

Conservation Commission Meeting Minutes
June 12, 2013

Members Present: Joseph W. Lynch, Jr., Vice Chairman, Deborah A. Feltovic, John T. Mabon, Douglas W. Saal.

Members Absent: Louis A. Napoli, Chairman, Albert P. Manzi, Jr., Sean F. McDonough.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Public Meeting: 7:04 PM Quorum Present.

Small Projects

NACC# 108, Turnpike Street (Halloran)

- Greg Hochmuth of Hancock Associates reviews the delineation he did on the property.
- The NACC discusses keeping paving trucks out of the buffer zone.
- Mr. Saal asks that all of the concrete walkway be removed not just sections.
- Mr. Lynch asks how paving will be enforced.
- Mr. Hochmuth recommends signage.
- Ms. Feltovic requests that wetland markers be installed.
- A motion to accept the proposal as a 4.4.2.J is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to approve the small project as proposed and amended including total removal of the concrete walkway, parking of vehicles outside the buffer zone and the use of no parking signs and wetland markers is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- Documents:
 - *Application Checklist-Small Project*
 - *Small Project Procedures*
 - *Letter from Leonard Halloran dated 5/29/13*
 - *Sketched Plan dated 5/28/13*

NACC# 109, 190 Appleton Street (Lawler)

- The applicant Brian Lawler is present.
- Administrator states this small project proposal is for a 12' x 12' open deck. At a later date the applicant will file an RDA for a screened in porch. The applicant meant to include the screen porch in a prior RDA filing but it was left out of the narrative request.
- Mr. Lawler states six concrete footings will be hand dug for the deck.
- Mr. Saal confirms that this is just an intermediate step to doing the screen porch.

- Mr. Mabon states that 6 concrete son- tubes installed for a 12 x 12 deck meets the small project category.
- A motion to accept the small project as a 4.4.2.A is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to approve the small project as proposed is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- Documents:
 - *Application Checklist-Small Project*
 - *Small Project Procedure*
 - *E/Mail from Brian A. Lawler dated 6/10/13*
 - *Certified Plot Plan dated 7/10/10*

Public Hearings: 7:15 PM

Abbreviated Notice of Resource Area Delineation

242-1596, 100 Dale Street (Messina Development Corp) (Christiansen & Sergi, Inc.) (cont. from 5/29/13)

- Philip G. Christiansen of Christiansen & Sergi, Inc. is present on behalf of the applicant.
- The administrator reviews the changes made to the plan and states that the A-series to the east is shown on MassGIS as a potential Vernal Pool. All commission buffer zones are on the adjacent property.
- Mr. Saal states there is driveway easement.
- Mr. Christiansen confirms there is an easement on the driveway.
- A motion to issue an ORAD approving the wetland delineation as shown on the record plan is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- Documents:
 - *Plan Titled: Wetland Location & Soil Types for Watershed Special Permit Dated:6/3/13*

Notice of Intent (NOI)

242-1582, 1049 Salem Street (Hughes) (Merrimack Engineering Services, Inc.) (cont. from 4/24/13) (Request to cont. to 6/26/13)

- A motion to grant the request for a continuance to the June 26, 2013 meeting is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.
- Documents
 - Handwritten note requesting continuance from Doug Ahern.

242-1589, 1077 Osgood Street (Angus Realty Corporation) (Lynnfield Engineering, Inc.) (cont. from 4/24/13) (Request to cont. to 7/10/13)

- A motion to grant the request for a continuance to the July 10, 2013 meeting is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
Document:
- *E/Mail from Richard Barthelmes of Lynnfield Engineering, Inc. 199 Newbury Street, Suite 115, Danvers, MA 01923 requesting a continuance to July 10, 2013 meeting dated 5/1/13.*

242-1595, 1665 Great Pond Road (Technical Training Foundation Trust) (Andover Consultants, Inc.) (Request to cont. to 6/26/13)

