

Andover Inland Wetlands and Watercourses Commission
Old Firehouse, Center Street
Monday, July 11, 2005 7:00pm

Minutes

Regular Meeting

1. The Regular Meeting was called to order at 7:05pm. Members present were: Chairman, John England, James McCann, Steven Reade, Robert Burbank, Michael Landolphi and alternate Richard Osborne. Wetlands Agent, John Valente was present and Board of Selectmen Liaison, Leigh-Ann Hutchinson was present.
2. Seating of Alternates
There were no alternates seated.
3. Additions to the Agenda
Under New Business add the application of Bernadette Devlin.
4. **OLD BUSINESS:**
 - Request for modification to permit for Joseph Masciovecchio, corner of Merritt Valley Road and Route 6, owner Robert Russell. Construction of a 14'x30' office structure and landscape products business in a regulated area.
--John Valente advised members that there has been no response from the State D.O.T. regarding access from Route 6 but that the preliminary plans show the grading for the access to go towards Merritt Valley Road and he feels comfortable with handing the modification as an administrative approval. The commission agreed.
 - Application of Andover Volunteer Fire Department, owner ALMA for installation of 6 dry hydrants in Andover Lake for use as fire protection.
--The application was accepted last month and a site walk was to be scheduled at this meeting. The members agreed to conduct a **site walk of the 6 locations on Monday, August 8th at 5:30pm** and they will meet at the end of Sunset Lane.
 - Application of Pamela Hatem, 218 Lake Road for construction of a dock in a regulated area.
--The application was accepted last month and the applicant was requested to show more detail on the concrete bases being installed. The details were presented to the commission. The activity was approved by ALMA. The details show that the concrete bases would sit on the dry side to secure the dock and the one in the lake area would rest on the lake bottom with no excavation.
Steven Reade made a motion to approve the application of Pamela Hatem, 218 Lake Road for construction of a dock on Andover Lake with the standard Wetlands Commission conditions and that the work is to be done during the Lake draw-down. Michael Landolphi seconded. All were in favor. The motion carried unanimously (5-0-0).
 - Application of Robert C. Richards, Trustee, agent John Heagle, PE, Lot 22 Lake Road for construction of a single-family residence and driveway with culvert in a regulated area.

--The application was accepted at the last meeting. The engineer distributed a revised plan to members showing the items that John Valente had requested to be placed on the plan. The revisions included a detail and cross section of the culvert to be installed and the driveway detail, tree clearing was shown on the plan and the wetland plantings are now shown on the plan that mitigate the wetland disturbance.

- **Steven Reade made a motion to approve the application of Robert C. Richards, Trustee, agent John Heagle, PE, Lot 22 Lake Road for construction of a single-family residence and driveway with culvert with all the standard wetlands commission conditions and the following conditions:**
 - 1—**Driveway to be first phase of construction and to be completed start-to-finish without unnecessary delays**
 - 2—**Silt fence to be inspected prior to the start of work.**
 - 3—**No stock piling within 75 feet of wetlands**
 - 4—**Engineer to stake culvert crossing with elevations noted and supervise installation.**
 - 5—**If dewatering is necessary, the method is to be approved by the Engineer and Wetlands Agent.**
 - 6—**Driveway is to be completed to a location outside of the upland review area.**
 - 7—**Utilities are to be installed during the driveway construction.**
 - 8—**The disturbed area of the driveway is to be stabilized, mulched and seeded prior to the start of construction of the house.**
 - 9—**Engineer is to certify that the driveway was installed in accordance with the approved plan.**
 - 10—**Note on the final plan stating that no trees are to be removed within 100 feet of the wetlands without receiving approval from the wetlands agent.**
 - 11—**Planting plan to be approved by the wetlands agent.**
 - 12—**Inspection of plantings after one year and replaced if needed.**

Michael Landolphi seconded. All were in favor. The motion carried unanimously (5-0-0).
- Modification to existing permit request by Michael Dion, M. Dion Associates, LLC, owners Ronald and Julia Haverl Lot 1 Shadblow Lane, Woodland Chase Subdivision to allow a shared driveway with 230' of it in a regulated area to create 2 lots (lots 1B & 1C).

