

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Conservation Minutes, September 22, 2015

HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 22, 2015
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 John Kemmett, Chairman, in Meeting Room A at the Town Hall.

Present: John Kemmett, Chairman
Frank Schellenger, Vice Chairman
Brad Kirlin, Clerk
Brenna Audette, Member
Phil Clemons, Member

Also Present: Laurie Muncy, Agent
Rebecca Nehiley, Administrative Assistant

Minutes

Motion to approve minutes of September 8, 2015: Frank Schellenger

Second: Phil Clemons

Vote: 5-0-0

Appointments

7:00 PM Appointment with Ken Anderson to discuss a resolution to a prior complaint of a wetlands violation at 30 East Washington Street (**DEP #SE175-3**)

Mr. Clemons was recused from the meeting for having a personal interest in the project. Mr. Ken Anderson of Anderson Surveys, Inc. representing Mrs. Patricia Dias, who also attended the meeting, submitted a wetland report dated 8/28/15 and a Plan dated 9/4/2015 that depicted a revised wetland delineation based on current site conditions. Mr. Anderson pointed out that there were two series of flags A-1 to A-7 East and B-1 to B-12 Southwesterly that were slightly more conservative than previous plans due to vegetative growth. The Plan depicted the stone wall and existing topography as well as PVC pipes that were installed 35 years ago. Mr. Anderson had applied conservation markers to the pipes.

Mr. Kemmett commented that the Commission had asked for a valid wetland line and that was provided. Ms. Muncy added that it had been difficult to determine what was permitted based on old files and that is why it was important for a determination.

Motion to issue a Certificate of Compliance for DEP #SE175-3 and agree that the work allowed under a 1991 Plan in accordance with a Determination of Applicability was done properly: Frank Schellenger

Second: Brad Kirlin

Vote: 4-0-0

Mr. Schellenger stated that the old Order of Conditions must be recorded at the Registry of Deeds if not already done so. Mr. Clemons rejoined the meeting at 7:25 PM.

Discussions

- **Arlene Street – Enforcement**

Ms. Muncy reported that she had notified the Selectmen's office of the un-authorized activity on Town-owned property but had not received any input. An Enforcement Order was sent out by Certified Mail and signed for. Ms. Muncy had inspected about a week later and noted more disturbance had taken place. Ms. Audette asked if she had talked to the owner. Ms. Muncy responded that she had not and the deadline for a response had expired.

Mr. Clemons commented that there were two issues at play. One was that the disturbance was on Town-owned land and the second was that it was within a resource area. Mr. Schellenger advised that we have no jurisdiction over Town-owned land in and of itself.

Motion to issue a \$100 fine and re-issue the Enforcement Order: Phil Clemons

Second: Frank Schellenger

Mr. Kirlin disagreed with the amount and suggested it should be higher. Mr. Clemons said that we still have that option but "need to be circumspect" and that we have a slightly higher increase of a constructive resolution with a smaller fine.

Vote: 5-0-0

- **Letter received from Pierce Atwood LLP regarding Supplemental Assessment Work at the National Fireworks Site, Hanover, MA**

Ms. Muncy reported that the Commission received what appeared to be an Agreement from an Attorney representing the Joint Defense Group to allow access in Hanson to perform a Phase II Comprehensive Site Assessment that will include sampling from the Indian Head River. Most of the work is taking place in Hanover, but a small number of samples must be taken in Hanson. The activity is in a wetland. Mr. Schellenger suggested that Ms. Muncy call the agent in Hanover to find out what type of permitting is required.

Old Business/New Business

Orders of Conditions for the demolition of an existing dwelling and construction of a new 26' x 30' dwelling with associated septic system, utilities and site grading at 119 Waltham Street, Map 2, Lot 269 for Elizabeth A. Brown, Trustee (**DEP #SE175-0665**) – **signed**

WB Mason/Invoice – **signed**

Adjournment

Motion to adjourn at 7:50 PM: Frank Schellenger

Second: Brenna Audette

Vote: 5-0-0