover is where he obtained the location information for the existing stub, which is located approximately 5 feet into the driveway of 394 Boston Street.
- Mr. Lynch discusses the erosion controls and states that it is up to Mr. Reilly to come back to the commission if he discovers that the stub is not in the location as presented.
- A motion issue a negative determination #3 with conditions including erosion controls, pre-construction meeting and post-construction meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Application Checklist-Request for Determination of Applicability*
  - *WPA Form 1-Request for Determination of Applicability and associated documents*
  - *North Andover MIMAP Aerial Photo printed 8/22/12*

**Turnpike Street & Laconia Circle (Columbia Gas of MA) (Shaw Environmental, Inc.)**

- The applicant Patrick Levesque of Columbia Gas of Massachusetts and Gary A. Jacobs of Shaw Environmental, Inc and Abutter's Henry Fink of 1250 Turnpike Street, Robert E. Davies of 163 Laconia Circle, and Jagdish Garg of 155 Laconia Circle are present.
- Ms. Feltovic reads the legal notice.
- The administrator briefly reviews the project and states that delineations are approximate and are not proposed for confirmation as they are on private property along 114.
- Mr. Shaw and Mr. Levesque present the project as proposed.
- The administrator asks how they will handle culvert crossings.
- Mr. Levesque states that they plan to go over the culverts
- Mr. Lynch states that they should do test pits to determine the depth to the culverts as part of the pre-construction meeting.
- The administrator states that as part of the site review of the proposed work, some dumping was discovered on Laconia which is being done by homeowners and states that a letter will be sent to the property owners where the dumping is occurring.

- A motion to issue a negative determination #3 with conditions requiring erosion controls, test pits at the culverts and pre- and post-construction meetings is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Application Checklist-Request for Determination of Applicability*
  - *Letter from Shaw Environmental, Inc. dated 8/1/12*
  - *WPA Form 1-Request for Determination of Applicability and associated documents*
  - *Figure 1 Site Location Map Salem/Turnpike Street Route 114 dated 7/12/12*
  - *Figure 1 Laconia Circle Site Map Location dated 7/20/12*
  - *Figure 2A Site Location Aerial Photo Salem/ Turnpike Street/Route 114 dated 7/30/12*
  - *Figure 2B Site Location Aerial Photo Salem/Turnpike Street/Route 114 dated 7/30/12*
  - *Figure 2C Site Location Aerial Photo Salem/ Turnpike Street/Route 114 dated 7/30/12*
  - *Figure 2D Site Location Aerial Photo Salem/Turnpike Street/Route 114 dated 7/30/12*
  - *Figure 5 Site Location Aerial Photo Laconia Circle dated 8/2/12*
  - *Sediment Control Plan 7/31/12*
  - *Sediment Control Plan Laconia Circle dated 8/3/12*

### ***Notice of Intent (NOI)***

#### **242-1562, 151 Boxford Street (Kutz) (Sullivan Engineering Group, LLC)**

- The applicants Jeffrey & Alyson Kutz of 151 Boxford Street, and John Sullivan of Sullivan Engineering Group, LLC is present.
- Mr. Saal reads the legal notice.
- The administrator states that the delineation has been confirmed. There is a stream associated with the wetland which originates near Candlestick, Stream stats shows the drainage area as only .2 sq mi so likely intermittent although there was flow when the inspection done.
- Mr. Sullivan presents the proposed project and states that the patio pavers are proposed to be pervious, all work is proposed to be more than 50' from the wetland and there are no trees to be cut.
- Mr. Napoli states that there is no stockpile location shown on the plan.
- The administrator states that this area is very flat and soil movement should be minimal on this site.
- Mr. Sullivan request a continuance.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is 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*
- *Plot Plan of Land for 151 Boxford Street, dated 7/17/12*
- *North Andover MIMAP Aerial Photo dated 8/14/12*
- *Pictometry Viewer dated 8/14/12*
- *Abutter notification receipts received at the meeting*

