

**Andover Inland Wetlands and Watercourses Commission
Old Firehouse, Center Street
Monday, November 14, 2005**

Minutes

Regular Meeting

1. The Regular Meeting was called to order at 7:05pm. Members present were: Chairman, John England, James McCann, Michael Landolphi, Robert Burbank and alternate Richard Osborne. There was no wetlands agent present. Board of Selectmen Liaison, Leigh-Ann Hutchinson was present.
2. Seating of Alternates
Richard Osborne was seated for Steven Reade after the action on the Haverl application.
3. Additions to the Agenda
There were no additions to the agenda.

4. OLD BUSINESS:

- 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 conservation easement.
The public hearing was closed at the October meeting and Robert Burbank and James McCann have listened to the public hearing tapes from the August meeting they were not in attendance at.
Michael Landolphi made a motion to approve the 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 conservation easement with all the standard wetlands commission conditions and the following additional conditions:
 1. **The applicant's engineer shall supervise the installation of the driveway culvert and certify that the installation was in accordance with the approved plan.**
 2. **During construction, of the driveway, the applicant's engineer is to make inspections prior to significant rain events (1/2" forecasted events) and after each such event to determine efficiency and proper functioning of measures in place and make modifications, if necessary. A brief report will be sent to the Town after such inspection. An agreed upon form shall be used.**
 3. **A planting plan shall be submitted within two (2) weeks, this plan shall address vegetation along the wetlands and stream crossing. This plan shall be approved by the Wetlands Agent.****Robert Burbank seconded. James McCann was opposed to the motion. The motion carried (3-1-0).**

Michael Landolphi made a motion to approve the location and placement of a common driveway through a conservation easement given to the town and

identified in Volume 9, pages 1382-1387 in the Andover Land Deed Records. The location of the common driveway is shown on a plan dated June 9, 2005 and revised to October 10, 2005 designed by Michael Dion of M. Dion Development LLC.

The authority to grant this exception is give to the Andover IWWC in Section II, 1 of the Conservation Easement Agreement. This approval is for the crossing of the conservation easement with a common driveway and does no infer or imply any other approvals unless give by the appropriate authority, board or commission.

Robert Burbank seconded. All were in favor. The motion carried unanimously (4-0-0).

- Application of John Nichols, 312 Lake Road for repair and construction of a lakefront stonewall and another wall on the property in a regulated area. Members were given a plan and construction sequence. John England stated that a site walk was conducted on October 20th and that it is an extensive project but mostly maintenance and that ALMA has approved the activity and has provided written approval. He stated that the wetlands agent has been working closely with the applicant to finalize the plan and construction sequence and the agent feels it is a good plan and recommends approval.

James McCann made a motion to approve the application of John Nichols, 312 Lake Road for repair and construction of a lakefront stonewall and another wall on the property in a regulated area with all the standard conditions of the wetlands commission and the following additional conditions:

1. **The applicant must comply with the sequence of activities narrative and erosion mitigation plan.**
2. **Wetlands agent to inspect soil erosion measures prior to the start of the activity.**

Michael Landolphi seconded. All were in favor. The motion carried unanimously (5-0-0).

5. NEW 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 the application was denied last month based on the motion to approve not passing. The secretary advised the commission that the application fee had not been paid for the resubmission. The applicants' agent, Mark Reynolds of Reynolds Engineering requested a waiver of the fee. The commission did not grant the waiver because the new plans will need to be reviewed by the town engineer and the agent. Mr. Reynolds requested that some items from the previous application be incorporated into the current application, the items to be included in the record are all the letters of concern from the neighbors, the Town Engineer letters, the Wetlands Agent letters, and a letter from the soil scientist. Mr. Reynolds submitted a revised plan to members that moved the driveway location from the previous Birch Drive access to locate the driveway access on Shoddy Mill Road but the reserve for the septic system was still in the upland review area. Another plan was submitted at the meeting that moved the

reserve area out of the upland review area. He stated that the driveway was moved because he felt that the commission did not approve the previous application because they did not want to see any increase in drainage flow to the catch basin and that the new plan shows no drainage flow to the catch basin and no additional flow to the inlet pipes at Birch Drive. The consensus of the members was to have the town engineer and wetlands agent review the new plan to advise if there is any impact to wetlands and any increase in drainage to the drainage system that flows under Birch Drive to the property across the street. Mr. Reynolds stated that the prior activity had activity in the upland review area and now that the septic reserve area has been moved out of the review area and that it was previously stated that there would be no significant impact of runoff and he feels that the commission does not have jurisdiction on the new plan. James McCann stated that all the neighbors stated that there is a drainage problem and by the addition of a house and driveway with tree cutting, he is not convinced that there wouldn't be an increase in drainage. He also read Section 6.4 from the regulations that states "The Commission shall regulate any activity that occurs in non-wetland upland or non-watercourse areas that are likely to impact or affect inland wetlands or watercourses" and feels the commission does have jurisdiction. Members requested that the secretary forward details of this application to the board of selectmen and the public works department.

James McCann made a motion that the commission has jurisdiction over this application and to accept it and have the town engineer and the wetlands agent review the new plans. Michael Landolphi seconded. John England was opposed. The motion carried (4-1-0). James McCann made an addendum to the motion that the details should be forwarded to the Board of Selectmen for study of the drainage issues on Birch Drive and to have them consult with the Public Works Department and that the fee for the application must be paid. Michael Landolphi seconded. All were in favor of the addendum to the motion. The addendum carried unanimously (5-0-0).

6. Approval of minutes: October 13, 2005
Robert Burbank made a motion to approve the minutes as submitted for the Meeting of October 13, 2005. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).
7. Miscellaneous:
There was no miscellaneous business to discuss.
8. Public Comment:
Selectman, Jay Linddy requested that the commission send a package to the Board of Selectmen regarding the drainage issue on Birch Drive, the package should include all the correspondence from the neighbors and the wetlands agents letters and the town engineers letters. The commission secretary will have this package sent.
9. Correspondence:
There was no correspondence.
10. Administrative Report:
There was no administrative report.

11. Open Discussion:
Members discussed their actions at this meeting.
12. Adjournment:
Robert Burbank made a motion to adjourn the meeting at 8:15pm. James McCann seconded. All were in favor. The motion carried unanimously (5-0-0).

Respectfully submitted by:

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.