

**Andover Inland Wetlands and Watercourses Commission
Old Firehouse, Center Street
Monday, August 8, 2005 7:00pm**

Minutes

Regular Meeting

1. The Regular Meeting was called to order at 7:05pm. Members present were: Chairman, John England, Steven Reade, Michael Landolphi and alternate Richard Osborne. Wetlands Agent, John Valente was present. There was no Board of Selectmen Liaison present.
2. Seating of Alternates
Richard Osborne was seated for James McCann.
3. Additions to the Agenda
There were no additions to the agenda.
4. **OLD BUSINESS:**
 - 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 in June and a site walk was conducted just prior to this meeting. Members agreed that the application was very thorough and there were not many questions. John England questioned the applicant about the fact that some of the dry hydrants in town were no longer working and what would be done to prevent these from same. The applicant responded that some of the hydrants in town were not being fed by any stream, brook or lake and relied on storm water and these were being fed from the lake. Members discussed that the dam was to be lowered an extra 24-30 inches this year to allow for the installation of the hydrants. Members discussed that the applicant should use the smallest bucket for excavation for the least amount of disturbance.
Steven Reade made a motion to approve the application of Andover Volunteer Fire Department, owner ALMA for installation of 6 dry hydrants in Andover Lake for use as fire protection with all the standard conditions of the Inlands Wetlands Commission and the following conditions:
 1. **Applicant to notify Wetlands Agent prior to the start of any work.**
 2. **Excavation of trenches to be done with the smallest possible bucket size, possibly 12 inches.**
 3. **Runoff must be diverted from worksite.**
 4. **Disturbed area around hydrant to be stabilized with stone where needed.**
 5. **Stabilize first 5 feet from the lake shoreline with stone and done to withstand the conditions of the winter and spring seasons.**
 6. **Applicant is to work with the Wetlands Agent to properly stabilize all the areas.**
 7. **No backfilling of trench under water, clean stone can be used if necessary to backfill under water.**

Michael Landolphi seconded. All were in favor. The motion carried unanimously (4-0-0).

- Application of Chris Morrell, 8 Lake Road for 125 yards of fill to level property in a regulated area.
--The applicant was not present. The application was tabled until the next meeting.
- Application of Bernadette Devlin, Lot 21&21A Lake Road, with portion of driveway, footing drain and filling around house in upland review area.
--The application was accepted in July. A revised plan was given to members. The applicant described the revision as modifying the septic system location to a better area and the house was moved a little closer to just outside the review area, the house was approximately 20 feet closer but still outside the review area. The applicant agreed to minimal tree cutting, he stated that some dead trees were already removed and that no trees would be removed in the wetland buffer area. The applicant requested to move the driveway location so that less trees would be removed for the installation of the driveway. Members asked John Valente if he was comfortable with an administrative review of the driveway change. He agreed, he stated that it was a gentle slope and not a major change and that less tree removal would be better.

Steven Reade made a motion to approve the application of Bernadette Devlin, Lot 21&21A Lake Road, with portion of driveway, footing drain and filling around house in the upland review area with all the standard conditions of the Inland Wetlands Commission and the following conditions:

1. **Driveway to be installed as the first phase of construction and to be constructed from start to finish without any unnecessary delays.**
2. **Utilities to be installed during the construction of the driveway and prior to stabilization.**
3. **Driveway to be stabilized immediately upon completion.**
4. **No stockpiling of soil within 100 feet of wetlands.**
5. **No work on the house foundation until the driveway is inspected and approved by the wetlands agent.**
6. **No additional trees are to be removed other than the area of the driveway installation.**
7. **Septic system test pit in reserve area to be done by the town sanitarian prior to the issuance of a permit.**
8. **Prior to construction of the house the disturbed area around the foundation must be rough graded and stabilized.**

Michael Landolphi seconded. All were in favor. The motion carried unanimously (4-0-0).

Public Hearing

The Public Hearing convened at 7:40pm.

Chairman, John England read the public hearing notice for the record.

- Application of 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.
--Attorney Bruce Kalom spoke on behalf of the applicants and state that a portion of the driveway is going through a wetlands and conservation easement. Mike Dion of M. Dion Development spoke as the applicants engineer and submitted the certified receipts for the record. He described the activity as the prior approved lot #1 of the Woodland Chase/Long Hill Subdivision that was originally 5+ acres and that 3+ acres were added to the lot and that last month a modification was allowed