--The request for modification was accepted last month and a site walk was conducted. Mike Dion submitted a new packet to members showing the sequence of construction and drainage calculations. He stated that additional land was added to the original Lot #1 and the modification was to allow for a common driveway to create lot 1C and that Lot 1B was the original house and driveway location already approved. Mr. Dion stated that a common driveway away from the wetland area was not feasible and that some of the area was already cleared for the approved driveway location.

Steven Reade made a motion to table the discussion of this request to later in the meeting. Michael Landolphi seconded. All were in favor. The motion carried unanimously (5-0-0).
- Application of Michael Dion, M. Dion Associates, LLC, owners Ronald and Julia Haverl Lot 1 Shadblow Lane, Woodland Chase Subdivision to create a 3rd lot, (lot 1A) with a driveway crossing through a wetlands conservation easement.

--The application was received and accepted at the previous meeting and site walk was conducted. Members discussed deeming the application a significant activity

because the original subdivision was a significant activity and now further wetland disturbance is proposed and that it should not be looked at as a single lot because it is part of the previous larger subdivision and that they would look for feasible and prudent alternatives to reduce the impact from the total development on wetlands. Mike Dion stated that the impact area for this additional lot would be .04 acres approximately 1700sf that it is approx. 50 feet long and 30-40 feet wide through the conservation easement and that the driveway proposed follows a path that may have been used for logging years ago and that it would require minimal tree removal and provides for a good sight line and it is the most aesthetically pleasing location and that additional land was added to create this lot and that the plan shows adding approx. a 1/2 acre to the conservation space. He stated that the lot was approx. 5 acres and now 3 acres have been added to create 3 lots. Members questioned whether lot 1A could be accessed by the driveway proposed for lots 1B&1C. Mike Dion responded that it would go through the front yard of lot 1B and would require tree removal in the regulated area and would require approx. 800 feet of driveway to access the home. And that it is less desirable for easements of driveways and clearing of trees in a front yard. Members agreed that they would prefer that there would not be any crossing of the conservation easement and that a contiguous easement is preferred. Members agreed that the application be deemed a significant activity.

Steven Reade made a motion to deem the application of Michael Dion, M. Dion Associates, LLC, owners Ronald and Julia Haverl Lot 1 Shadblow Lane, Woodland Chase Subdivision to create a 3rd lot, (lot 1A) with a driveway crossing through a wetlands conservation easement a significant activity based on the crossing of the conservation easement and amount of wetlands disturbance and set a public hearing for August 8, 2005 at approx. 7:45pm. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).

- **Steven Reade made a motion to remove the tabled discussion on the request for modification to permit for Lot 1 of Shadblow Lane, Woodland Chase Subdivision to allow a shared driveway with 230' of it in a regulated area to create 2 lots (lots 1B & 1C). James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).**
- Reconvene discussion of the modification to existing permit request by Michael Dion, Lot 1 Shadblow Lane, Woodland Chase Subdivision to allow a shared driveway with 230' of it in a regulated area to create 2 lots (lots 1B & 1C). **James McCann made a motion to approve the request for modification to an existing permit for Lot 1 of Shadblow Lane, Woodland Chase Subdivision to allow a shared driveway with 230' of it in a regulated area to create 2 lots (lots 1B & 1C) with the standard wetlands commission conditions and the following conditions:**
 - 1-Driveway to be first phase of construction and to be completed start-to-finish without unnecessary delays**
 - 2-Silt fence to be inspected prior to the start of work.**
 - 3-No stock piling within 75 feet of wetlands**
 - 4-Engineer to stake culvert crossing with elevations noted and supervise installation.**
 - 5-If dewatering is necessary, the method is to be approved by the Engineer and Wetlands Agent.**
 - 6-Driveway is to be completed to a location outside of the upland review area.**

