

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Selectmen Minutes 9-16-14

Town of Hanson - Board of Selectmen
Meeting Minutes – Hanson Town Hall
September 16, 2014

Members Present: Donald Howard, James McGahan William Scott, David Soper & Bruce Young
Members Absent:
Others Present: Town Administrator Ronald San Angelo
Executive Assistant Meredith Marini

7:30 p.m. Chairman Soper called the meeting to order, led the Pledge Allegiance. Chairman Soper read the announcements, and upcoming meeting schedule.

II TOWN ADMINISTRATOR'S REPORT

Mr. San Angelo reminded the Board that the Town has been working with Brockton Area Transit to bring BAT buses to Hanson. Brockton Area Transit will provide busing information at the Senior Center on Thursday, Sept. 18th at 1:00 p.m. Mr. Howard indicated that he attended a tour held earlier in the day and reported that the van holds up to three wheel chairs. Several seniors were on hand to view the van. BAT will be setting up a schedule for various trips for Hanson Seniors.

Coffee and Conversation with the Seniors. Mr. San Angelo noted that he has continued the tradition which was created by Rene Read of meeting with the seniors on a monthly basis. The time for Coffee and Conversation has changed from the third Thursday of each month to the third Wednesday of the month. The Director of Elder affairs indicated that more seniors are available on Wednesday to meet with Mr. San Angelo.

Mr. San Angelo reported that the annual Town Meeting Preview will be held on Tuesday, Sept. 30th at 7:30 p.m. Town Counsel will be on hand for the meeting.

Mr. San Angelo indicated that he is working with Building Commissioner Bob Curran in drafting documents for the painting the interior of Town Hall.

III NEW BUSINESS

Finance Committee – Discuss format of budget for FY 16 – **Tabled until a later date**

Resignation of David Soper from Board of Selectmen effective October 8th - Mr. Soper read his letter of resignation dated September 9, 2014

Re: Selectman

After considerable thought, I regretfully submit my resignation as Selectman. My current situation, both personal and professional, does not allow me to devote the time and energy I feel is necessary to properly represent the voters of Hanson. To help ease the transition, my last day would be after the October Town meeting. I would like to thank the voters of Hanson for their support during my time serving you.

David W. Soper
Chairman – Board of Selectmen Hanson

Mr. Soper indicated that he will miss his work with the Town of Hanson. Mr. San Angelo thanked Mr. Soper for his service and feels Mr. Soper has done a good job a chairman and his appreciated his service. The Board members thanked him for his service.

Discussion relative to filling Selectman vacancy – Mr. Soper stepped away from the table.

The Town Clerk via a memo dated September 16, 2014 requested that Board vote to place the vacancy on the ballot for May 16, 2015 or call for a special election. She outlined the time frame for calling for a special election which could occur on December 13th.

Mr. McGahan read the notice:

Last day to file nomination papers with Town Clerk (35 days before election) MGL c53 s10.

Last day to file nomination papers to the Registrars of Voters for certification (14 days before filing deadline – 49 days before election) MGL c53, s7.

Selectmen file with the Town Clerk a notice of election not less than 15 days before last day to submit nomination papers to the Registrars of Voters (64 days before election) MGL c41, s10

The Town Clerk must receive written notice of a referendum question at least 35 days before the date of the election. MGL 54, s42c

If Selectmen voted right after Town Meeting to hold a “ballot question election” the first Saturday to hold that election would be November 15th. (Voter registration would be Saturday, October 25th)

If Selectmen voted right after Town Meeting to hold an election to fill vacancy of Selectmen the first Saturday to hold the election would be December 13 (Voter registration would be Saturday November 22nd)

Mr. San Angelo indicated that the Board will have to decide whether to fill Chairman Soper’s seat.

MOTION by Howard, second by Scott to accept with regret David Soper’s resignation and to hold a special election on December 13th to fill the vacancy created by David Soper’s resignation

Voted 4 – 0 - 1 (Soper)

Chairman Soper indicated that he will be taking the agenda out of order.