to add more driveway to feed lot 1b and that this application was for lot 1A. He described the original driveway location for Lot 1A as a somewhat cleared roadway from an old logging operation and that the only activity was the driveway through the wetland. He stated that the areas were given as a conservation easement as part of the original subdivision plan and that he was offering additional conservation easements with this plan and that there are alternatives to the driveway location. He stated that the original driveway proposal was 1750sf of wetland impact 265 feet of driveway, with more tree removal, apprx. 10 trees. The second proposal would be a meandering driveway through approximately the same area but has 1950sf of impact with 280 feet of driveway, but would only require cutting 3 trees and that either of these driveways would have mild slopes. The third proposal was a driveway through an existing building lot now owned by the Haverl's from part of the Keevers/Woodbury property this proposal would have 1400sf of impact but it adds 25 feet to the driveway length and would require greater amount of filling because of the slope in the area and would require the removal of 20+ trees in a regulated area and would be triple the amount of earth work. Mike Dion described the red arrows on the plan as the drainage flow of the site. Members questioned the additional building lot that the driveway was proposed, if it was going to be part of the subdivision. The Haverl's responded that it would not be part of the subdivision. Soil Scientist, John Ianni submitted a report of the site to members and described the site as the top of the wetlands are just above lot 1 and it flows across to 1A and becomes more channelized through the lot and that all the proposed driveways have basically the same impact but that he preferred the location (2) because it follows an area where corduroy was placed during a logging operation and that there would be minimal tree removal. John England questioned the watershed above the proposed crossing. Mike Dion stated that the original subdivision watershed was approx. 18.5 acres before and 14.7 acres after development, he further described the contributing sites to the watershed. John Valente questioned Mr. Ianni on the direct impacts of the three proposed locations. Mr. Ianni responded that there was no appreciable difference on wetlands. Steven Reade questioned the direct impact in the wetlands of the three proposed locations. Mr. Dion responded that the original driveway (#1) was approx. 50 feet long and about 30 feet wide and the meandering driveway (#2) was approx. 65 feet long and 30 feet wide and that the one through the other (#3) was approx. 50 feet long and 40 feet wide due to the slopes. The hearing was opened to the public for comments. Robert Downer, 125 Long Hill Road was concerned about an increase in water flow. He stated that he has seen an increase in flow this year. John Ianni stated that he mapped that site years ago and that that this proposal will not have additional impact on his site. Mike Dion stated that the house sites would be 6-700 feet and 4-500 feet away from the two house sites on his property. John Valente stated that the conservation easement doesn't prohibit a driveway but it talks about tree removal or road and that a driveway would require tree removal and that he would like to see more information on the driveway proposed through the other lot, driveway (#3) and that he would like the applicant to provide a drainage flow map. Members agreed that they would like more time to review the items submitted at this meeting. Steven Reade stated that he would like the applicant to provide a watershed analysis for the next meeting in regards to the Downer site and to explain how the easement crossing through the original Keever's site. And that the commission should seek the opinion of the town attorney in the ability of the IWC to allow a crossing through an easement, which is a contract.

The public hearing was adjourned at 9:00pm and will reconvene at the next scheduled meeting.

5. OLD BUSINESS (continued):

- Application of 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.

6. NEW BUSINESS:

- Application of Keith Pedro 98 Bear Swamp Road for construction of a house with excavation in an upland review area.
--The application was received on time and was accepted. A revised plan was distributed to members. The application was for an addition to the existing house and was 34 feet from the wetland and the activity was within 15 feet of the wetlands. John Valente stated that the site was very wet and members should conduct a site walk. Members agreed and requested that the location of the addition be staked out.

A property Site Walk was scheduled for September 12, 2005 at 6:20pm, just prior to the next regular meeting.

- Application of Dianne Grenier, 400 Lake Road for rebuilding an existing stone wall in a regulated area.
The application was received on time and was accepted. John Valente stated that the contractor has done wall on the lake before and that during their discussions, he feels they are in tune with what is needed. The applicant provided a detail sketch of the rebuilding of the wall and described the work. He stated that the wall needed to be rebuilt and that he will construct a stronger wall with filtration and use filter fabric and then stone and then build the wall to avoid silt, he stated that he would not be using any machinery and that the work was to be done during the lake draw down. A narrative and cross section was given to members. He stated that there would be no stockpiling and that he will use a silt fence to divert the house flow from the worksite during reconstruction and that he will be using all the existing rocks to rebuild the wall but will need to bring in some trap rock for the back of the wall.

7. Approval of minutes: July 11, 2005

The approval of the minutes was tabled to allow the commission time to review the corrected motion on the Wetland Regulation Sections that were stated for reasons for deeming of the application of the Haverl's as a significant activity.

Corrected motion as follows:

Original Motion:

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).

Corrected Motion:

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 Section 2.30 sub sections a, f & g of the Inland Wetlands Regulations 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).

8. Miscellaneous:
--Review of Inland Wetland Commission Bylaws
Some pages were missing from the bylaws and therefore the review was continued to the next meeting and a complete set will be forwarded to members.
9. Public Comment:
There was no public comment.
10. Correspondence:
There was no correspondence.
11. Administrative Report:
John Valente advised members that the Haverl subdivision was still active and that the foundation was in at the Burnap Brook property and tha the pond at the Haverl subdivision was below the pipe.
12. Open Discussion:
There was no open discussion.
13. Adjournment:
Steven Reade made a motion to adjourn the Regular Meeting at 9:28pm. Michael Landolphi seconded. All were in favor. The motion carried unanimously (4-0-0).

Submitted by:

Jeanne Gagnon
Commission Secretary