

**North Andover Conservation Commission Meeting Minutes**  
**June 8, 2016**

**Members Present:** Louis A. Napoli, Chairman, John T. Mabon, Sean F. McDonough, Douglas W. Saal.

**Members Absent:** Albert P. Manzi, Jr., Vice Chairman, Deborah A. Feltovic, Joseph W. Lynch, Jr.

**Staff Members Present:** Jennifer A. Hughes, Conservation Administrator.

*Pledge of Allegiance*

*Meeting came to Order at: 7:35 PM Quorum Present.*

**Minutes of 5/12/16** – Motion by Mr. Mabon to approve the minutes of May 12, 2016. Motion seconded by Mr. McDonough. Vote unanimous.

**Mazurenko Bog Bridge (Eagle Scout Candidate Project)**

- The applicant Anuvind Lyer is present.
- Mr. Lyer presents his proposal to build a bog bridge at a wet location along the Scout Trail at Mazurenko Farm. He would like to do a similar location on the Ridge Trail but may only have the resources to do one location. He states the bridge will be 6” off of the ground and will cross 7’ of stream. He will have assistance from his scout troop.
- The commission asks him where he will get his supplies.
- He states Jackson Lumber.
- The commission asks him about methods.
- He states he will use pressure treated wood and will do his cutting on site. Only adults will do the cutting.
- Mr. Mabon asks if the sleepers will be inside or outside the bank of the stream.
- Mr. Lyer states the sleepers will be just outside the bank. He asks where he can park to bring in supplies.
- The Administrator states a “friendly” Enforcement Order can be issued to stop trail rutting in this area.
- Mr. Mabon makes a motion to issue an Enforcement Order to allow the project to proceed. Mr. McDonough seconds the motion. Vote unanimous.

***Documents:***

- *Eagle Scout Service Project Plan*
- *Project Description and Benefit*
- *Attached Sketches of before Stream Crossing Map and Stream Crossing on Scout Trail Photographs if these will help others visualize the project*
- *Photograph of Trail dated May 29, 2016*
- *Locus Map dated May 29, 2016*

***Small Project***

- NACC# 174, 64 Forest Street (Levey)

- The applicants Rob and Claire Levey of 64 Forest Street are present.
- The administrator presents the proposal to install a fence.
- The commission asks questions about the wetland line.
- A motion to accept the project as a 4.4.2 section H is made by Mr. McDonough and seconded by Mr. Mabon.
- Vote unanimous
- A motion to approve the project as proposed with conditions for a post construction inspection and wetland markers is made by Mr. McDonough and seconded by Mr. Mabon.
- Vote unanimous

***Documents:***

- *Application Checklist –Small Project*
- *Small Project Procedure*
- *Copy of Town Check*
- *Wetland Location subject to Property Plan dated May 18, 2016*
- *Phase I Dog runner Plan dated May 18, 2016*
- *Phase II installation of a fence by Boston Hill Fence, LLC dated May 18, 2016*

***Request for Determination of Applicability***

**561 Braford Street (Friends of North Andover Trails)**

- Steve Foster and Glen Aspeslagh of the Friends of North Andover Trails (FONAT) are present.
- Mr. Foster presents the proposal to install 150’ of boardwalk bridging a small stream. FONAT will conduct the work with donated materials and volunteer labor.
- Mr. Mabon asks about the width of the boardwalk.
- Mr. Foster states it will be 2’ wide and the bridge portion will be 16’ long. He states the span could be shorter in length. The abutments will be wood, 6’ x 6’ treated sleepers.
- Mr. Mabon cautions Mr. Foster about the height of the bridge in relation to the stream.
- Mr. Mabon makes a motion to issue a Negative #2 determination with removal of old wooden bridge debris and a post construction inspection. Mr. Saal seconds the motion.
- Vote unanimous

***Documents:***

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *General Information*
- *Project Description*
- *Signatures and Submittal Requirements*
- *Attachment “A” Aerial Map showing area of the Boardwalk installation dated May 26, 2016*
- *Attachment “B” Hand Sketched Plan dated May 26, 2016*
- *Attachment “C” Project Description dated May 26, 2016*

