

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF AUGUST 18, 2021  
SELECTMEN'S MEETING ROOM, HANSON TOWN HALL  
542 LIBERTY STREET, HANSON, MA 02341**

Called to Order at 7:00 pm under M.G.L. c131, §40 and the Hanson By-Law 3-13, §5 and Rules and Regulations by Phil Clemons, Chairman, Selectmen's Meeting Room, Hanson Town Hall, Hanson, MA

**Present:** Phil Clemons, Chairman  
Sharon LePorte, Vice Chairman  
David Mansfield, Clerk  
Thomas Roffey, Jr., Member  
Frank Schellenger, Agent  
Lan Woodward, Administrative Assistant

**Also Present:** Rene Zopatti and Shaun MacPherson, Centre Avenue, Abington  
Steve Kotowski, Webby Engineering, Inc.  
Patrick Brennan, Amory Engineers PC  
Maureen Twomey, Gorwin Drive  
Joe and Elizabeth O'Sullivan, West Washington Street  
Ruth and Dean Sylvester, West Washington Street  
Pepper Santalucia, West Washington Street  
Robert and Marian Scott, Holmes Street  
John Norris, West Washington Street  
Todd Sylvester, West Washington Street

**Minutes**

August 4, 2021

**Motion to approve August 4, 2021 Minutes by:** Thomas Roffey, Jr.

**Second:** Sharon LePorte

**Vote:** 4-0-0

**Public Hearings**

**7:00 PM Notice of Intent** to construct a single family dwelling with associated site grading, driveway, septic system, utilities, barn, and pool within 100 feet of bordering vegetated wetlands and isolated vegetated wetlands at Pleasant Street, Map 8, Lot 11-2, for Shaun MacPherson, represented by Webby Engineering, Inc., 180 County Road, Plympton, MA 02367. **(New Hearing) (DEP# SE175-0737)**

Mr. Mansfield read the Public Hearing Notice.

Steve Kotowski of Webby Engineer Inc. presented updated plans to Commission, he stated that the Commission has an outdated copy. Plan includes eliminating barn and a proposal to fill in 2 isolated vegetated wetland areas and increase size of larger one. The house will be in the same location with rail fence along driveway. The square footage of house lot is 102,118 square feet. Uplands would decrease about 5,000 square feet. The garage would increase about 15', it will be 40X55. Brad Holmes delineated the resource areas.

Agent Schellenger has concerns regarding the setbacks. Since applicant is proposing replication for filling in isolated vegetated wetlands, are you offering any mitigation for the 50' buffer zone?

Mr. Kotowski stated that in past he has used bird houses, boxes, some towns pile brush over natural brush; it is a place for animals to hide within buffer zone and recourse areas.

Chair Clemons stated that the Hanson By-Law does protect isolated vegetated wetland areas. Chair Clemons asked if there were any questions/comments.

**Motion to continue hearing to September 8, 2021 at 7:00 PM by:** Sharon LePorte

**Second:** David Mansfield

**Vote:** 4-0-0

**7:15 PM Notice of Intent** to propose replacing existing, failing CMP pipe culverts with HDPE pipe culverts at Winter Street (between #428 and #458), Map 89-0, Lot 1Z-3, for Jamison Shave, Hanson Highway Department, represented by Amory Engineers, PC, PO Box 1768, Duxbury, MA 02331. **(New Hearing) (DEP# SE175-0738)**

Mr. Mansfield read the Public Hearing Notice and green cards were verified.

Pat Brennan, Amory Engineers, PC presented plans to Commission. He stated the MA DEP had issued comments to evaluate potential for box culvert.

The invert of the existing culverts is about 6" above the top of the existing water main and about 7" above the existing gas main. The invert of the proposed culverts is designed to match the existing culverts to maintain stream flow so that the proposed culverts function the same as the existing culverts and do not create higher flood levels on the west side of the road. With the 8" bottom thickness, the box culvert cannot be installed at the same invert elevation above the existing gas and water mains. In order to install a concrete box culvert at the correct elevation, the gas and water mains would need to be lowered by about a foot and the road surface would need to be raised by about 6" on the east side and about a foot on the west side.

The engineer has contacted the gas company about the feasibility of lowering its gas main and is awaiting response. The cost of box culvert would be \$17,000, and the cost of raising the road is \$29,000. The cost to install the concrete box culvert versus HDPE pipe culverts is an additional cost of \$38,200 minimum, assuming the gas company will lower the existing gas main at no charge to the town. The cost of 24" HDPE pipe would be \$7,800. Installation of the HDPE and box culverts would be essentially the same cost. The HDPE culverts would not require lowering the existing gas and water main and raising the road.

Mr. Brennan stated that town considers stream to be perennial. The only impacts to the Riverfront Area will be excavation within the existing roadway. Replacing the culverts will not impact the fishery. The area is within Zone II of a public well. Replacing culverts has no impact on Zone II. The flood zone does not cross Winter Street at this location. The existing water main is an asbestos cement pipe. Current regulations require, when encountered and damaged, has to be removed from ground and disposed of by a certified contractor. Lowering the water main will require removal and disposal of asbestos cement pipe. Installation of the proposed HDPE pipe culverts will not require exposing or removal of asbestos cement pipe.

