

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF NOVEMBER 28, 2017
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
Sharon LePorte, Member
Bill Woodward, Member
Paul Andruk, Vice Chairman

Absent: Michael DeVeuve, Associate Member

Also Present: Rebecca Nehiley, Administrative Assistant
Matthew Tanis, Board of Health Agent/Interim Conservation Agent

Phil Clemons wished to publically introduce and welcome the new, acting Conservation Agent, Matt Tanis. He said it was nice to have someone to turn to. Matt is primarily the Board of Health Agent, but is officially onboard and the Commission is looking forward to working with him.

Minutes

Motion to approve the minutes of November 14, 2017: Bill Woodward

Second: Paul Andruk

Vote: 4-0-0

Appointments

7:00 Appointment with Bob Clark of Allen and Major for an informal discussion regarding a potential project at 0 Liberty Street, Map 82, Lot 2- 1

Mr. Bob Clark and Mr. Paul Maddow approached the Commission to discuss a conceptual plan for a 30,000 sq. ft. lot with 150' of frontage on Liberty Street. They said the owners are considering developing a one-story bank and asked if the Commission would be willing to grant a variance from the 50' no build setback to Bordering Vegetated Wetlands. Mr. Clemons commented that it was premature to talk about variances, but instead discuss the characteristics of the site. Being familiar with the site, he knows that it receives runoff from Shaw's parking lot. An intermittent stream adjacent to Shaw's flows into a retention pond at it's lowest point across the street. Mr. Clemons suggested that it was in their best interest to have the wetlands flagged and to do a site visit because the site is most likely in jurisdiction. Mr. Tanis concurred.

Motion to schedule and post a site visit this Friday, Dec. 1st at 9 AM: Bill Woodward

Second: Paul Andruk

Vote: 4-0-0

Mr. Maddow also said his client has an interest in constructing a solar farm. There are a significant amount of wetlands on the site and he wondered if the Commission would take a look

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at that as a possibility as well. Mr. Clemons commented that access would be a part of that discussion. He mentioned that DEP has come out with a formal statement of guidelines.

7:15 PM Appointment with Kevin Estano to discuss mitigation measures at 176 Adams Circle

Mr. Estano approached the Commission with several before and after pictures depicting the patio construction that was installed without a conservation permit. He said that everything was built by hand with as minimal disruption as possible. He would like to develop flood storage area to compensate for the 800 sq. ft. of disturbance in the Riverfront Area. Mr. Estano confirmed that the patio is 30' from the Mean Annual Highwater. Mr. Clemons said that it is well within the no build zone and if the Commission had known about it beforehand, it probably would have been denied. He is interested in being consistent with the Massachusetts WPA and the Rivers Protection Act and as a Commissioner, in sending the right message. Mr. Estano agreed in that he didn't want to set a precedent.

Ms. LePorte commented that during high flow, the riverbank upstream curves and the water will scour that area, especially during a huge storm. Mr. Tanis agreed and said that storms will only continue to be a worsening problem. He added that anything in the 50' is and should continue to be a "no touch" zone. Mr. Clemons suggested that it was better to have less disruption by moving the patio than creating more by installing more pavers. He'd like to have it resolved so that Mr. Estano can move forward. Mr. Clemons was of the opinion that the best way forward would be to relocate the patio to the other side of the pool and restore the grass in that area. That would undo the violation in the 50' no touch zone, at least in principal. Ms. LePorte added that "we're not into fining. We'd just like to see you come into compliance." Mr. Clemons referred to the Enforcement Order and reiterated that if Mr. Estano engaged a wetland scientist to prepare a restoration plan, that would satisfy the EO without having to file a Notice of Intent.

Motion to require Mr. Estano to relocate the stone patio outside the 50' no-touch buffer zone: Bill Woodward

Second: Paul Andruk

Vote: 4-0-0

Public Hearings/Appointments

7:30 PM Continued Notice of Intent for a proposal to construct a new commercial building with associated site development, drainage, septic system, parking lot & utilities within 100 feet of a Bordering Vegetated Wetland at Liberty Street, Map 91, Lot 12-1 for William Dyer & Jerrold Coulstring, Jr., represented by Webby Engineering (DEP #SE175-0685)

Mr. Dyer and Mr. Coulstring were in attendance. Mr. Webby approached the Commission and gave a brief synopsis of the project thus far. Initially, the applicants proposed two commercial buildings and a drainage system. Because the 2nd building did not meet criteria under current Zoning By-laws, it was eliminated. Subsequently, they kept the one commercial building in the front and reduced the size of the parking lot and the drainage system. A portion

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of the parking lot, some grading and the entire drainage system are within the 100' buffer zones. Mr. Webby commented that P.M.P. Associates, who is the review engineer for the Zoning Board of Appeals, approved the design of the drainage system but required more plantings for screening (see review letter dated 11/26/17 - attached). To that end, Mr. Webby asked the Commission to approve the Notice of Intent pending receipt of a revised plan.

Mr. Clemons asked if there was a narrative that describes the project as it is being proposed now. Mr. Webby replied that he can certainly get one to us. Mr. Coulstring added that the variance requests would be listed in the Title Block of the Plan. Mr. Clemons asked if any of P.M.P.'s comments related to conservation issues and if they necessitate the need to design a final plan. Mr. Webby replied that they have to revise the Plan. Ms. LePorte asked about the proposed use of the property. Mr. Webby answered perhaps a restaurant.

Motion to continue to 12/12/17 at 8 PM pending receipt of a revised plan and a revised narrative: Sharon LePorte
Second: Paul Andruk
Vote: 4-0-0

7:45 PM Notice of Intent for a proposal to upgrade a failed septic system at 255 West Washington Street, Map 93, Lot 1 within 200 feet of the Poor Meadow Brook for Concord River Properties, LLC represented by G.A.F. Engineering, Inc., 266 Main Street, Wareham, MA 02571 (DEP #SE175-0689) (New Hearing)

Phil Clemons read the Public Hearing Notice. The abutter notification had not been verified. Mr. Clemons mentioned that the Plan mentioned the locale as Poor Meadow Brook when in fact, it's Brett's Brook and should be labeled as such.

Motion to continue to 12/12/17 at 7 PM per request of applicant: Bill Woodward
Second: Paul Andruk
Vote: 4-0-0

Discussions

Request for a Certificate of Compliance for 62 Stringer Lane, Map 83, Lot 21 for Steve & Mary Cronin (LOCAL File #17-01)

Matt Tanis inspected. Construction is complete. Only painting the outside of the structure remains. The owners were told they could remove the erosion control. However, an as-built was not included with the request. Therefore:

Motion to continue until 1/10/2018 pending receipt of an as- built: Sharon LePorte
Second: Paul Andruk
Vote: 4-0-0

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Old Business/New Business

Express Newspapers/Invoice – **signed**

Adjournment

Motion to adjourn at 8:25 PM: Sharon LePorte

Second: Paul Andruk

Vote: 4-0-0