

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF JUNE 12, 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
Sharon LePorte, Member
William Woodward, Member
Michael DeVeuve, Member

Absent: Paul Andruk, Vice Chairman
Matthew Tanis, Conservation Agent

Also Present: Rebecca Nehiley, Administrative Assistant

Public Hearings

7:00 PM Continued Notice of Intent for the construction of a single-family dwelling, driveway and appurtenances within the buffer zone to Bank and Bordering Vegetated Wetlands at 0 Whitman Street (Lot 1), Map 109, Lot 4 for Thomas Hastings represented by LEC Environmental Consultants, Inc. **(DEP #SE175-0696)**

This hearing was continued from 5/8/18. Mr. Mark Manganello of LEC Environmental Consultants gave a quick summation of the last meeting at which time the Commission authorized John W. Delano & Assoc.'s estimate for peer review. Mr. Delano's Review Letter dated 6/11/18 (attached) recommended approval of the project as submitted with a suggestion that the Commission issue a Certificate of Compliance to close out the old Order of Conditions.

Mr. Clemons said that because of the short time frame, the Commission wanted to double check a couple of things, including whether the Limit of Work (LOW) was depicted on the Plan. A concern is that because the long driveway will require clearing and the creation of slopes, there is a potential for work intruding into the buffer zone. In an internal discussion with Mr. Clemons, Mr. Delano suggested that the proposed house could be reoriented to allow room for less steep grading around the house and driveway to prevent encroachment into the buffer zone. Another concern is with the high water table and whether the property lines are marked on the plan, most importantly at the culvert. Mr. Delano agreed there is a high water table, although a septic system was not included on the plan. Also, Mr. Delano said that the property line should be marked in the field for inspection by the Commission or its agents but ultimately, the burden of proof on all matters relative to the project belongs to the applicant.

Mr. Manganello presented the Plan (dated 4/3/18) depicting the property line in red. Because of the clearing, Mr. Clemons asked where materials would be stockpiled. Mr. Hastings, in attendance, replied that it could be conditioned to be located 50' from the Resource Area. Ms. LePorte asked if the house could be reoriented to minimize erosion. Mr. Manganello answered that although there is an opportunity for erosion, they will follow up with the onsite contractor to use Best Management Practices. The proposed plan calls for an 18" to 24" silt sock which is pretty large. Also, the house is oriented the way it is out of respect to the neighbor's privacy. Mr. Clemons asked if the property line at the culvert is staked out as it would be helpful to go into the field and see that. Mr. Manganello was of the opinion that it was a reasonable condition. Mr. Hastings added that he could install rebar to permanently mark the property lines, but that the Denial from the Zoning Board of Appeals was for a combined driveway with access to two lots. He is proposing two driveways with a shared culvert which was originally approved by the

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Commission. Mr. Clemons reiterated that the culvert should be marked and no one should have difficulty coming out of the lot.

Mr. Clemons asked Mr. Manganello to speak to details of the replication and mitigation plan. Mr. Manganello answered that they had taken soil samples and the creation of the wetland area will be fairly easy because of the high groundwater. A dense planting plan of native species has been proposed. The Buffer Zone is currently dominated by invasives which will be removed and mitigated with a combination of native species and a conservation seed mix. Mr. Clemons inquired, based on his knowledge of the site and the water table, how much separation there will be between the bottom of the foundation and the groundwater. Mr. Manganello answered it is proposed 4'-5' above grade.

Mr. Clemons asked for opinions from the other members. Mr. DeVeuve commented that he's concerned with the amount of disturbance in the 50' buffer zone and reflected that it was rare to issue a variance for a project this large. Ms. Nehiley asked Mr. Manganello to speak to DEP's requirement for a 401 Water Quality Certification. He explained that it's a requirement to acquire a permit for the fill, but there is a pathway for a waiver by putting a permanent deed restriction on the property saying that no further wetland fill will ever occur. Mr. Manganello said they will be seeking this waiver, but it should have no consequence to the Commission in terms of issuing an Order.