Chair Clemons stated there are concerns at MA DEP level, he would like to see opportunities not missed to bring up to current standing.

**Motion to continue hearing to September 8, 2021 at 7:30 PM by:** Thomas Roffey, Jr.

**Second:** David Mansfield

**Vote:** 4-0-0

**7:45 PM Continued Notice of Intent** to construct a residential subdivision roadway partially within the 100' setback to a bordering vegetated wetland at 0 County Road, Map 74, Lot 7&8, for Ellis Building & Development Corp., represented by County Road Partners, LLC, 20 Stearns Road, Scituate, MA 02066. **(DEP# SE175-0730)**

\*Member Thomas Roffey, Jr. recused himself from the hearing.

The applicant was not present at the hearing as of 7:50 PM.

Agent Schellenger stated that at last meeting, the applicant approved a peer reviewer to look at the report of mounding analysis by Peter Dillon. This was completed by Chessia Consulting. The report came in on August 12<sup>th</sup>, it was transmitted to the Applicant, and we have not heard back from the Applicant or Engineer. Mr. Chessia had some critical comments on the mounding analysis from Peter Dillon, and was expecting to get a response. Agent Schellenger stated that engineer has recalculated 4 times, but there have been no changes in the design.

Vice Chair LePorte stated that it seemed like the same information, but slightly different numbers. Mr. Mansfield had concerns there was no testing onsite.

Chair Clemons did not expect the Applicant to not be present. There are many points to be reviewed. He stated that there are only a few houses on County Road, never been anything at that section. We were provided data, soil only has about 2' before you get to groundwater, it does not perc well. All the soil/gravel brought onto site will change many things. Their analysis was more theory than guarantee. He asked if there were any questions/comments.

**Pepper Santalucia, West Washington Street** – Do they have a window of time for an appeal?

Agent Schellenger stated that if the applicant is denied, they have a right to appeal; if approved, the abutters would have the right to appeal. There is a 21-day timeframe with MA DEP. If the Applicant is denied and files, the MA DEP will notify abutters.

**Heather Johnson, County Road** - Based on Mr. Chessia's report, it sounds like a lot of MA DEP standards were not met?

Chair Clemons stated that we expect MA DEP to invoke their own standards.

**Keith Johnson, County Road** - Is there a process to deem the land unbuildable?

Chair Clemons stated that a professional engineer declares if land is unbuildable, it would have to be done by property owner. The tax value would decrease 90%.

Agent Schellenger said to be transparent, the Planning Board did approve this project. There is no reason why Applicant could not meet MA DEP requirements, they just failed to do so. The lot is buildable, maybe not for 10 lot subdivision.

**Joe O'Sullivan, West Washington Street** – Thank you for your diligence. He has prepared a statement he would like to read. He will provide a copy for staff to have added into the minutes for public record. Mr. O'Sullivan requested to deny this project.

The Conservation Commission considered the geological, topographical, hydrological, soil characteristics, input from others, including members of the Commission, and spent a number of months seeking and getting information about the site. We used our judgment to determine that the project did not meet criteria. The Commission feels ready to make a decision.

**Motion to close hearing and deny project due to lack of confidence in project's proposal that it will not impact jurisdiction of wetlands by:** David Mansfield

**Second:** Sharon LePorte

**Vote:** 3-0-1

#### **Appointments** –(None)

#### **Discussions**

##### **Town Meeting Articles**

Agent Schellenger discussed proposed Pond Management article. Conservation Commission will request to be placed on next Board of Selectmen Agenda for August 24, 2021.

**Mass DEP NRD Grant Opportunity Update**

No update.

**USDA Draft Update**

No update.

**Eagle Scout Project Update(s)**

Discussion on using trail markers that are available at Conservation office for Mr. Woodward's project.

**Property Management Update;** Mr. Mansfield checked the parking lots, immediate trail areas of conservation areas and has found very little trash/litter; the weekly checks and cleans seem to limit the amount of trash/litter left on properties.

Signs that state "Carry in, Carry out" may be a helpful reminder to visitors. Mr. Amado, Health Agent, has expressed agreement with the idea of posting signs. He has offered to follow up with Webster Printing about getting signs made.

Green Hanson representatives asked if Conservation has interest in assisting with trail maps for the hiking/walking/cycling areas. Mr. Mansfield has volunteered to help with the project.

Agent Schellenger, Chair Clemons, Michael Means of Highway, Gil Amado of Board of Health, and MA DEP viewed sediment sampling sites at Sleigh Drive which goes to Indian Head River and also the Rocky Run Trail area shoreline.

**Webster-Billings;** Mr. Mansfield led the Green Hanson Nature walk on 08.15.21. There were 16 in attendance. Some of the trail markers are damaged/missing.

**Rocky Run;** Truck tire from top of the dam at State Street bridge was removed and brought to the transfer station.

**Old Business/New Business**

**Invoice for Public Hearing Notice (Hanson Express) for Pleasant Street, Notice of Intent - Signed**

**Invoice for Public Hearing Notice (Hanson Express) for Winter Street Between #428&458, Notice of Intent - Signed**

**Invoice(s) for Reimbursement (Conservation Member) – Signed**

**Adjournment**

**Motion to adjourn at 8:40 PM by:** Sharon LePorte

**Second:** David Mansfield

**Vote:** 4-0-0