

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 13th, 2016
TOWN HALL, 542 LIBERTY STREET, HANSON, MA**

Called to Order at 7:00 PM under M.G.L. c 131, §40 and the Hanson By-Law 3-13, §5 and Rules and Regulations by Phil Clemons, Chairman, in Meeting Room A at the Town Hall.

Present: Phil Clemons, Chairman
Paul Andruk, Vice Chairman
Brenna Audette, Clerk
Sharon LePorte, Member
Absent: Bill Woodward, Member
Also Present: Laurie Muncy, Agent
Rebecca Nehiley, Administrative Assistant

Minutes

Motion to approve Minutes of August 23, 2016: Paul Andruk

Second: Sharon LePorte

Vote: 4-0-0

Discussions

Sam Andruk, Town Forest Eagle Scout Project Update

Mr. Andruk approached the Commission to give an update regarding the completion of his Eagle Scout project at the Veteran's Memorial Town Forest. He submitted his report (dated 9/13/16) and gave a thorough explanation of his project beginning by saying "he was very grateful to be allowed to do this." On 8/5/16, thirty volunteers, including Mr. Clemons, camped out overnight at the forest and the next day assisted Sam with the cleanup of overgrown brush and trees. With the assistance of two volunteers, Sam constructed the bluebird houses and they were installed at several locations. Sam especially wanted to thank the Hanson Highway Department for all of their assistance.

Mr. Clemons commented that "Having been there, there is a significant difference. A lot was accomplished without an impact to the taxpayers." Mr. Andruk raised the money for the project through a bottle can drive and gave a full accounting of the funds in his report. He donated the two left over bird houses to the Conservation Commission for future use.

Motion to approve the completion of the Eagle Scout Project at the Town of Hanson Veteran's Memorial Town Forest by Sam Andruk: Brenna Audette

Second: Sharon LePorte

Vote: 4-0-0

Public Hearings

7:15 PM Continued Notice of Intent for the construction of a new dwelling and garage with associated septic system, driveway, utilities and site grading within 100 feet of a Bordering Vegetated Wetland and within the 200 foot Riparian Zone at Off Greenbrier Lane, Map 108, Lot

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5-24A for Joseph Memo represented by Webby Engineering, Inc., 180 County Road, Plympton, MA 02367 (DEP #SE175-0673)

This hearing was continued from 8/23/16. Mr. Webby approached the Commission to submit a Revised Plan (dated 9/1/16) and an Operation & Maintenance Plan (dated 9/12/16). Mr. Memo was not present. Mr. Webby outlined the changes to the Plan which included ten nesting box locations, two Raptor perch locations, the location of a utility pole for the electrical service, additional disturbance fee calculation and a determination from the Fire Chief, Jerry Thompson.

Mr. Clemons commented that the nesting boxes should be of at least 2 different designs because birds are territorial and the placement of the boxes should be adjusted. Ms. Audette asked about the location of the underground utilities. To that end, Mr. Clemons asked that a cross-section of the trench be added to the Plan. Ms. Muncy reported that she had spoken to Chief Thompson and he verbally told her that because it's a fire access road, the driveway should be 20' wide unless the applicant is willing to install a sprinkler system. Mr. Webby said that his client had agreed to that. Ms. Muncy also requested that the O & M Plan provide a methodology for cleaning the culverts that the average homeowner could understand and be depicted on the Plan to be recorded. Mr. Clemons suggested that a maintenance log be submitted for the culvert cleaning semi-annually to the Conservation Commission for review.

Mr. Clemons asked for comments from the abutters. Those present were:

Amelia Anair, Greenbrier Lane - was concerned about the maintenance of the culverts and the increase in disturbance from the utility installation.

Amelia Anair, Greenbrier Lane - was concerned about maintaining the culverts and ensuring they do not become clogged. Also, they are concerned about protecting the trees.

Motion to approve a variance to work within the 50' buffer zone based upon the

mitigation: Paul Andruk

Second: Brenna Audette

Vote: 4-0-0

Motion to include a requirement in the Order of Conditions that semi-annual cleaning of the drainage pipes be documented with a report to the Conservation Office:

Sharon LePorte

Second: Paul Andruk

Vote: 4-0-0

Motion to close the hearing and issue an Order of Conditions pending receipt of the culvert cleaning documentation form, nesting box locations (specific guidance on type and location), revised Operation & Maintenance Plan, payment of fees, formalize the Fire Chief's report, revise plan to show detail of utility installation: Sharon LePorte

Second: Paul Andruk

Vote: 4-0-0

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Old Business/New Business

Request for a Partial Certificate of Compliance for 1282 Main Street, Bldg. #4 for Tracey White, Lockwood LLC (DEP #SE175-06660)

Mr. Clemons read Mr. Delano's review letter (dated 9/13/2016) into the record. Mr. White attended the meeting and explained that Building #4 was complete and the paved areas around the building were for access. Ms. Muncy commented that the Partial Certificate will allow forward momentum for the project and Mr. White eventually has to come back for a full certificate. Mr. Clemons commented that the history of the site is one of compliance.