**242-1563, 0 Great Pond Road (Paolino) (Sullivan Engineering Group, LLC)**

- The applicants David and Corliss Paolino, and John Sullivan of Sullivan Engineering Group, LLC are present.
- Ms. Feltovic reads the legal notice.
- The administrator briefly discusses the project and states that it is also before the planning board for a Watershed Special Permit. She states that they are working on a planting plan and that Eggleston Environmental will be reviewing the project. The wetland line has been reviewed and approved. There is a stream on the property but it is presumed to be intermittent and does not show on the USGS map.
- Mr. Sullivan presents the project and states that the proposal has already been through the ZBA and a porous pavement driveway is proposed.
- Mr. Lynch states that a landscape plan should be submitted.
- The commission states that they want to work along with the planning board and review the plan again after planning sees it.
- Mr. Lynch discusses the No-disturb zone and the potential for planting it.
- Mr. Mabon states that wetland distances to the house and decks should be shown on the plan.
- Mr. Sullivan requests a continuance.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is 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*
  - *Drainage calculations for sizing stormwater recharge system*
  - *Proposed Site Development Plan Tax Map 104 Parcel 128 dated 7/30/12*
  - *Letter from Eggleston Environmental dated 8/20/12*
  - *Mass GIS Aerial Photo dated 8/20/12*
  - *Abutter mailing receipts received at the meeting.*

**242-1565, 1635 Osgood Street (Munroe) (Merrimack Engineering Services, Inc.)**

- The applicant Tyler Munroe of 1635 Osgood Street and William Dufresne of Merrimack Engineering Services, Inc. are present.
- Mr. Mabon reads the legal notice.
- The field inspector presents the proposal is for septic replacement approximately 80-feet from the wetland. The wetland is mostly channelized in this area and drains to a culvert the passes under Route 125. There is a large amount of brush and debris/trash along the edge of the wetlands should be cleaned up.

- Mr. Dufresne discusses the project and states that he will revise the plans by the next meeting. He requests a continuance.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Application Checklist-Notice of Intent*
  - *WPA Form 3-Notice of Intent and associated documents*
  - *Upgrade Plan of Subsurface Sewage Disposal System dated 8/26/10*

**242-1564, 140 Marian Drive (Motew) (Hancock Associates)**

- The applicants Mathew S. Motew and Loren B. Motew and Greg Hochmuth of Hancock Associates are present.
- Mr. Mabon reads the legal notice.
- The administrator reviews the project and states that the house was built in 1967.
- Mr. Hochmuth presents the proposed project stating that the applicant requests to construct a 3 season room over the existing deck and discusses the need for a waiver.
- Mr. Manzi states that he would like to see pre and post construction impervious area numbers.
- The commission discusses that there would need to be some mitigation proposed by restoring a portion of the 25' no-disturb zone.
- Mr. Hochmuth states that there would be an enhancement area with a 2 to 1 planting ratio planted with shrubs and marked with wetland markers.
- Mr. Lynch states that there should be a post and rail fence installed and an enhancement area along the slope.
- Mr. Lynch states that the soils in this area are not good.
- Mr. Mabon discusses bringing the corner post under the deck some in order to keep the post out of the 25' No-disturb zone.
- Mr. Hochmuth states that the wetland will be improved by the buffer zone enhancement plan.
- Mr. Hochmuth requests a continuance.
- A motion to approve the waiver as requested is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Application Checklist-Notice of Intent*
  - *WPA Form 3-Notice of Intent and associated documents*
  - *Waiver Request Form*
  - *Site Plan dated 8/10/12*
  - *Photos dated 8/15/12*

- *Aerial Photo dated 8/20/12*
- *Abutter receipts received*

**242-1559, 40 Sugarcane Lane (LaGrasse) (Hancock Associates) (cont. from 8/8/12)**

- Greg Hochmuth of Hancock Associates is present.
- The administrator reviews the recent pertinent information regarding this project.
- Mr. Hochmuth presents and reviews the alternatives analysis, proposing three alternatives.
- The administrator discusses her site review and her review of the alternatives analysis.
- Mr. Manzi states that the applicant needs to file with the Zoning Board of Appeals.
- Mr. Lynch discusses the COC plan on file from 1998 and states that a fourth alternative could be to completely remove the shed.
- Mr. Hochmuth states that he informed the administrator that he would be submitting a detailed alternative analysis for these locations so that it can be discussed at the next public hearing and wishes to set up a site visit with the Commission.
- The commission does not feel that a site visit is necessary.
- Discussion continues between Mr. Hochmuth and the commission.
- Mr. Hochmuth requests a continuance.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is made by Ms. Feltovic, seconded by Mr. Lynch.
- Vote unanimous.
- *Documents:*
  - *Letter from Hancock Associates dated 7/28/12*
  - *Aerial Photo dated 8/20/12*

***General Business: 8:15 PM***

**242-1019, COC Request, 1175 Turnpike Street (BC Realty Trust Company) (cont. from 8/8/12)**

- The administrator states that no new information has been received and we are still waiting for proof of compliance with condition #51.
- A motion to grant the request for a continuance to September 12, 2012 meeting made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.