***Notice of Intent (NOI)***

**242-1681, 384 Osgood Street (DPW) (Linden Engineering Partners, LLC)**

- Raymond Santilli and Bruce Thibodeau from the Town of North Andover, John Savasta of CSS Architects, and Richard Cutts of Linden Engineering are present.
- Mr. Cutts presents the proposal to construct an addition to the DPW site. The entire project is in Riverfront Area. All work is outside the 50' No-Build Zone. Pavement will be moved farther from the River. He presents stormwater management which will discharge through an existing headwall. A stormceptor will be added. It will also handle roof and parking lot runoff. It will also catch a portion of drainage from Osgood Street. Erosion control is shown as a filtrex silt sock on much of the site but it will be backed by silt fence along the river. Sewer relocation has already been approved. A new salt shed is proposed at the rear of the site. The proposal will have the same impervious area except for the addition of new sidewalk. He states the rate and volume of runoff are being controlled.
- The Administrator asks why the rear stormwater management cannot discharge to the existing pipe. She has spoken with the stormwater peer reviewer, Lisa Eggleston. There is a discussion of what portions of the site should be paved.
- Mr. Cutts states DPW will restrict material storage as part of the proposal by adding 2 rows of barrier. If the salt shed is constructed a SWPPP will be needed. An illicit discharge statement is also needed.
- Mr. Santilli explains the purpose of the project to clean up and improve the site. The new salt shed will allow trucks and loaders to access the self-contained salt shed. He discusses parking.
- Mr. Cutts presents the landscape plan.
- The Administrator states she will need to check that the plants are native.
- Mr. McDonough asks about containment for materials at the rear of the site.
- Mr. Napoli asks about roof drainage from the older portion of the building.
- Mr. Cutts states this will not be captured.
- Mr. Santilli states the outside of the old building will receive a new façade.
- Mr. Napoli asks about the "bid alternative" label for the salt shed.
- Mr. Santilli states work will be done based on the bidding/cost estimate.
- Mr. Napoli asks about the stockpiles currently located on the site.
- Mr. Thibodeau states there will be new containment.
- The commission discusses the new MS4 permit.
- Mr. Napoli asks about the swing room for trailers delivering salt to the new salt shed.
- Mr. Thibodeau states there will be room for 90' trailers.
- Mr. Mabon states the project appears to minimize impacts to the Riverfront Area and is outside the 50' No-Build Zone. He states the review from Eggleston Environmental points out stormwater should be improved to the maximum extent practicable.
- Mr. McDonough motions to continue the hearing until 6/22/16. Mr. Mabon seconds the motion.

- Vote unanimous

***Documents:***

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *Other Applicable Standards and Requirements*
- *Signatures and Submittal Requirements*

- *NOI Wetland Fee Transmittal Form*
- *Supplemental Information to Accompany the Notice of Intent for the Town of North Andover Division of Public Works Improvements to the Public Works Building*
- *Project Narrative*
- *Wetland Resource Area Delineation*
- *Riverfront Analysis*
- *Wavier Requests*
- *Abutters Notification Form*
- *Prepared by Linden Engineering Partners, LLC USGS Locus Maps Aerial Photograph dated May 24, 2016*
- *Prepared by Linden Engineering Partners, LLC Aerial Photograph of Division of Public Works area dated May 24, 2016*
- *Prepared by Linden Engineering Partners, LLC Bing Maps trip planning Cameras & More dated May 24, 2016*
- *Prepared by Linden Engineering Partners, LLC Improvements to the Public Works Building Plan dated May 27, 2016*

**242-1680, 1-3 17 Massachusetts Avenue (Merrimack Oil Company) (Web Engineering Associates, Inc.) (cont. from 5/25/16)**

- Robert P. Coluccio of Web Engineering Associates, Inc. is present.
- Mr. Coluccio reviews the proposal to replace the single walled tanks. A containment area will be added that can contain 5,700 gallons. An oil spill prevention plan has also been submitted. Water will be drained from the spill containment area before any oil handling. Trucks contain 2,800 gallons. No snow storage is allowed in containment area.
- Mr. Napoli asks about the paving repair area.
- Mr. Coluccio states only the broken areas will be repaired. The pavement will be cut. There will be limiting barriers along the fill area.
- Mr. Napoli states there should be no snow stockpiling signs marking the containment area. He would also like to attend the preconstruction meeting before the paving is repaired.
- Mr. Saal asks what type of repair will be done.
- Mr. Coluccio states the pavement will be cut out and repaired.
- Mr. Mabon motions to close the public hearing and issue an Order of Conditions in 21 days. Mr. Saal seconds the motion.
- Vote unanimous

