

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF FEBRUARY 27, 2018
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
Sharon LePorte, Member
Bill Woodward, Member
Michael DeVeuve, Member
Absent: Rebecca Nehiley, Administrative Assistant
Also Present: Matthew Tanis, Interim Agent

Minutes

Motion to approve Minutes of February 13, 2018: Sharon LePorte

Second: Paul Andruk

Vote: 3-0-2 (Michael DeVeuve and Bill Woodward abstaining)

Public Hearings

7:00 PM Continued 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)

Motion to continue hearing until 3/13/2018 at 7:45PM per request of applicant:

Paul Andruk

Second: Bill Woodward

Vote: 5-0-0

7:15 PM Request for Determination of Applicability for permission to cross a wetland resource area to perform perc tests at 280 Liberty Street, Map 82, Lots 12, 15 & 19 for Mark Ridder, 444 Long Pond Road, Plymouth, MA

Mark Ridder was present and made a presentation. Mr. Ridder detailed the scope of the work to include the transit of an excavator on an existing cart path to the back of the property in order to conduct percolation and soil testing. In order to gain the access to the rear of the property the excavator will need to cross a ten foot area of wetlands. Mr. Ridder commented that the area of crossing is harder ground and Mr. Tanis, Mr. Woodward, and Mr. Clemons conducted a site visit in November. Ms. LePorte questioned the total square footage of upland in the rear of the property. Mr. Ridder was unsure of the square footage at the time. Ms. LePorte also questioned what the permanent access would be to the rear section should it be developed. Mr. Ridder commented that he was not that far along with the project yet and the soils would be a determining factor overall. Mr. Andruk remarked that there will be no filling of wetlands, just crossing a small area with an excavator. Several

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abutters were present and had comments. Stephen Berthiaume of 161 Gray Lane asked Mr. Ridder what the proposed end result would be for the property and if would be residential or commercial. Mr. Ridder commented that he is not sure yet as it depends on the soil conditions. Robert White of 120 Gray Lane questioned the wetlands as there is a pond in his back yard. Mr. Clemons remarked that the wetlands have been flagged by a wetlands scientist and there proposed area for soil testing falls outside the 100 foot wetland buffer. Kelly White of 120 Gray Lane commented that she was concerned this was going to lead to Mr. Ridder having permission to build. Mr. Clemons remarked that the comment was out of the scope of the Request for Determination as percolation tests do not give permission to build and future work would require further permitting and approvals from various town departments. There was no further comment.

Motion to issue a positive determination: Sharon LePorte

Second: Paul Andruk

Vote: 5-0-0

7:30 PM Continued Notice of Intent for reframing a foundation, construction of an addition and the installation of a septic system at 572 Brook Street, Map 88, Lot 8-1 for Stephen Straz, Straz Construction on behalf of Lina & Luigi Avitable and represented by Nativtec, LLC (**DEP #SE175-091**)

Patrick Grant and John Allcott were present from Nativtec and presented an updated plan. The updated plan accurately showed the wetland buffers, property lines, and shows existing shed structures. Mr. Allcott remarked that there was a cease and desist order from the Conservation Commission. Mr. Clemons stated that was incorrect and no work was to be done as the NOI hearing had been continued. Mr. Clemons and Mr. Tanis remarked on the findings from the site visit made on February 16, 2018 including the filling of wetlands with yard debris, existing sheds in close proximity to the wetlands, and fuel containing equipment stored also in close proximity to the wetlands. Mr. Tanis also commented that no septic plans have been submitted to the board of health. Mr. Clemons stated a variance is required for the posts that will be used to support the sitting room. Ms. LePorte commented that there shall be no storage of fuel containing equipment under the sitting room.

Motion to grant a variance for work within the 50 foot buffer: Bill Woodward

Second: Paul Andruk

Vote: 5-0-0

Motion to approve the project as described: Paul Andruk

Second: Bill Woodward

Vote: 5-0-0

Motion to close the hearing subject to the Order of Conditions: Sharon LePorte

Second: Paul Andruk

Vote: 5-0-0

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Appointments

7:45 PM Appointment with Ed Sheehan to discuss the flagged wetland line at 56 Liberty Street, Hanson.

Danielle and Ed Sheehan were present and provided an overview of a potential project that is in close proximity to the wetland buffer zones. It was presented that the property will be used to store material (crushed stone, loam, and sand) for jobs and a building will be constructed to garage equipment for a landscaping business. Ms. Sheehan commented that customers will not be coming in and out that the material is for business use. Brook Monroe flagged the wetlands. Based on the rough plan provided, material storage and driveway access is within the 100 foot buffer zone. Mr. Clemons remarked that wetlands are not moved, but that a NOI could be filed. Ms. LePorte asked how many pieces of equipment will be stored on site. Mr. Sheehan stated three trucks and one tractor trailer will be parked on site and will be garaged in a new metal storage building that will be constructed. Mr. Clemons stated a more detailed plan would be needed showing how material that is stored will be confined. Mr. Clemons commented that if they decide to proceed that a more detailed plan will be needed to file a NOI.

8:00 PM Appointment with BMV Corp. regarding a potential solar panel project.

Rich Niles and Hugh McLaughlin were present and provided an overview of a potential solar project on a parcel off of County Road. Proposed area will be near the Poor Meadow Brook and will require an extensive number of trees to be cut in order for the solar farm to be economically feasible. The proposed plan reflects the minimum number of trees to be cut while providing a maximum amount of light to reach the panels. Work would include removal of trees within the 50 foot buffer. Mr. Clemons asked who conducted the wetland delineation. Mr. Niles responded that Brad Holmes conducted the wetlands delineation. Mr. Clemons remarked that the MassDEP is not favorable of large solar arrays in wetlands or heavily forested areas. Mr. Niles stated the panels would be set into the ground with posts as the cement ballast blocks are used in areas that are not able to have the ground penetrated. Mr. Clemons asked how many acres would be used for the project and how many acres would need to be cleared. Mr. Niles stated the total area is approximately 42 acres and around 8 acres would need to be cleared. Mr. Niles remarked that there is no noise and minimal impact. Mr. Clemons would like to research the solar development more and see how other towns are managing and permitting similar projects. Mr. Niles will have a determination study to see what the minimum amount of clearing could be done to provide a feasible project and see if it is possible to reduce the proposed area of clearing of trees. Mr. Clemons commented that there could be a potential if the project moves forward to consider placing a conservation restriction for future building on area that is not going to be developed.

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Discussions

Request to extend the Order of Conditions for Lot 3A Lakeside Road (SE175-0565) and Map 79 Lot 88 Lakeside Road (SE175-0395). Extension requested by property owner Lori Munn.

Motion to grant a six month extension for each lot:

Bill Woodward

Second: Paul Andruk

Vote: 5-0-0

May 2018 Town Meeting Warrant is now open and deadline for Articles is March 16, 2018

Mr. Clemons recommend submitting an article for a request of \$5,000 to replenish Conservation Fund.

Review of MA DEP Wetlands Superseding Determination of Applicability, Off 144 Indian Head Street.

Mr. Clemons detailed the background on the Determination of Applicability. Copies of the letter and determination from MassDEP was distributed to the commission members for review. MassDEP determined a positive determination.

Old Business/New Business

Adjournment

Motion to adjourn at 9:24 PM: Sharon LePorte

Second: Paul Andruk

Vote: 5-0-0