

Town of North Andover  
PLANNING BOARD

Approved 9/15/15

John Simons, Chairman  
Lynne Rudnicki  
Peter Boynton



David Kellogg  
Lora McSherry

Tuesday July 21, 2015 @ 7 p.m. Town Hall, 120 Main Street, North Andover, MA 01845

1 Present: J. Simons, L. Rudnicki, D. Kellogg, P. Boynton

2 Absent: L. McSherry

3 Staff Present: K. Cheetham

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5 **J. Simons, Chairman:** The Planning Board meeting for Tuesday, July 21, 2015 was called to order at 7 p.m.

6  
7 **ANR:**

8 76 Boston Hill Road (Map107D Lot 33): Homeowner, Gene Willis, requests a lot line adjustment for two parcels.

9 G. Willis (Town Engineer & Resident, 76 Boston Hill Road): The goal is to be in compliance with required  
10 setbacks. The lot was originally purchased in 1985 from the homeowner of the larger lot 3A. When the house was  
11 built, the well for my property was inadvertently placed on the larger, adjacent lot 3A. The previously recorded  
12 ANR adjusted the lot line to pick up the well. It fails to reflect the septic system layout. P. Boynton: Questioned  
13 the 20' road widening easement noted on the plan.

14 G. Willis: Explained he would like the option of the street easement in place in anticipation of the use of the  
15 adjacent parcel. The easement has been presented to the Board of Selectmen.

16 **MOTION:** D. Kellogg made a motion to recommend the Town Planner sign off on the Form A plan as presented.  
17 P. Boynton seconded the motion. The vote was 4-0 unanimous in favor.

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19 **LOT RELEASE:** Regency Place, 464 Appleton Street (Map 65, Lots 7, 8, 9, & 55) Applicant seeks release of 8  
20 lots.

21 The Planning Board reviewed the DPW spreadsheet for the subdivision. The final amount is \$77K for the 8 lots.

22 L. Rudnicki: The Planning Board should create a bond schedule for non-street acceptance items pertaining to the  
23 personal homes in subdivisions. Sometimes there are rain gardens on the property; we've had incidents where  
24 planned swales that have been tampered with. At the end of the project, we release the bond based on the DPW  
25 numbers leaving us with nothing for miscellaneous items. We may need additional landscaping, etc. The Board  
26 members agreed.

27 Gene Willis (Town Engineer): A small amount was included to cover maintenance and cleaning, i.e. fixing gate  
28 valves, cleaning catch basins, etc.

29 J. Simons: If the DPW is satisfied that this covers all the remaining work and the amount protects the Town's  
30 interest, then there is no reason not to release all of the lots.

31 The Board suggested the Town Planner research how other towns establish bond amounts for potential alternative  
32 approaches. The Board discussed adding a 10% contingency and decided on a bond amount of \$85,390.

33 **MOTION:** L. Rudnicki made a motion to release 8 lots at 464 Appleton Street with a bond amount of \$85,390  
34 pending completion of all the paperwork. P. Boynton seconded the motion. The vote was 4-0, unanimous in favor.

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36 **PUBLIC HEARINGS**

37 602 Boxford Street-Wellington Way (Map 105C Lot 22): Definitive Planned Residential Development (PRD)  
38 Subdivision. Applicant seeks approval of subdivision for 7 single family homes along with Open Space.

39 P. Christiansen (Engineer for Applicant-Messina Development): Reviewed the Definitive PRD 18 acre site.  
40 There will be 7 new lots on the cul-de-sac. The smallest lot is 25K sq. ft. and the largest is 55K sq. ft. meeting the  
41 PRD requirements. Two septic systems will encroach on the 50' buffer. The project meets the Open Space  
42 requirement for a PRD. Required minimum Open Space is 35% of the total parcel area. Total Open Space on this  
43 project is 11.8 acres (66% of the total area); 4.2 acres consists of wetland and 7.6 acres of upland. A water line  
44 will extend in from Brookview Drive. The roadway is placed on a ridge and that some lots and associated

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45 septic/stormwater run east and the other side of the subdivision runs west from the roadway. The roadway climbs  
46 upward from Boxford Street to the rear of the property. The Town Engineer asked for catch basins along the street  
47 to capture runoff. Of particular concern was runoff in the late winter when snow banks are high along the edge of  
48 the roadway and any rainfall would be forced to sheet flow towards Boxford Street.