Motion to grant a variance from the 50' Buffer Zone No-build Setback: William Woodward

Second: Sharon LePorte

Mr. Manganello wished to comment that this is essentially the same project that was permitted previously and in addition, the filled wetlands will stay filled if not approved.

Vote: 3-0-1 (Phil Clemons abstaining)

Motion to close the hearing and issue an Order of Conditions with Special Conditions including monumenting the property line: Sharon LePorte

Second: William Woodard

Vote: 4-0-0

7:15 PM Notice of Intent for the demolition of existing structures and the construction of a new commercial building with associated septic, parking, landscaping related materials storage area and storm water management at 56 Liberty St., Map 91, Lots 13 & 13-2 for Ed & Danielle Sheehan represented by P.M.P. Associates (**DEP #SE175-0697**) (**New Hearing**)

Michael DeVeuve read the Public Hearing Notice and the abutters were verified. Patrick Carrara, Project Manager and Courtney Beckwith, Project Designer of P.M.P. Associates were in attendance as well as Ed & Danielle Sheehan. Brook Monroe of Pinebrook Consulting delineated the Resource Area on 2/5/18 and submitted a report on 3/3/18. Mr. Carrara made the presentation using a Plan (dated 5/23/18). He began by saying the applicants are in the process of purchasing the property which consists of two parcels held in common ownership. The proposal calls for the demolition of the existing structures, construction of a new commercial building with an associated septic system, new paved parking areas and a landscape material storage area. Most of the work is outside of the 100' buffer zone and all of the work is outside of the 50' buffer zone.

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Mr. Carrara went on to say that roof drains are proposed behind the building and soil testing revealed that drainage was good in that area. The proposed roof drains using Cur-Tech Chambers are new technology. A flat bottom grass swale with a stone check dam is a Low-Impact Design feature that will provide TSS pre-treatment as well as groundwater recharge. Another flat bottom grass swale with a series of stone check dams will collect runoff from the majority of the site to a storm water infiltration basin that will have a treated timber headwall. Mr. Carrara said that they designed the storm water management to be Low-Impact and to keep the water flowing overland instead of piping it underground. He mentioned that the wooden timbers are "friendlier" to work with (easy to install, will not require an access road and can be repaired as needed without heavy machinery). They have a 25 year life span and they've had no issues with them in the past.

On a final note, Mr. Carrara said that the septic system has been designed outside of conservation jurisdiction and was approved by the Board of Health. Mr. Clemons asked for comments from abutters. Those present were:

Debra Heath, 40 Liberty Street – asked what will happen to the old septic system. Mr. Carrara said it will be removed.

Mr. Clemons suggested since the Commission just received a Consultant Review Letter (dated 6/12/18) from Merrill, Inc. this afternoon and Mr. Tanis is not here to give his report, the hearing be continued to give P.M.P. Associates an appropriate amount of time to respond.

Motion to continue the hearing to 6/26/18 at 7 PM: William Woodward

Second: Sharon LePorte

Vote: 4-0-0

Reorganization

Motion to reorganize with Philip Clemons as Chairman, Paul Andruk as Vice Chairman and Michael DeVeve as Clerk: William Woodward

Second: Sharon LePorte

Vote: 4-0-0

Discussions

Request for a Certificate of Compliance for 259 Lakeside Road, Map 79, Lot 12C for William & Joanne Kehlbeck (DEP #SE175-0687)

Motion to approve and issue a Certificate of Compliance: Michael DeVeve

Second: Sharon LePorte

Vote: 4-0-0

Request for a Certificate of Compliance for 411 Brook Street, Map 96, Lot 13B for Leah Archibald (DEP #SE175-0679)

Motion to approve and issue a Certificate of Compliance: Sharon LePorte

Second: Michael DeVeve

Vote: 4-0-0

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Discussion regarding the Beach Management Plan for Cranberry Cove (DEP #SE175-0626)