- A motion to grant the request for a continuance to the June 26, 2013 meeting is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.
Documents:
- *Email from James Fairweather on 6/10/13 requesting a continuance to 6/24/13.*

242-1593, 16 Berry Street (North Andover Holdings, LLC) (LEC Environmental Consultants, Inc.) (cont. from 5/29/13) (Request to cont. to 6/26/13)

- A motion to grant the request for a continuance to June 26, 2013 meeting is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.
Document:
- *Letter from LEC Environmental Consultants, Inc. requesting a continuance to June 26, 2013 meeting dated 6/10/13.*

242- , 303 Berry Street (Perry)

- The applicant Thomas Perry is present.
- Mr. Saal read the legal notice.
- The administrator presents the need for a waiver of plan requirements. Also a DEP File # has not issued yet.
- Mr. Mabon states the plan is quite busy and also needs a stockpile area.
- Mr. Perry states it could be located in the front of the house outside of the 100' buffer zone.
- Mr. Mabon asks that a distance from the addition to the closest wetland flag be added.
- Mr. Lynch discusses the plan deficiencies and requests that the request for a waiver be stamped by the PLS that did the plan.
- Mr. Saal expresses concern that the driveway is not shown on the plan.
- Mr. Perry states that some hand edits were done to the plan on 5/29 but that everything on the plan is accurate and verified.
- Mr. Mabon asks if a foundation drain is proposed.
- Mr. Perry states there will be a drain.
- Mr. Lynch states an outlet must be shown upgradient of the 25' No-Disturb Zone.
- Mr. Saal asks about access and notes the erosion control will need to be extended if the stockpile is between the 50' and 100' buffer zone.

- Mr. Lynch is concerned the plan will become more unreadable when this additional information is added.
- Mr. Mabon asks if a 20-scale plan is reasonable.
- Mr. Perry states there will be an added expense for a 20-scale plan.
- Mr. Saal states the information can be shown on this plan but should be readable.
- Mr. Lynch states the applicant has filed with Natural Heritage and their review is needed.
- Ms. Feltovic states the wavier is acceptable but the plans need to be changed.
- A motion to grant the request for a continuance to June 26, 2013 meeting is made by Mr. Mabon, seconded by Ms. Feltovic.

- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *Appendix to Notice of Intent*
- *Project Description*
- *Resource Area Protection*
- *Construction Sequence*
- *USGS Map dated 5/29/13*
- *NHESP Map dated 5/29/13*
- *North Andover Wetlands Regulations Riverfront Map dated 6/3/2003*
- *Certified Abutter's List dated 5/14/13*
- *Notification to Abutter's Form*
- *NOI Wetland Fee Transmittal Form*
- *Copy of State and Local Checks*
- *Site Plan dated 5/29/13*

**242-1590, Great Pond Road (Map 35/Parcel 38) (Sciuto) (Christiansen & Sergi, Inc.)
(cont. from 5/8/13)**

- Philip Christiansen of Christiansen & Sergi, Inc. presents the revised plan. There is 200 s.f. of driveway in the 50' No-Build Zone and 1800 s.f. in the 100' buffer zone including driveway, landscaping and a stone trench along the drive with water stops.
- Lisa Eggleston has reviewed and water and sewer will be in the driveway to avoid additional clearing on the lot.
- Mr. Mabon asks about the limit of work and focuses on runoff.
- There is a discussion of the house location and why it was not placed high on the hill, mainly land disturbance and slope.
- Mr. Saal asks about the sewer line and if there will be cleanouts at the bends. Phil states there will be or manholes could be required.
- Mr. Lynch states there is a lot of land disturbance and temporary sedimentation pool could be needed at the base of the driveway.
- The administrator states on a prior filing the commission's stormwater reviewer had the applicant put in a temporary stone swale to filter runoff and slow the water down on a steep driveway.