V COMMITTEE REPORTS

Indian Head & Maquan School Priority Repair Committee – Mr. Young reported the committee met with the Whitman Hanson Facilities Committee looking for the support of three articles on the warrant for options relative to the Indian Head School Roof. Mr. Young indicated that the amounts in the articles are arbitrary and will require estimates. The lintel repairs article will be “not to exceed” \$200,000. Immediate repairs are needed at the school.

Mrs. Kemmett asked why the amounts for repair and replace articles are the same. Mr. Young indicated that the motion will have the exact amount for the articles.

Monponsett Pond committee – Mr. Howard indicated that he has a meeting on Wednesday, September 17th and will provide additional information at an upcoming meeting.

7:56 p.m. Brief Recess

8:02 p.m. Return to open session

Request

Hearing - Gravel Removal Permit – Great Cedar Cattle Feeders Inc. –
Bog 9 off Pierce Avenue and Robinson Street

Chairman Soper read the hearing notice:

The Hanson Board of Selectmen will hold a hearing on Tuesday, September 16, 2014 at 8:00 p.m. in the Selectmen's Meeting Room at Hanson Town Hall on the application of Great Cedar Cattle Feeders, Inc. of Halifax, MA for a soil removal permit. Said soil to be removed from off Pierce Avenue & Robinson Street and further shown on Assessors Map 54 Lot 49.

*David Soper, Chairman
Board of Selectmen
September 4, 2014*

MOTON by Young, second by Howard to open the hearing. **Voted 5 – 0**

Dimetrios Haseotes was present on behalf of the petitioner. Farm Manager, the Bog manager Jesus Rivera was not available to attend. Mr. Haseotes apologized for not coming to the Board prior to removing the gravel. They are creating a landing area for the trucks used during the harvesting the bog. They are trying to make the bog a safer place. The former owner fenced in the entire area. They will stay 20 – 25 feet from the property line. They will slope 3 to 1. The slope level is stable. They will work within the hours of the by-law. The material is being move to another farm in Halifax. He again apologized for not filing prior to the removal. They are widening the roadway around the bog into order to work.

Chairman Soper indicated that he has seen through the fence that they are close to the entrance by Robinson Street. Chairman Soper requested that they enter and exit onto Main Street to eliminate the dust and traffic on Pierce Avenue and Robinson Street.

Chairman Soper asked that the abutters indicate how close the excavation is to their property lines.

Alan Spera of 159 Pierce Avenue is a direct abutter. He provided copies of pictures of the site. He abuts on two sides. He noticed in August that trailer trucks were entering and existing.

The area is 120 feet from the property line and created a lot of dust. One of the photos showed the trucks leaving Robinson Street and creating dust on the street.

Google Earth photo showed where the material is being removed. He noted that both Robinson Street and Pierce Avenue are residential streets with ball fields and a dance studio at the end of Robinson Street.

Geographic map highlights the property lines. The Town's property line is 60 to 70 feet from the excavation site.

Mr. Spera noted that the only exception for gravel removal will be an accessory use of the related use.

Mr. Spera indicated that he has never seen gravel removal from the site. In his opinion, it appears to be a gravel removal operation. He is concerned that the gravel is being used offset so the removal is not essential for the existing use.

Mr. Spera feels it is a nuisance operation to the neighbors. He would like to see a topography plan.

Mr. Spera feels that certain conditions should be on the permit, dust mitigation, staging, enter and exit plan, days and hours of work.

Mr. Spera feels it is well beyond the scope of the use at the bog.

Robert White 149 Robinson Street noted that the vehicles lights hit his house when they exit the bogs and the dust is an issue.

Kim Wilson 161 Indian Trail was concerned that the removal of the soil will affect the water levels at her home. She question about the scope of 30 cubic yards in a tractor trailer and they want to remove 2300 cubic yards.

Mr. Haseotes indicated that they are not coming too close to the property lines.

Feels the 3 to 1 slope will be adequate solution to the run off.

Ms. Wilson asked if an engineer has done an analysis as to whether the slope is going to have an effect on the abutters. An analysis has not been done.