**242-1498, COC Request, Old Westside Sewer (Between Marblehead St. and Mass Avenue) (Sewer Project) (DPW) (Woodard & Curran)**

- The administrator reviews the project and discusses the COC request. She states that the town needs to provide an O&M Plan for the maintenance of the gravel access path and the O&M plan has been received.
- Mr. Lynch states that he has reviewed the O&M plan.
- A motion to issue the COC and release the bond is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*

- *Letter from Woodard & Curran dated 8/6/12*
- *WPA Form 8A-Request for Certificate of Compliance*
- *Aerial Photo dated 8/10/11*
- *O & M Plan dated 8/21/12*

**242-384, PCOC Request, 45 Tucker Farm Road (Lot 1A) (O'Connor)**

- The applicant Neil O'Connor is present.
- The field inspector reviews the PCOC request and discusses a small tree house that has been constructed.
- The commission reviews the plans and the request.
- A motion to issue the PCOC is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Letter from Christian & Sergi, Inc. dated October 28, 1988*
  - *WPA Form 8A-Request for Partial Certificate of Compliance*
  - *Plot Plan dated October 28, 1988*
  - *Photos dated 8/21/12*

**242-1509, COC Request, 858 Great Pond Road (Tracy) (Sullivan Engineering Group, LLC)**

- John Sullivan of Sullivan Engineering Group, LLC is present.
- The field inspector presents an overview of the project.
- Mr. Sullivan presents the COC request.
- A motion to issue the COC and release the bond is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *Letter from Sullivan Engineering Group, LLC dated August 6, 2012*
  - *WPA Form 8A-Request for Certificate of Compliance*
  - *As-Built Plan of Land dated 8/6/12*
  - *Photos dated 8/21/12*

**242-1296, COC Request, Molly Towne Road (Autumn Chase) (North Andover Realty Corporation)(Christiansen & Sergi, Inc.) (cont. from 8/8/12)**

- The administrator present an overview of the project and discusses the Permit Extension Act recent revision and states that the applicant wishes to withdraw the COC request.
- A motion to accept the withdrawal is made by Mr. Lynch, seconded by Mr. Manzi.
- Vote unanimous.

**242-967, PCOC Request, 795 Great Pond Road (Lot 2) (Carrera) (Williams & Sparages)**

- The applicants Ian M. Carrera & Jill M. Carrera, Peter Blaisdel of Williams & Sparages and Eric P. Frahllich of Lillian Montalto Signature Properties is present.

- The administrator reviews the original project and discusses the PCOC for this lot. She states that a portion of the individual driveway for this lot has been paved while it was proposed to be pervious.
- Mr. Blaisdel discusses the PCOC request.
- The commission discusses that an infiltration trench adequately designed would allow the water to be infiltrated as originally proposed.
- Mr. Lynch states that a test pit should be done to ensure the soils can properly infiltrate the water from the paved area.
- Mr. Blaisdel requests a continuance to get the infiltration trench completed.
- A motion to grant the request for a continuance to the September 12, 2012 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
  - *A letter from Williams & Sparages dated 8/14/12*
  - *WPA Form 8A-Request for a Partial Certificate of Compliance and associated documents*
  - *Order of Conditions for DEP File No. 242-967*
  - *Letter from Hayes Engineering, Inc. dated 9/3/02*
  - *Letter from Hayes Engineering, Inc. dated 9/19/02 Replication Area Report*
  - *Enforcement Order, September 2, 2004*
  - *Enforcement Order Letter from Conservation Administrator dated September 2, 2004*
  - *WPA Form 9A-Enforcement Order*
  - *Amendment to Enforcement Order dated September 14, 2005*
  - *Enforcement Order Letter from Conservation Associate dated September 14, 2005*
  - *Superseding Enforcement Order dated March 26, 2006 from Conservation Associate dated March 24, 2006*
  - *WPA Form 9A-Enforcement Order dated March 24, 2006*
  - *Letter from Lincoln Daley Town Planner dated August 22, 2006*
  - *Copy of Plan for 795 Great Pond Road Lot 2 and Copy of Plan for 855 Great Pond Road Lot 4*
  - *Site Inspection Report November 7, 2007*
  - *As-Built Plan for 795 Great Pond Road Lot 2 dated 8/15/12*
  - *Photo dated 8/16/12*
  - *Photos dated 8/21/12*

***A motion to adjourn the meeting at: 9:30 PM made by Ms. Feltovic, seconded by Mr. Lynch.***

***Vote unanimous.***