- 7—Utilities are to be installed during the driveway construction.
 - 8—The disturbed area of the driveway is to be stabilized, mulched and seeded prior to the start of construction of the house.
 - 9—Engineer is to certify that the driveway was installed in accordance with the approved plan.
 - 10—Note on the final plan stating that no trees are to be removed within 100 feet of the wetlands without receiving approval from the wetlands agent.
 - 11—Planting plan to be approved by the wetlands agent.
 - 12—Inspection of plantings after one year and replaced if needed.
- Michael Landolphi seconded. Steven Reade abstained. The motion carried (4-0-1).**

- Application of Robert Hellstrom, owner Walt Tabor, 37 Lake Road for a 3-lot subdivision with lot #1 driveway in upland review area and lot #3 driveway and well in upland review area.

--The application was received and accepted last month and a site walk was conducted. John England stated that most of the activity is down gradient of the wetlands. Mr. Hellstrom provided updated plans to members that reflect the concerns expressed by the wetlands agent.

Steven Reade made a motion to approve the application of Robert Hellstrom, owner Walt Tabor, 37 Lake Road for a 3-lot subdivision with lot #1 driveway in upland review area and lot #3 driveway and well in upland review area with all the standard wetlands commission conditions and the following additional conditions:

1—Pre construction meeting prior to start of work.

2—Construction sequence:

- a) entrance installed as first phase of construction.
- b) Trees removed
- c) Silt fence installed
- d) Check dams at the road north of driveway
- e) Driveway center line to be staked from road to house site

3—Driveway to be installed start-to-finish without any unnecessary delays.

4—Driveway to be stabilized prior to the work at the house site and inspected by the wetlands agent for approval.

James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).

- Application of Albert Beauchamp, 491 Lake Road for driveway and garage in upland review area.

--The application was accepted at the previous meeting and a site walk was conducted. The applicant has provided an updated construction sequence and has revised the plan to show erosion control and a driveway detail on it and show a silt fence around the stockpile area.

Robert Burbank made a motion to approve the application of Albert Beauchamp, 491 Lake Road for a driveway and garage with all the standard conditions of the wetlands commission and to add the word “seed” to the construction sequence reference to stabilizing the disturbed area that only stated mulched area. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).

5. NEW BUSINESS:

- Application of Chris Morrell, 8 Lake Road for 125 yards of fill to level property in a regulated area.

--The application was received on time and was accepted by the commission. John Valente advised members that he had received a complaint of filling an area about 50-70 feet in a regulated area. The applicant stated that the activity has ceased until the commission acts and that a silt fence has been installed. Members will drive by the site to see the activity. The application was continued to the next meeting.

- Application of Bernadette Devlin, Lot 21 & 21A Lake Road for construction of a driveway, installation of house footing drain and grading in an upland review area.
--The application was received on time and was accepted by the commission. John Valente advised members that this property is below the previous Richards application and that there was no wetland crossing and that a portion of the driveway and the footing drain and filling around the house were in the upland review area. The application was continued to the next meeting.
6. Approval of minutes: June 13, 2005
Steven Reade made a motion to approve the minutes of the June 13, 2005 meeting as submitted. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).
 7. Miscellaneous:
Members discussed getting a legal opinion from the Town Attorney regarding the modifications to permits process. John Valente will look into this.
 8. Public Comment:
There was no public comment.
 9. Correspondence:
John Valente distributed the Spring 2005 copy of the Habitat and requested that the members review their bylaws for possible updates. The secretary will send members a copy of the bylaws for their review and discussion at the next meeting.
 10. Administrative Report:
There was no administrative report.
 11. Open Discussion:
There was no open discussion.
 12. Adjournment:
Steven Reade made a motion to adjourn the Regular Meeting of July 11, 2005 at 9:25pm. Robert Burbank seconded. All were in favor. The motion carried unanimously (5-0-0).

Respectfully submitted by:

Jeanne Gagnon
Commission Secretary