John Kemmett 83 Baystate Circle – Chairman Conservation Commission noted that the Bog owner does not have a farm plan. The

answers to the questions should be in the plan. The Indian Head River flows through the bog and will have an effect on Indian Head, Maquan Pond and ultimately Wompatuck Pond.

Mr. Haseotes addressed Mr. White's concern of vehicles coming and going all hours of the night. They will do their best to use another entrance to cut down the issues with lights in his window. He noted that this was one of the driest years. They are not trying to cause a disturbance with the dust. Mr. Spera indicated that it is not out of their control, because they don't need to be doing it. He suggested wetting down the property and using another entrance. Mr. Spera would like to see a plan.

Mr. Young asked how the operation relates to the farm plan. Mr. Haseotes indicated that the area of the bog needs updating and will provide better access to the bog. The gravel is being trucked to the headquarters of the business to be used at that location. The gravel is not being sold for profit.

Mr. Scott indicated that he is a cranberry bog owner. He noted that the most important thing is a good relationship with the neighbors. Mr. Scott noted that thousands of yards have been removed from the property by the former owner. Mr. Scott indicated that there are agricultural exemptions for cranberry growers. Mr. Kemmett noted that exemptions should follow the requirements and rules.

Mr. Scott would like to have them enter and exit from Main Street, watering the area, notify the neighbors of the activities.

Mr. Howard noted that he has worked all over the county and worked with bog owners. They have never removed materials from a bog. He doesn't feel the materials are being used for farming but for fill at a home. The companies he has worked with have used water to maintain the dust.

Mr. McGahan estimated 93 truck loads would average 10 to 12 trucks per day.

Section 3E – Asked about storm drainage is replacement. They will grade 3 to 1 until it reaches the dike road. Mr. Haseotes has no problem with using Main Street for access.

Mr. Kemmett noted that Stormwater Management Laws have changed since the by-law was adopted and the Board should review the new Stormwater requirements.

Chairman Soper is concerned that they are robbing the natural resources from the site. Are they moving material to add more bog. He feels that what is happening is a gravel operation and asked the Board to consider that a lot of material is being moved.

Mr. Scott acknowledges that it is gravel removal, but is it within the exemption. He appreciates the concerns of the neighbors. Mr. Scott questioned whether Great Cedar Cattle actually needs the space.

Mr. Young would like to get more information on a farm plan before making a decision as to a gravel operation. In his opinion it appears to be a gravel operation.

Mr. McGahan feels it is a gravel operation. He is concerned about the risk of the removal of the gravel. The gravel is being used at the Halifax farm site. Mr. McGahan would like to see the farm plan.

Mr. Howard cannot understand why the gravel is being removed from the site. He also feels it is a gravel removal operation rather than a farming operation.

Mr. Spera indicated that they are turning the vehicles around on the property now and questioned why they need more space.

Chairman Soper feels it is a gravel removal operation to assist another property at a different location. He is concerned about the neighbors and drainage.

Mr. Scott suggested holding a decision until a farm plan is reviewed and information from conservation.

Mr. Kemmett suggested that the owner meet with the Conservation Agent. Mr. Spera recommended a site visit by the Selectmen and the Conservation. Mr. McGahan suggested the Mr. Scott and Mr. Howard be the board's liaisons and participate in the site inspection.

MOTION by Young, second by Howard to continue the hearing until 8:00 p.m. on September 30th for more information. **Voted 5 - 0**

Mr. San Angelo recommended that Mr. Haseotes get his information together.

Rep. Josh Cutler & County Treasurer Tom O'Brien– Announce Grant Award for pond clean-up –

Mr. San Angelo indicated that ponds have been a long standing issue in Hanson. Mr. Howard has worked on Monponsett Pond for several years. Mr. San Angelo recognized Conservation Member Frank Schellengers for his efforts in recommending the ponds for the grant.

Chairman Soper introduced Rep. Josh Cutler, Senator Thomas Kennedy, Treasurer Tom O'Brien and Commission Sandra Wright.