- Mr. Lynch amends states this should be required and a sketch plan should be required at the preconstruction meeting.
 - Mr. Lynch states the loam should be trucked away once clearing starts on the lot.
 - A motion to grant to issue a decision within 21 days is made by Ms. Feltovic, seconded by Mr. Saal.
 - Vote unanimous.
- Documents:
- *Site Plan dated 3/21/13, revised 4/16/13, revised 5/6/13, revised 6/6/13*
 - *Landscape Plan dated 5/17/13, revised 5/30/13*

242-1578, 1193 Great Pond Road (Zaref) (Sanborn Head Associates) (cont. from 5/8/13)

- The applicant Brian Palm, of Brooks School, Robert Prokop of Wetland Consulting Services, Timothy Reed of Sanborn Head Associates, Adam Braillard of Prince Lobel & Tye are present.
 - Mr. Braillard recaps the proposal since it has been some time since the last hearing. He summarizes the changes made in response to Eggleston Environmental review. These include shifting the roadway and the drainage out of the watershed area and moving the silt fence to the limit of clearing. Lisa Eggleston has finished her review of the proposal and has no additional concerns.
 - Mr. Mabon notes that there appears to be clearing proposed outside the haybale line. There is a discussion of the limit of clearing and the haybale line.
 - Mr. Lynch asks about the array details. He wants to be sure grade and vegetation will remain the same.
 - Mr. Braillard states screw mounts are proposed to limit grading and clearing.
 - Ms. Feltovic points out that the life of the solar farm is 25-35 years but the Operation & Maintenance agreement is for 20 years.
 - Mr. Palm states the farm would be removed, there could be a new contract or the school could purchase.
 - Mr. Palm states there will be a chain link fence with a gate around the solar farm.
 - Mr. Reed states there erosion controls along the driveway haybales and silt fence.
 - A motion to grant to close and issue a decision within 21 days is made by Mr. Mabon, seconded by Ms. Feltovic.
 - Vote unanimous.
- Documents:
- *5.2 Long Term Pollution Preventive Plan dated 5/22/13*
 - *Letter from Prince Lobel dated 3/13/13*
 - *Letter from Eggleston Environmental 1/4/13*
 - *Brooks School Solar Panel Farm dated 6/3/13*

***A motion to grant to go into Recess for 5:00 minutes at: 8:22PM is made by Mr. Saal, Seconded Ms. Feltovic
Vote unanimous.***

General Business: 8:32 PM

242-1248, COC Request, 303 Berry Street (Perry)

- Administrator states this is invalid order since work on the project never commenced..
- A motion to grant to issue the COC is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.
Document:
- *WPA Form 8A-Request for Certificate of Compliance*

Violation

731 Winter Street (Hery)

- The applicant Keith Hery of 731 Winter Street is present.
- The administrator reviews the violation. She states the applicant was fined because he had been warned not to disturb the area the previous year.
- The applicant would like to have the fine reduced from \$200 to \$100 since the tree that was cut down had fallen in a storm.
- A motion to approve the reduction of the fine to \$100 is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to ratify the Enforcement Order and require hand cleaning of the disturbed area and two wetland markers on posts is made by Mr. Mabon, seconded Ms. Feltovic.
- Vote unanimous.
Documents:
- *Enforcement Order dated May 23, 2013*
- *Enforcement Updated dated 6/13/13*

Decisions

242-1590, Great Pond Road (Map 35/Parcel 38)

- Administrator reviews the draft Order of Conditions.
- The Commission accepts Order of Conditions as amended.
- A motion to grant to accept the Order of Conditions as amended is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1578, 1193 Great Pond Road

- Administrator reviews the draft Order of Conditions.
- The Commission accepts the Order of Conditions as amended.
- A motion to grant to accept the Order of Conditions as amended is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

A motion to adjourn the meeting at: 8:45 PM is made by Ms. Feltovic, seconded by Mr. Mabon. Vote unanimous.