

**Andover Inland Wetlands and Watercourses Commission**  
**Old Firehouse, Center Street**  
**Monday, January 9, 2006**

**Minutes**  
Regular Meeting

1. The Regular Meeting was called to order at 7:05pm. Members present were: Chairman, John England, James McCann, Steven Reade, Michael Landolphi, Robert Burbank (arrived at 7:10pm) and alternate Richard Osborne. Board of Selectmen Liaison, Leigh-Ann Hutchinson was present. Wetlands Agent, Stuart Popper was present at (7:15pm).
2. Seating of Alternates  
No alternates were seated.
3. Additions to the Agenda  
Under New Business—add Administrative Review of a timber harvest at 42 Gilead Road.
4. **OLD BUSINESS:**  
Tabled until later in the agenda to allow for the Wetlands Agent to arrive and to be appointed and sworn in.
5. **NEW BUSINESS:**  
Tabled until later in the agenda to allow for the Wetlands Agent to arrive and to be appointed and sworn in.
6. Approval of minutes: November 14, 2005  
Correction to page 2 paragraph 2 “no” should be “not”  
**Michael Landolphi made a motion to approve the minutes of the November 14<sup>th</sup> meeting as corrected. James McCann seconded. Steven Reade abstained. The motion carried (3-0-1).**
7. Miscellaneous:  
7a) Appointment of Wetlands Agent per Section 14.1 of the Regulations  
--Members discussed if they were allowed to appoint the agent without a formal interview process. Stuart Popper read Section 702G of the Town Charter that stated that the Board of Selectmen appoint the Wetlands Agent and that the commission appoints the agent under their by-laws Section 6. Members agreed with the process of appointment.  
**Robert Burbank made a motion to appoint Stuart Popper as the Inland Wetlands and Watercourses Agent. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).**
8. **OLD BUSINESS:**
  - Application of Keith Grimaldi of Rosewood Enterprises, LLC, owner Dorothy Martino, corner of Shoddy Mill Road and Birch Drive for construction of a house and driveway with drainage in an upland review area.  
John England stated that at the previous meeting in November, the commission had requested a review by the Board of Selectmen, the Town Public Works and the Town

Engineer regarding the existing drainage on Birch Drive due to the letters presented to the commission from the area residents of the application before them. The review was not completed in time to be presented for the December meeting and therefore, the meeting was postponed. A copy of the Town Engineer's letter in response to the review was distributed to members and the applicants engineer and time was given for all of them to read the letter. The letter stated that the development of the parcel on the corner of Shoddy Mill Road and Birch Drive would result in a 9% increase to the drainage and that the existing drainage in the area is not severe enough to justify a Town project to address it and that with sufficient planning and design the development of the property could be accomplished without further detriment to the drainage. Mark Reynolds, the applicant's engineer, displayed the site plan that was dated and submitted November 14, 2005 and he stated that no revisions were made since that submission. Mr. Reynolds displayed the original plan that was denied because the vote to approve didn't pass due to a concern of drainage increase to the existing drainage problems. John England stated that the commission determined that it had jurisdiction over the new plan because of Section 6.4 of the regulations that states that they can regulate any activity that occurs outside the review area that would impact or affect the wetland. He stated that there was a lot of concern with abutting property owners in the increase of drainage flow. Mr. Reynolds stated that he eliminated the activity in the regulated area and that the plan no longer directs flow to the intermittent watercourse. Robert Leeson of 40 Shoddy Mill Road asked if the public could comment. John England responded that it is not a public hearing and that any comments were to be submitted in writing and that several letters were submitted at previous meetings. John England further stated that there were no changes since the November meeting except for the letter from the Town Engineer, Gerald Hardisty of CES Engineering. Mr. Reynolds question what the wetland impact is that the commission has jurisdiction over and that there was no flow toward a wetland. James McCann stated that the concerns were clear with the drainage pipe to the property downhill on the previous application. Robert Burbank stated that the amount of the house and driveway on the site, the flow of drainage will increase. Mr. Reynolds stated that the driveway is relatively flat and that some flow sheds to the roadway but that the drainage patterns on the site are the same. Robert Burbank responded that there are less pervious surfaces after construction. Mr. Reynolds stated that the flow is away from the review area. The commission questioned the 9% increase in flow that was in the Town Engineer's letter. There were no further questions or comments. **Michael Landolphi made a motion to approve the application of Keith Grimaldi of Rosewood Enterprises, LLC, owner Dorothy Martino, corner of Shoddy Mill Road and Birch Drive for construction of a house and driveway with upland drainage affecting a wetland with all the standard conditions of the Wetlands Commission as outlined in the Summary Ruling. John England seconded. Robert Burbank and James McCann were against the motion. Steven Reade abstained. The motion did not pass (2-2-1).**

9. **NEW BUSINESS:**

- Administrative Review of a timber harvest at 42 Gilead Road  
--Stuart Popper advised members that normally this would be handled as an administrative approval but that he has not yet become certified and therefore the commission needs to act on these types of applications. He described the activity as a timber harvest with 2 wetland crossing over an intermittent stream with about 1" of water and the plan calls for corduroy bridges over the wetlands and that the company

presenting the application has a good reputation and has done other work in the area and that the harvest is selective with 14" diameter and larger tree removal. He stated that the owners live on the property and that adds some reassurance of compliance to the plan. Members questioned the vernal pools on the site and that they are susceptible to direct sunlight and they would like Stuart to have them leave any trees that would provide shade in these areas. Stuart stated that he would go out and mark the trees that cannot be cut down near the vernal pools.

**James McCann made a motion to approve the administrative review for Hull Forest Products, Inc. for a timber harvest with 2 wetland crossings on the property located at 42 Gilead Road, owner Donna McCormac-Condon with all the standard conditions of the Wetlands Commission as outlined in the Summary Ruling and the condition that the forester pay close attention to the vernal pools on the site and to maintain any trees that provide shade to those areas. Robert Burbank seconded. All were in favor. The motion carried unanimously (5-0-0).**

10. Miscellaneous (continued):

7b) Election of Officers

**Steven Reade made a motion to nominate John England as Chairman. Robert Burbank seconded. Robert Burbank made a motion to close the nominations. James McCann seconded. John England abstained. The motion carried (4-0-1).**

**Robert Burbank made a motion to nominate Steven Reade as Vice Chairman. Michael Landolphi seconded. Steven Reade abstained. The motion carried (4-0-1).**

11. Public Comment:

Dawn LaPointe of 10 Birch Drive congratulated the re-election of officers. Pam Quint of 10 Birch Drive thanked the commission for their hard work.

12. Correspondence:

There was no correspondence.

13. Administrative Report:

Stuart Popper advised members that he is reviewing a lot of drainage issues in town and that most of the applications look good on paper but when they are built they don't always comply with the plans.

14. Open Discussion:

There was no open discussion.

15. Adjournment:

**James McCann made a motion to adjourn the Regular Meeting of January 9, 2006 at 9:00pm. Steven Reade seconded. All were in favor. The motion carried unanimously (5-0-0).**

Respectfully submitted by:

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Jeanne Gagnon  
Commission Secretary

These minutes are submitted as required by the Connecticut General Statutes and are not official until formally approved by the commission/board.