49 The Board asked several questions related to feedback from the BOH regarding septic locations, sedimentation  
50 and slopes due to the topography of the site and definition on the Open Space.

51 P. Christiansen: Responded the BOH will receive a copy of the septic locations when we submit the project.

52 There are no potential trails noted. It is a foraging habitat for the Blanding's turtles.

53 K. Cheetham : Noted that all Department comments have not been received yet and asked if the Board had any  
54 questions related to the engineer peer review. L. Rudnicki voiced concern with the stormwater engineering where  
55 the new roadway meets Boxford Street and requested the applicant review the area to the left of the entrance.

56 Christina Heacock (abutter, 615 Boxford Street): Voiced her support of the project and said as an abutter she  
57 would like to connect with the town water service.

58

59 4 High Street: West Mill (Map 54 Lot 1): Modification to Downtown Overlay District Special Permit – Applicant  
60 seeks modification for additional demolition of Building 37 and reconfiguration of parking lot and associated  
61 storm drainage.

62 K. Cheetham: The draft Decision in your packets.

63 D. Steinbergh, Seth Zeren, RCG, LLC presented a slide show demonstrating pervious plans and new configuration  
64 of parking lot and demolition of building 37 in its entirety. The presentation had four components:

- 65 • Culvert Protection- The two 60" concrete pipes (c.1950) carrying water below the parking lot and site are  
66 2-3' below the surface but not protected enough to support the weight of heavy vehicles. L. Rudnicki  
67 wondered if this presented a frost hazard. It flows all seasons.
- 68 • Parking Area- The parking area provides a similar number of spaces. The pedestrian walkways, benches,  
69 and site landscaping will remain, but be slightly relocated. The new design provides a clear travel path for  
70 vehicles and clear walkways for pedestrians.
- 71 • Façade- The demo will reveal the façade of two buildings. Both have large windows and will be pleasant  
72 to view. The open space behind the Converse building is temporary. RCG anticipates some level of  
73 development there in the future but will fill with loam and seed until that occurs. They have agreed to  
74 avoid the 50' no disturb zone if they redevelop. Windows will appear on the elevation facing Sutton Pond  
75 condos.
- 76 • Bridge- Plans will show a wooden planking bridge to be located over the pipes and culvert. This will be a  
77 natural place for pedestrians to gather. Vehicular passage is located further beyond in a more stable  
78 location.

79 Public Comments: Per Town Planner, an abutter submitted photos of oil water separators adjacent to the pond and  
80 asked the applicant to address them.

81 S. Zeren: One will remain and one is likely to be removed. There is one large HVAC unit near the pond. They are  
82 addressing relocating it or finding a newer technology to match its function. There is also an HVAC unit indoors  
83 that may be contributing to industrial noise on site. If they find a need to move the HVAC RCG would like  
84 administrative review and approval for this.

85

86 The Board read Roger Pennington's (abutter, 148 Main Street) letter. He is concerned about the noisy HVAC units  
87 and the general health of Osgood Pond and requested someone address pond deterioration and restoration of the  
88 historic pond.

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89 RCG, LLC is working with Aquatic Control Technologies to address the health and beauty of East Mill pond but  
90 mentioned they did not have full rights to address Osgood Pond. They support a comprehensive improvement  
91 plan including East Mill Pond. He assured that RCG is working to improve the cooling tower units.

92 L. Rudnicki noted the Board supports pond improvements and mentioned RCG work with Conservation to add  
93 treated water to the pond to bring it back to its original level.

94 Bob Carroll (abutter, 148 Main Street): Noted in the early 1900's the town of North Andover took the water in  
95 Osgood Pond by eminent domain. He would like the traffic entering and exiting the site from High Street be  
96 addressed. Vehicle speed is a concern on High Street. A stop sign or traffic light is imperative to slow traffic.

97 D. Steinbergh noted Master Plan site improvements will have a positive impact.

98 **MOTION:** D. Kellogg motioned to close the Public Hearing for the Modification. P. Boynton seconded the  
99 motion. The vote was 4-0 unanimous in favor. L. Rudnicki mentioned the bylaws changed since the original  
100 Decision was drafted and it was based on the DTO which is now referred to as Sub-district A and needs to be  
101 adjusted. The Board discussed several revisions to incorporate into the final Decision.