***Documents:***

- *Letter prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Letter prepared by Web Engineering Associates, Inc. Oil Spill Prevention Plan dated June 2, 2016*
- *A. Letter prepared by Web Engineering Associates, Inc. Plan Response dated June 2, 2016*
- *B. Site Description Letter prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *C. Oil Handling Activities and Facilities prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *D. Overfill Prevention and spill control system prepared by Web Engineering Associates, Inc. dated June 2, 2016*

- *E. Reporting, Record Keeping, and Penalties prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *F. Normal Operating Procures prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *G. Emergency Response prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *H. Telephone/Emergency Contacts prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *I. Stormwater Management prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Appendix A. Spill Prevention Briefing prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Appendix B. Daily Inspections prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Appendix C. Monthly Inspection and Condition Report prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Appendix D. Spill Response Form prepared by Web Engineering Associates, Inc. dated June 2, 2016*
- *Attachment A. Soil Boring Logs prepared by MACTEC Engineering and Consulting, Inc. November 23, 2004*
- *Photos prepared by Web Engineering dated May 11, 2016*
- *Photos prepared by the Town of North Andover Conservation Department dated May 25, 2016*
- *Site Plan prepared by Web Engineering Associates, Inc. dated May 4, 2016*

**242-1679, 1920 Great Pond Road (North Pumping Station) (DPW) (Woodard & Curran) (cont. from 5/25/16)**

- Nathan Little of Woodard & Curran and Kyle Gerlach of Woodard & Curran are present.
- Mr. Little presents the planting plan within the 25' No-Disturbance Zone. He states a file number has been issued and DEP has no comments. He reviews the UST removal specifications if they are found on the site. He states the fire department was contacted but no information was found. Test pits will be done to confirm. Soils around the tanks would be handled by an LSP. Soils would be screened and handled under DEP guidelines. This will affect the bid. Removal and disposal of tanks and removal of hazardous soils would be a separate bid.
- Mr. Napoli asks if it is heating oil. He states we need this information ahead of time.
- Mr. Little soils would be disturbed 1' below grade.
- Mr. McDonough states we need to condition the sequence.
- Mr. Mabon states this work should be done sooner rather than later.
- The commission discusses equipment to be used. A vac truck is proposed.
- Mr. Saal states the investigation should occur prior to bidding.
- Mr. McDonough makes a motion to close the public hearing and issue a decision in 21 days. Mr. Saal seconds the motion
- Vote unanimous.

***Documents:***

- Letter prepared by Woodard & Curran a draft planting plan is shown on sheet C-103 of attached plan set dated June 8, 2016
- Plan prepared by Woodard & Curran Town of North Andover, Massachusetts Division of Public Works North Pump Station Demolition Plan dated May 13, 2016, revised Plan dated June 3, 2016

***Abbreviated Notice of Resource Area Delineation***

**242- , O Osgood Street (Edgewood Retirement Community, Inc.) (MHF Design Consultants, Inc.)**

- The Administrator states that the applicant is making plan revisions following review of the delineation. She recommends continuing the public hearing.
- A motion to continue the public hearing is made by Mr. McDonough and seconded by Mr. Mabon.
- Vote unanimous
- ***Documents:***
- *Application Checklist-Abbreviated Notice of Resource Area Delineation*
- *WPA Form 4A-Abbreviated Notice of Resource Area Delineation*
- *General Information*
- *Areas Delineated*
- *ANRAD Wetland Fee Transmittal Form dated May 26, 2016*
- *Signatures*
- *Submittal Requirements*
- *Letter prepared by West Environmental, Inc. dated May 25, 2016*
- *USGS Site Location Map prepared by MHF Design Consultants, Inc. dated May 25, 2016*
- *Notification to Abutters Form*
- *Certified Abutters List prepared by the Town of North Andover Assessors Department dated May 26, 2016*
- *Quitclaim DEED prepared by Carolyn K. Rockwell and Richard G. Asoian, Successor co-Trustees of the SFR Realty Trust under declaration of Trust dated May 7, 1992 and recorded with the Northern Essex District Registry of deeds a Book 3460 Page 221*
- *Exhibit A (Legal description) Pond Pasture as shown on Plan No. 3877*
- *Photos prepared by the North Andover Conservation Department dated May 25, 2016*
- *Memorandum prepared by West Environmental*
- *Image Mass GIS Aerial Photograph dated April 9, 2008*
- *Existing Conditions Plan dated May 25, 2016*

