

Conservation Commission Meeting Minutes
August 28, 2013

Members Present: Louis A. Napoli, Chairman, Joseph W. Lynch, Jr., Vice Chairman, Deborah A. Feltovic, Albert P. Manzi, Jr., Sean F. McDonough, Douglas W. Saal.

Member Absent: John T. Mabon.

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

Pledge of Allegiance

Meeting came to Order at: 7:05 PM Quorum Present.

Public Hearings: 7:06 PM

Approval of Minutes 7/24/13

- A motion to accept the meeting minutes of 7/24/13 as drafted and reviewed made by Mr. Lynch, seconded by Mr. Manzi.
- Vote unanimous.

Request for Determination of Applicability

1160 Great Pond Road (Brooks School)

- The applicants Brian Palm and Norm Gremer of Brooks School are present.
- Mr. Saal reads the legal notice.
- Mr. Palm states the transformer would be moved up the hill from its current location behind the boat house.
- The transformer was installed 1950's and the existence of an existing underground pipe means no trenching is necessary. The new line can be pulled through.
- Mr. Gremer states the new transformers will use biodegradable fluids so spills not a concern.
- Erosion controls will be installed at the area of disturbance.
- A motion to issue a negative determination #3 with conditions including erosion controls 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*
 - *WPA Form 1-Request for Determination of Applicability*
 - *Project Description*
 - *Signatures and Submittal Requirements*
 - *Fee Transmittal Form*
 - *Copy of Town Check*
 - *Certified Abutter's List*
 - *Abutter's Notification Form*

- *Site Location Description*
- *Proposed work*
- *Google Earth Photo site marking where work would occur*
- *Photo's of transformer in back lower roof area of the boathouse*
- *Photos showing south down by dirt road to the lake*
- *Locus Map*
- *Sketched Plan showing Site- A is at the rear of the boathouse where the transformer is currently located*
- *Site-B is the plan for location of the new transformer –on the uphill side of a line of spruce trees*
- *The green line is the current underground path for the electrical feed to the transformer*
- *Would be trenched, pulled up re-laid within electrical service for the boathouse after the transformer is relocated*
- *Site-B is approximately 50' from edge of wetland of 75' to the center of stream/stormwater drainage area.*
- *Photo of transformer box pad*
- *Dimensions*
- *Fiberglass box pad can also serve as vault*

1420 Great Pond Road (Sadroonri) (Wetland Preservation, Inc.)

- Curtis Young of Wetland Preservation, Inc. and William Perkins are present.
- Mr. McDonough read the legal notice.
- Mr. Young presents the project to improve drainage and repair an existing catch basin within the BVW.
- Mr. Lynch asks about municipal drainage connections.
- Mr. Napoli asks if grading changes will be needed. The applicant states “no”.
- Mr. Lynch asks about the different inverts into the basin.
- Mr. Young provides the elevations.
- Mr. Saal asks about the height of the concrete.
- The commission discusses the effects of lowering the catch basin.
- A motion to issue a negative determination #2 with conditions is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Letter from Wetland Preservation, Inc. dated 8/15/13*
- *Copy of Check*
- *Certified Abutter's List*
- *Abutter's Notification Form*
- *Project Description*
- *Locus Map*
- *Photo's*
- *FEMA/Flood Insurance Rate Map dated 7/3/12*

- *NHESP Map*
- *Sketched Plan of Land 8/27/13*
- *Soil Map dated 7/26/13*

190 Appleton Street (Lawler) (John Abagis & Associates)

- The applicant Brian Lawler is present.
- Ms. Feltovic read the legal notice.
- Administrator states this for enclosing an existing deck for all season room.
- Mr. Lynch states this filing was expected and that the project does not increase the developed area.
- Mr. Lawler said he filed the project this way so he could get the landscaping completed.
- A motion to issue the negative determination #3 with condition for post construction inspection is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Project Description*
- *Signatures and Submittal Requirements*
- *Certified Abutter's List dated 8/15/13*
- *Abutter's Notification Form*
- *Copy of Check*
- *Sketched Plan dated 8/15/13*
- *Photos dated 8/15/13*

Notice of Intent (NOI)

242-1593, 16 Berry Street (North Andover Holdings, LLC) (LEC Environmental Consultants, Inc.) (cont. from 8/14/13) (Request to cont. to 9/25/13)

- A motion to grant the request for a continuance to the September 25, 2013 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.
- **Document:**
- *E/Mail from LEC Environmental Consultants, Inc requesting a continuance to September 25, 2013 meeting dated 8/26/13.*

242-1589, 1077 Osgood Street (Angus Realty Corporation) (Lynnfield Engineering, Inc.) (cont. from 8/14/13) (Request to cont. to 9/11/13)

- A motion to grant the request to a continuance to the September 11, 2013 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.
- **Document:**
- *E/Mail from Lynnfield Engineering, Inc. requesting a continuance to September 11, 2013 meeting dated 8/28/13.*

242- , Cotuit Street & Leyden Street (Burke, Esq.) (Pennoni Associates, Inc.) (cont. from 8/14/13) (Request to cont. to 9/11/13)

- A motion to grant the request for continuance to the September 11, 2013 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.