Motion to issue a Partial Certificate of Compliance for Building #4 only with a condition that Mr. White make improvements to the surrounding site conditions based upon a checklist to be prepared by John Delano and the submittal of a revised as-built: Brenna Audette

Second: Paul Andruk

Vote: 4-0-0

Registry of Deeds/Invoice – **signed**

MACC/Invoice – **signed**

Discussions

Maquan Pond

In response to Mr. David Franklin's recent complaint regarding the level of the pond, Mr. Clemons put together a concept for the installation of a water level monitoring gauge and reached out to Mr. Delano for an opinion. He suggested that to make it official, we should ask for an estimate. Ms. Jill Beaulieu, also a resident that lives on the pond said that when swimming, she can't feel the underground spring water that is usually apparent. Mr. Clemons replied that because of the extreme drought, Maquan is acting like a kettle pond right now. He suggested that the creation of a data base to establish the true height of the pond above sea level would be in the best interest of the town and that "we're always open to the observation of the people that live around the pond."

Demolition of 62 Ocean Ave./Bob Curran, Bldg. Inspector

Mr. Clemons reported that the owner of 62 Ocean Ave. had recently passed away and sadly, the Town is ready to demolish the building as it has been deemed unsafe. Because the entire site is within jurisdiction, Ms. Muncy had prepared an Emergency Certification for the proposed work with a caveat that erosion control be installed and an After-the-Fact Notice of Intent be prepared within 30 days of completion of the demolition. Ms. Muncy recommended no further development of the site because of the incredible density of the existing neighborhood.

Motion to sign and issue an Emergency Certification for the demolition of 62 Ocean Avenue: Sharon LePorte

Second: Paul Andruk

Vote: 4-0-0

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Article proposed by BOS for Special Town Meeting regarding ATV use – Town Administrator requests Commission’s input

Mr. Clemons reported that the Selectmen are joining forces with the State regarding safety and environmental issues. As State laws are already on the books, Hanson is adding the following language to the Town’s General By-Laws by anticipating an affirmative vote at Special Town Meeting this October. An article has been prepared for the warrant that reads:

ARTICLE 22: To see if the Town will vote to amend its general bylaws by adding a new [Article 3-8 Section 7 under Town Property – General Bylaws](#) , as follows:

All-terrain vehicles on Town property

1. No person shall operate a motorized all-terrain vehicle, snow mobile, dirt bike or other similar motorized off-road utility vehicle as may be defined under G.L. c. 90B on any Town-owned property without the express written permission of the Board of Selectmen.
2. Fines for violations of this bylaw shall be \$100.00 for the first offense and \$300 for each additional offense. The Selectmen or their designee shall have the authority to issue fines via non-criminal disposition. Fines shall be in addition to any available equitable means of enforcement.

Mr. Clemons would like to amend the article to include a prohibition of golf carts. Also, operation of any and all such vehicles to be prohibited in the waters of 'great ponds' as defined under M.G.L. ch. 91, sec. 35. There has been a lot of damage at the conservation properties by motorized vehicles including to endangered species that live in and at the edge of the ponds.

Motion to support Town Meeting Article regarding ATV use: Phil Clemons

Second: Sharon LePorte

Vote: 4-0-0

Town Forestry Management grant opportunity

Mr. Clemons reported that a Department of Conservation and Recreation (DCR) forest stewardship cost sharing program could help us fund planning for one or more of our forested conservation properties. Municipal forests of 25 or more acres are eligible and reimbursement starts at a threshold of \$910 (10-36 acres), plus \$13/acre for over 36 acres. It would be a great opportunity to improve the health of our forested areas, to develop trail systems and understand our trees and wildlife species. Two of our properties would qualify: The Smith-Nawalzelski Conservation Area and/or the Poor Meadow Brook Conservation Area. Office staff will prepare the applications for submittal.

Adjournment

Motion to adjourn at 8:50 PM: Paul Andruk

Second: Brenna Audette

Vote: 4-0-0