Ms. Emma Mousette, Beach Director attended the meeting on behalf of the Recreation Commission to request replenishing the beach with sand because of exposed stumps and the culvert which has fallen into disrepair and is a hazard. Also, the new floating docks are ready to be installed and have to be level with the beach. Because there is a new Facilities Director, Christopher Fennessey, Ms. Mousette would like to set up a meeting, with him present, to discuss Cranberry Cove maintenance issues and to listen to any suggestions from Conservation. Mr. Clemons remarked that no erosion control had been installed at the end of last season and a lot of the sand had washed into the pond. However, going forward, he is eager to continue to work towards all aspects of beach and shoreline management at Camp Kiwanee. Ms. Nehiley will try and facilitate a meeting next week.

Motion to issue an Emergency Certification to enable the Recreation Commission to replenish Cranberry Cove beach with sand but to provide precautions to prevent erosion into Maquan Pond: William Woodward

Second: Michael DeVeuve

Vote: 4-0-0

Update on Brook Street Conservation parcel survey, Map 105, Lot 7

Ms. Nehiley reported that Roy DeLano, P.L.S. has finished the research and the calculations needed to do the fieldwork. They plan to have the entire job done by the next meeting.

Request for an estimate to mark bounds for a town-owned conservation parcel

Motion to have Mr. Ken Anderson, P.L.S. mark bounds for Whitman Street, Map 109, Lot 5-01: Michael DeVeuve

Second: Sharon LePorte

Vote: 4-0-0

Proposal for phragmite removal at Smitty's Bog under the Wetlands Restoration Plan of Operations

Mr. Clemons reported that Natural Resources Conservation Services (NRCS) had solicited an estimate from SOLitude Lake Management and the Conservation office had received a formal proposal to treat the invasive phragmites at Smitty's Bog which is one of the tasks that fall under the Wetlands Restoration Plan of Operations. The plan is for the company to seek the required permits from MA-DEP this summer and treat the phragmites in Sept./October.

Motion to have Mike McCue, Town Administrator accept the proposal: Sharon LePorte

Second: William Woodward

Vote: 4-0-0

Repair of dike at Smitty's Bog

Mr. Clemons reported that because one of the dikes is eroding and needs repair, the advice of a cranberry bog expert is needed. Paul Andruk happens to be an expert and because he was unable to be here this evening, the discussion was tabled.

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Request from Plymouth County Mosquito Control to perform ditch maintenance at 92 Indian Head Street

Ms. Nehiley reported that a letter was received from Plymouth County Mosquito Control to inform us of their intent to do some work to clean the ditch adjacent to 92 Indian Head Street to keep the water flowing and from becoming stagnant. The Commission reviewed the attached Plan and had no comment. Ms. Nehiley will follow up with a letter to them.

Enforcement Order/Restoration Plan for Charles Montgomery, Ocean Ave., Map 2, Lot 1518

The Commission reviewed a Plan (dated 6/4/18) depicting a proposal to cover the broken concrete with $\frac{3}{4}$ " to 1" stone, to cover the mulch with topsoil and to plant grass and 6 – 10 blueberry bushes as mitigation for the buffer zone disturbance. Mr. Clemons suggested that Mr. Tanis conduct a site inspection and report back at the next meeting.

Factory Pond Dam

The office staff received notice late this afternoon that the Town of Hanover wanted to close off access to Factory Pond as someone had been successfully "fishing" for ammunition debris. The dam is jointly owned by the towns of Hanson and Hanover. We are awaiting further instruction from the Selectmen's office.

Minutes

Motion to approve Minutes of April 24, 2018: William Woodward

Second: Sharon LePorte

Vote: 3-0-1 (Michael DeVeue abstaining)

Motion to approve Minutes of May 22, 2018: William Woodward

Second: Sharon LePorte

Vote: 3-0-1 (Michael DeVeue abstaining)

Old Business/New Business

Express Newspapers/Invoice – **signed**

Adjournment

Motion to adjourn at 8:50 PM: Sharon LePorte

Second: Michael DeVeue

Vote: 4-0-0