102 **MOTION:** L. Rudnicki motioned to approve the Downtown Overlay Sub-District A-Special Permit Modification,  
103 as amended and suggested it be distributed to all the Board members prior to adoption. D. Kellogg seconded the  
104 motion. The vote was 4-0 unanimous in favor.

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**GENERAL DISCUSSION:**

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- 108 • **Water Quality Research**-Planner met with Asst. Supt. Water Treatment Plant. They discussed the types  
109 of data. The Board will tailor the scope of their request to five indicators trending over 10-20 years. The  
110 Board agreed to a September 15, 2015 Planning Board meeting presentation from Julie Giglio (Asst. Supt.  
111 Water Treatment Plant).
  - 112 • **Watershed Notification Project**- Planner to assess and present the educational postcard that was initiated  
113 by the previous planner. The Board intends to follow this project through to completion. The goal is to  
114 mail it out in 2015 and redo it in the spring.
  - 115 • **Watershed Violation(s) Update**- Planner provided an update on 777 Great Pond Road and mentioned  
116 trees were cleared by accident. The owner will be filing a WSP. They will be looking to regrade, fill in the  
117 pool, yet have already removed vegetation. 1116 Great Pond Road: The Board viewed photos of  
118 mitigation plantings. Shrubs were planted in a 2:1 ratio to lost trees. The Board expressed dissatisfaction  
119 with plantings. The Board requested the Town Planner send a letter to the property owner seeking  
120 additional plantings of trees.
  - 121 • **Other**-The Board deliberated the effectiveness of the current watershed policies. They felt many  
122 violations have occurred lately and the fines are not substantial enough to stop it from re-occurring. In  
123 contrast, the property owners who follow the rules and do the right thing, relative to permits, end up  
124 paying more. Board noted that the schedule of fees should be revisited & updated. Conservation may have  
125 some future input regarding a requirement for more detailed mitigation plans.
  - 126 • **Planning Board Rules & Regulations**- Board suggested updating the Planning Board Rules and  
127 Regulations.
  - 128 • **Solar Bylaw Update**- Board recommended Dir. Community of Economic Development work with Town  
129 Planner and L. Rudnicki regarding updates and revisions to Town's solar bylaw.

130 **MINUTES APPROVAL**

1 Approval of the July 7, 2015 meeting minutes.

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132 **MOTION:** The Board tabled the July 7, 2015 minutes in order to revisit a preferred summary format for all future  
133 minutes.

134  
135 **ADJOURNMENT**

136 **MOTION:** L. Rudnicki made a motion to adjourn the meeting. The motion was seconded by D. Kellogg. The  
137 vote was 4-0, unanimous in favor. Meeting adjourned @ 9:30 p.m.

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139 **MEETING MATERIALS:** Administrative: July 21, 2015 Agenda, July 7, 2015 Meeting Minutes; 76 Boston Hill  
140 Road: Aerial View, ANR Application, Encroachment Drawing, new ANR plan 07\_14\_15, Zoning of Parcel;  
141 Regency Place: 2\_of 7\_Regency Place Lot Plan 1, 150106 Decision Modification DRAFT 2, BOND ESTIMATE  
142 7-17-15, DPW Correspondence, July 2015 Monitoring, Recorded Decision Definitive, RESTRICTIVE  
143 COVENANTS maintenance; 602 Boxford Street: Definitive 6.23.15: 14036001-016 sl, 14036014s4, 14036014s5,  
144 14036014s6, 14036014s7, 14036014s8, 14036014s9, 14036014s10, 14036014s11, 14036014s12, 14036014s13,  
145 14036014s14, Closure calculations, exist drainage, proposed drainage, sh2, sh3, Aerial View, G. Willis  
146 Correspondence, T Willet Correspondence, welling prd-def cover letter, WELLING smr 6.23.15, wellington Form  
147 C, Wellington prd app, Zoning Map of Parcel; 4 High Street West Mill Modification: 14077\_O&M  
148 Report\_150702-2, 141216 4 High St DO Special Permit Decision, 150702\_West Mill Set Stamped-2 14077,  
149 150702\_W M Drainage Report\_14077, Lisa E Review, Neighbor Letter, Planning Board Slides 2015-7-7, Signed  
150 Decision, SPR Modification Decision Draft, SPR Modification Decision Final, West Mill-Planning Board – Cover  
151 Letter, West Mill Response to Neighbor; 777 GPR Clearing; 1116 GPR Mitigation.