242-1600, Lot 1 Great Pond Road (Dehullu) (WGH Design)

- The applicant Steve Dehullu and William G. Holt of WGH Design is present.
- Administrator reviews the proposed project and notes that the house would be right at the 50-foot No-Build zone. There is no work within the 25-foot No-Disturbance zone.
- Mr. Manzi emphasizes the need to keep the house out of the 50'.
- Mr. Napoli states the foundation location will need to be certified.
- Mr. McDonough asks about an alternatives analysis.
- Mr. Holt states one was provided for the ZBA.
- Mr. Lynch discusses the infiltration provided.
- Mr. Holt states there has been soil testing within the area the soils area marginal not Paxton soils on this lot. A depressed construction entrance will keep water onsite during construction.
- Ms. Feltovic asks about the items outlined in the Eggleston Environmental review.
- Mr. Holt states a new submission will be brought in tomorrow.
- Mr. McDonough states the house could be put up at the top of the lot but very long driveway. The commission discusses alternatives and impacts.
- Administrator states the applicant would go before the Zoning Board of Appeals on the September 10, 2013 and Planning Board on September 17, 2013. Landscape Planting Plan will be native plantings.
- A motion to grant the request for a continuance to September 25, 2013 meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *Project Narrative*
- *Locus Map*
- *USGS Quad*
- *General Information*
- *NOI Wetland Free Transmittal Form*
- *Copy of State & Local Checks*
- *Project Narrative*
- *Resource Identification*
- *Potential Impact to Identified Resource Areas*
- *Mitigation Measures Implemented*
- *Summary*
- *Erosion Controls*
- *On Site Construction Sequence*

- *Certified Abutter's List dated 7/30/13*
- *Notification to Abutter's Form*
- *Oliver MAGIS Online Mapping Tool dated 4/19/13*
- *Copy of Assessor's Property Record Card dated 2/25/13*
- *Letter from Eggleston Environmental dated 7/22/13*
- *Variance & Watershed Special Permit, Site Plan dated 8/12/13*

General Business: 8:30 PM

242-1438, Modification Request, Lot 4N-A Turnpike Street (One Hundred Fourteen Trust) (Patrick C. Garner of Garner Company, Inc.) (cont. from 8/14/13)

- The applicant Pribhu Hingorani of One Fourteen Trust and Patrick C. Garner of Garner Company, Inc. and Timothy Barlow, Builder are present.
- The commission discusses the phasing plan.
- The commission reviews the proposed soil excavation language for infiltration areas.
- Mr. Garner reads the language proposed for the plan. A new plan sheet with language will be required.
- Mr. McDonough asks about the construction sequencing.
- Mr. Garner states that building/unit construction will occur as outlined in the phasing plan.
- The commission reviews the new propane tank locations.
- Mr. Napoli asks where the gas lines are. Not shown on the plan.
- The commission discusses the need for temporary tanks. Temporary tanks must be removed by November 25, 2013 (90days).
- Mr. McDonough asks about the distance of tanks from wetlands.
- Mr. Garner states about 45'
- A motion to issue the Modification record plan sheet 5 & sheet 20 dated 8/21/13 final grading plan sheet 5 and sheet 20 phasing & erosion control plan dated 8/21/13 is made by Mr. Lynch, seconded by Ms. Feltovic. Also ask the applicant to be put on the agenda for November 20, 2013 meeting to get updates on the work progressing on the site.
- Vote unanimous.
- **Documents:**
- *E/Mail from Patrick C. Garner of Garner Company, Inc. dated 8/28/13*
- *Letter from Patrick C. Garner of Garner Company, Inc. dated 8/28/13*
- *Final Grading Plan dated 8/21/13 sheet 5, Phasing & Erosion Control Plan sheet 20*
- *Dated 8/21/13*
- *Letter from Kanayo LALA, P. E. dated 8/28/13*

242-1398, COC Request, 575 Osgood Street (Edgewood Retirement Community, Inc.) (cont. from 8/14/13)

- A motion to grant the request for a continuance to September 11, 2013 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.
- **Document:**
- *E/Mail from David Mermelstein of Trident Project Advisors and Development Group requesting a continuance to 9/11/13 dated 8/28/13*

**242-1261, COC Request, Cotuit & Leyden Streets (Burke Esq.) (Pennoni Associates, Inc.)
(cont. from 8/14/13)(Request to cont. to 9/11/13)**

- A motion to grant the request for a continuance to September 11, 2013 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

242-16, PCOC Request, 72 Saw Mill Road (Lot 42A) (Scarmoutzos)

- Administrator reviews the Field Inspectors summary of the property. Recommends PCOC.
- A motion to issue the PCOC for 72 Saw Mill Road (Lot 42A) only is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

*A motion to adjourn the meeting at: 8:50 PM is made by Mr. Manzi, seconded by Ms. Feltovic.
Vote unanimous.*