Treasurer O'Brien acknowledged Mr. San Angelo's work with the County. The County is doing a lot of regional activities. They have an active advisory board. It was a collective effort of the legislators to get the grant. There are 50 great ponds in Plymouth County. Rep. Cutler and Senator Kennedy got funding for the ponds. Pilot Program Grant for the Town of Hanson in the amount of \$75,000.

Senator Kennedy noted that it was a team effort and a great example collective work between the State, county and local officials getting the grant. This will be the beginning of an ongoing improvement to the ponds in Hanson. Senator Kennedy also acknowledged Don Howard's work on behalf of Hanson and the environment of Hanson.

Rep. Cutler thanked Mr. San Angelo for his work on the project. Rep. Cutler thanked Chairman Soper for his services and enjoyed working with him. Rep. Cutler noted that without county government the effort would have not worked.

Mr. San Angelo acknowledged the work of the County with respect to the zero percent increase to the health care program over the last three years. He thanked Rep. Cutler for all his work. Mr. San Angelo indicated that a survey of Maquan Pond will be conducted. He noted that Pembroke has been dealing with the issues of Oldham Pond. Hanson will be able to assist Pembroke with its efforts to improve Oldham Pond. Mr. San Angelo thanked the Pembroke Water Shed Association.

Commissioner Wright also thanked Don Howard for serving on the Advisory Board. She has worked on the program over the last four years. She presented the Board with maps and county books. She hopes to work on other projects for Hanson.

Mr. Howard noted that Hanson owns a small portion of West Monponsett Pond and hopes to get funding for the area.

IV OLD BUSINESS

Finalize October Special Town Meeting articles

MOTION by Howard, second by McGahan to open the warrant – **Voted 5 – 0**

Article 32 – Locks at Maquan – Mr. San Angelo noted that Selectman Scott had requested that the locks be replace. Mr. San Angelo pointed out that the doors have glass inserts and would not prevent intrusion. An estimate to replace the locks is \$125,000.

Mr. San Angelo recommended removing the article from the warrant. Mr. San Angelo informed that Board that the School District will be operating under a different policy of evacuation rather than lock down in the event of an intrusion.

Article 33 – Maquan ventilator – The School District is waiting for an air quality test to be conducted in the winter.

Article 43 – Planning establishing a revolving fund for sidewalks using review fees to fund the account. Town Counsel indicated that it is not legal to use review fees. Mr. Soper would like to work with Planning to implement some type of plan for sidewalks. Mr. San Angelo recommended that funding come from the Capital Improvement committee.

MOTION by Howard, second by McGahan to remove articles 32, 33 and 43. **Voted 5 – 0**

Article 34 – Bid documents for the school – Mr. San Angelo indicated, that after meeting with the school group earlier in the day, the language has been changed for a roof evaluation and remove the reference to bid documents. Mr. San Angelo indicated that the evaluation will give a foundation for the bid documents. The funding for the bid documents will be funded through the school repair.

Mr. McGahan would like to use the existing reports for the evaluation. Mr. Young indicated that the current evaluation recommends replacement with an asphalt shingle roof.

Mr. Young wants to leave the current language in the article. Mr. McGahan would like to remove Article 34 from the warrant.

Mr. Scott thinks that the Board should put forth only one article to either repair or replace. Mr. Young suggested leaving both article on the warrant and let Town Meeting pass over one of the articles. Mr. Howard wants only one article to either repair or replace.

MOTION by McGahan, second by Howard to remove article 34 *Voted – 4 – 1 (Young)*

Article 36, 37 & 38 have been revised by Town Counsel.

MOTION by Howard, second by Young to accept the revise article 36. *Voted 5 - 0*

MOTION by Howard, second by Young to accept the revise article 37. *Voted 5 - 0*

MOTION by Howard, second by Scott to accept the revise Article 38. *Voted 5 - 0*

MOTION by Howard, second by Young to close the warrant. *Voted 5 – 0*

VI ADJOURNMENT

MOTION by Howard, second by Young to adjourn. *Voted 5 – 0*

9:55 p.m. Meeting adjourned.

Respectfully submitted,

Meredith Marini,
Executive Assistant

Approved and Voted 5 – 0
October 6, 2014