**242-1603, COC Request, 315 South Bradford Street (Smolak Farms, LLC/H. Michael Smolak, Jr.) (ESS Engineering & Surveying Services) (cont. from 5/25/16)**

- A motion to grant the request for a continuance to the June 22, 2016 meeting is made by Mr. Mabon, seconded by Mr. McDonough.
- Vote unanimous.
- ***Documents:***
- E/Mail prepared by H. Michael Smolak, Jr. requesting a continuance to the June 22, 2016 meeting dated June 8, 2016

**242-1663, COC Request, 70 Raleigh Tavern Lane (Soule) (Merrimack Engineering Services, Inc.) (Request to cont. to 6/22/16)**

- A motion to grant the request for a continuance to the June 22, 2016 meeting is made by Mr. Mabon, seconded by Mr. McDonough.
- Vote unanimous.

***Documents:***

- *Letter prepared by Merrimack Engineering Services, Inc. requesting a certificate of Compliance dated May 25, 2016*
- *WPA Form 8A-Request for Certificate of Compliance*
- *Copy of Town Check*
- *As-Built Plan of Subsurface Disposal System prepared by Merrimack Engineering Services, Inc. dated November 15, 2015*

**242-1382, PCOC Request, 1812, 1820 & 1830 Turnpike Street (Proulx) (The Richardson Group)**

- Chris Richardson of The Richardson Group is present.
- A motion to issue the PCOC for 1812 Turnpike Street is made by Mr. Mabon and seconded by Mr. McDonough.
- Vote unanimous

***Documents:***

- *Letter prepared by The Richardson Group request for Partial Certificate of Compliance dated May 31, 2016*
- *Copy of Town Check*
- *WPA Form 8A-Request for Partial Certificate of Compliance*

**242-1578, 1193 Great Pond Road (Brooks School) (Sanborn, Head Associates, Inc.)**

- Ryan Clary of Sanborn, Head Associates, Inc. is present.
- A motion to grant the on year extension request is made by Mr. Mabon and seconded by Mr. Saal.
- Vote unanimous

***Documents:***

- *Letter prepared by Sanborn, Head Associates, Inc. request for extension to the Order of Conditions dated May 19, 2016*

**242-1261, Enforcement Order/COC Request, Cotuit & Leyden Streets (Robert Burke, Estate of Robert J. Burke) (TTI Environmental, Inc.) (cont. form 5/25/16)**

- The applicant John Burke, Jr., Esq. is present.
- The Administrator states the final as-built plan has been received.
- A motion to release the Enforcement Order is made by Mr. McDonough and seconded by Mr. Mabon.
- Vote unanimous
- A motion to issue a full Certificate of Compliance is made by Mr. McDonough and seconded by Mr. Mabon.
- Vote unanimous

***Documents:***

- *WPA Form 8A-Request for Certificate of Compliance*
- *As-Built Plan prepared by TTI Environmental, Inc. dated May 31, 2016*

**Enforcement Order-146/148 Main Street (Smith/Sutton Pond Condominium Trust) (cont. from 5/25/16)**

- Attorney Katrubes is present. He discusses the meeting held with engineers representing his client Mr. Smith and Sutton Pond Condominiums. The site was inspected yesterday.
- Mr. Napoli recommends suspending the fines and giving the applicant 14 days to remove the soil pile and debris.
- Mr. Saal states the applicant must be cooperative. The work should have been permitted.
- Mr. Katrubes states the parties are trying to reach consensus on what type of system should be installed.
- A motion to suspend fines for 14 days to give the applicant additional time to comply with the enforcement order is made by Mr. Mabon and seconded by Mr. McDonough.
- Vote unanimous.

**Review of Leonhard Conservation Restriction**

- Vanessa Johnson of Essex County Greenbelt presents the restriction area and the terms of the restriction.
- The Commission does not request any changes to the restriction but will ask town counsel to review.
- ***Document:***
- *Grantor: North Andover Boxford Realty Trust*
- *Grantee: Essex County Greenbelt Association, Inc.*
- *Title Reference: Essex South Registry of Deeds Book 12837Page 418, and Essex North Registry of deeds Book 4172 Page 1. Prepared by Essex County Greenbelt Association, Inc. dated May 23, 2016*

***A motion to adjourn the meeting at 8:45 p.m. is made by Mr. Napoli, seconded by Mr. McDonough. Vote unanimous.***