

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF OCTOBER 25th, 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
Brenna Audette, Clerk
Sharon LePorte, Member
Absent: Paul Andruk, Vice Chairman
Bill Woodward, Member
Also Present: Laurie Muncy, Agent
Rebecca Nehiley, Administrative Assistant

Minutes

The minutes of September 27, 2016 were tabled.

Motion to approve minutes of October 11, 2016 as written: Sharon LePorte

Second: Brenna Audette

Vote: 3-0-0

Appointments

7:00 PM Appointment with Thomas Hastings of Thomas J. Hasting, Co., LLC to discuss an Enforcement Order for un-authorized cutting in the buffer zone at Whitman Street (Lot 1), Map 109, Lot 4 (**DEP #SE175-0616**)

Mr. Clemons briefly summarized for the Commission that: Several years ago, the property was sub-divided into two potential house lots. Lot 2 now has a house on it. Lot 1 is located further west, approaches the bottom of the former Cushing Pond and abuts conservation land. Only the driveway for Lot 1 has been partially constructed. There had been unauthorized cutting to the back portion of the lot. Mr. Mark Manganello, of LEC Environmental Consultants Inc. who was present, was called upon by Mr. Hastings to review the file and inspect the site. He had visited the site and concluded that a 6' wide path, 350' long was cleared. He was of the opinion that during the cutting of vegetation, the roots were not damaged and there was no serious damage to the earth. He asked what the expectation was of the Commission as Mr. Hastings was fully willing to cooperate.

Mr. Clemons asked Ms. Muncy for her opinion. She said that she had taken photographs of the site and although the soils were not damaged, a swath was cut to the buildable area. Mr. Clemons commented that because there was no uprooting of trees or excavation, the area would probably restore itself if left alone. Ms. LePorte asked if any large trees had been cut and Mr. Manganello answered no, none that he could see. To that end, Mr. Manganello said that Mr. Hastings would like to start implementing the mitigation plan in anticipation of selling the property in the spring. He added that Brad Holmes had designed the plan which is not too specific, but the replication area is much more complicated. Ms. LePorte asked if the replication area was for the construction of the driveway. Mr. Manganello replied "that is correct and the replication and mitigation has to be completed before a building permit is issued."

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Ms. Muncy mentioned that the Zoning Board of Appeals had denied Mr. Hastings request for a shared driveway and that he was required to have it surveyed to show that the parcels don't encroach onto each other. Mr. Clemons added that the culvert was built and paid for entirely by the owners of Lot 2 and there are legalities over the location of the driveway. In addition, a \$10,000 bond is required by the Order of Conditions for the mitigation activities.

Request for an Extension to an Order of Conditions for Whitman Street (Lot 1), Map 109, Lot 4 for Thomas Hastings of Thomas J. Hastings Co., LLC (**DEP #SE175-0616**)

Motion to approve a 1 year Extension to the OOC and to provide a letter to Mr. Hastings regarding posting the bond for Lot 1: Sharon LePorte
Second: Brenna Audette
Vote: 3-0-0

Ms. Muncy commented that she doesn't expect the work to start now, but perhaps in the spring. Mr. Manganello said that Mr. Holmes specified planting until mid-November and that it would be at Mr. Hastings's own risk depending on the weather. Ms. Muncy also mentioned that Mr. Hastings should check with the Fire Chief about having the building sprinkled. Mr. Manganello asked how to proceed with the Enforcement Order to which Mr. Clemons replied to "let it grow back, leave it be and to let it restore itself."

Discussions

Request for a Certificate of Compliance for 530 West Washington Street, Map 75, Lot 15-1 for Jim Molloy, West Light Development (**DEP #SE175-0674**)

Motion to approve and issue a Certificate of Compliance: Brenna Audette
Second: Sharon LePorte
Vote: 3-0-0

Old Business/New Business

Ben Meadows/Invoice – **signed**

Pos. 5 Determination of Applicability for the construction of a 16' x 24' shed within 100 feet of a Bordering Vegetated Wetland (Oldham Pond) at 183 Lakeside Road, Map 79, Lot 20 for Henry Holmes Jr. – **signed**

Adjournment

Motion to adjourn at 7:53 PM: Sharon LePorte
Second: Brenna Audette
Vote: 3-0-0