

Tuesday, November 17, 2020 at 6:00 p.m.
Middle School auditorium
Regular meeting/Special Permit Hearing

ATTENDANCE: Kenny Mitchell, Laura FitzGerald-Kemmett, Jim Hickey, Matt Dyer, Wes Blauss, Board of Selectmen; John Stanbrook, Town Administrator; Greer Getzen, Executive Assistant; Brian Winner, Town Counsel; Curt MacLean, Interim Highway Director; Kim McCoy & Wendi Linn, De-Regionalization Feasibility Committee; Deb Pettey, Town Planner; Kevin Perkin, Bill Cushing, Sean Buckley, Janne Miniutti, Joshua Pratti, Zoning Board of Appeals; Virginia Costley, Appeals Administrative Assistant; Phil Clemons, Conservation Commission; Ralph & Alli Greenberg, Impressed, LLC; Scott Turner, Environmental Partners; Jeff Silcox, Hallam ICS; Scott Davis, Face Book Upkeep Committee; Pat wheeler

I CALL TO ORDER

Chairman Mitchell called the meeting to order and led the Pledge of Allegiance.

II Public Announcements & Upcoming Meetings

Ms. FitzGerald-Kemmett read the public announcements and upcoming meetings.

III SPECIAL PERMIT APPLICATION HEARING (cont'd. from 10/13/20)

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to open the Special Permit application hearing for 15 Commercial Way & continue to 7:00 p.m. that evening in joint session with the Zoning Board of Appeals. ***Vote 5 – 0***

IV NEW BUSINESS

Highway Department update – Interim Highway Director Curt MacLean

Curt Maclean, Hanson's Interim Highway Director, updated the Board on the progress of specific projects, detailing things like the end of construction projections and completed projects. He explained that the department is also redesigning the sand and salt routes for the winter, and the town has 6 trucks dedicated to this project to cover the range of the town. The town has 28 plows as of the current moment, with 7 additional trucks just pending on paperwork. Finally, he told the Board that the Wampatuck Pond Dam had also been inspected after not being inspected since 2012. The estimated cost of repairs for the dam is now considerably less than originally thought as the Highway Department was able to do some of the repairs already.

Mr. MacLean's only concern for the Highway Department was the size of their committee in relation to the amount of calls they get from the public. He explained that being short-staffed means they must prioritize issues that are in dire need of repair, resulting in extended periods of wait time for certain resident's complaints.

Vote Private Way Plow List 2020– See Attached

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to accept the Private Way Plow List for 2020. ***Voted 5 – 0***

Review Selectmen's proposed FY22 Capital Needs & Requests (submission deadline 11-20)

Mr. Stanbrook explained the different sections of the proposed FY22 Capital Needs and Requests to the Board. The deadline for the Capital Plan submission is Nov. 20th, meaning that this would be the last chance the Board got to discuss the proposed plan.

Chairman Mitchell expressed his concern over the budget allotted to the Town Hall for repairs and maintenance and suggested adding more to their already established budget.

Execute FY21 Memoranda of Agreement between Town of Hanson &

- **AFSCME Council 93, Local 1700, Clerical Union**
- **AFSCME Council 93, Local 1700, Highway Union**

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to execute the FY21 Memoranda of Agreement between the Town of Hanson and the AFSCME Council 93, Local 1700, Clerical Union, and the Town of Hanson and the AFSCME Council 93, Local 1700, Highway Union. *Voted 5 – 0*

Vote to retrospectively approve amendment to Matt Cahill's employment contract

MOTION by Mr. Hickey, seconded by Mr. Blauss, to approve the amendment made to Matt Cahill's employment contract. *Voted 4 – 0 – 1*

Review, Consider and Vote on Response to Open Meeting Law Complaint against Board of Selectmen dated November 2, 2020, filed by Bruce Young on file with the Town Clerk

MOTION by Mr. Dyer, seconded by [Mr. Hickey], to approve the response to the Open Meeting Law complaint against the Board of Selectmen dated November 2, 2020, by Bruce Young on file with the Town Clerk. *Voted 5 – 0*

Hanson De-regionalization Feasibility Committee Update

Kim McCoy, a representative from the committee, read a letter to the Board from the De-Regionalization Committee, and it addressed the following:

The committee had been meeting since the end of September, and during these meetings the committee discusses a range of documents and information in order to create a thorough, complete, and valid recommendation to the Board regarding a potential split from Whitman.

After encountering several roadblocks both in obtaining and analyzing the specific documents required to plan financial reports, it had become apparent that the volunteer, part-time, citizen group was not equipped for a task of this complexity. While the people on the committee are informed, talented, and dedicated, there is simply too much complexity in organizing financial plan documents.

The committee suggested that the Board hired an unbiased consulting firm that will have more authority to obtain the necessary documents and information, and a better understanding of the process. The committee submits this recommendation with heavy hearts, but also with the understanding that this study must be done with complete accuracy and validity.

Mr. Hickey then validated the recommendation from the committee, explaining further that other towns who have been through a similar situation have hired firms to do the work that this committee is trying to do. He emphasized that regardless of the dedication from the committee, there is simply not enough access to resources and time for them to complete this project with full accuracy.

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Blauss, to approve the inquiry into firms and the potential cost of hiring an outside company to take over the responsibility of the Hanson De-regionalization Feasibility Committee. *Voted 5 – 0*

Requests:

Accept October donations

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to accept the October 2020 donations. *Voted 5 – 0*

Accept donations of yard signs from the Hanson Rod & Gun Club and of Halloween decorations from Joan & Brian Fruzzetti to Camp Kiwanee

Chairman Mitchell listed off the specific yard signs and Halloween decorations that were being donated.

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to accept the donations of yard signs from the Hanson Rod & Gun Club and of Halloween decorations from Joan and Brian Fruzzetti to Camp Kiwanee. *Voted 5 – 0*

Ms. FitzGerald-Kemmett wanted to express admiration to those working at Camp Kiwanee for their dedication in putting on events amidst the pandemic.

Use Maquan School parking lot for Drive by Festival of Lights with Santa on December 11th and 12th

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to Use Maquan School parking lot for Drive by Festival of Lights with Santa on December 11th and 12th. ***Voted 5 – 0***

Use Food Pantry parking lot for the Lug Nuts Car Club collection of Christmas toys for the Hanson Community Christmas event

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Hickey, to use Food Pantry parking lot for the Lug Nuts Car Club collection of Christmas toys for the Hanson Community Christmas event. ***Voted 5 – 0***

Use of Town Green on April 17th from 8:30 a.m. - 12:30 p.m. for the second Annual First Cast for Pat Fishing Derby – Lee Gamache

MOTION by Ms. FitzGerald-Kemmett, seconded by [Mr. Hickey], to Use of Town Green on April 17th from 7:30 a.m. - 12:30 p.m. for the second Annual First Cast for Pat Fishing Derby granted approval from the Board of Health. ***Voted 5 – 0***

Accept gift of \$5,000 from the Center for Technology & Civic Life

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to Accept gift of \$5,000 from the Center for Technology & Civic Life. ***Voted 5 – 0***

Letter of support for the Metro South Chamber of Commerce

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer to send a letter of support for the Metro South Chamber of Commerce. ***Voted 5 – 0***

Accept donation of apple tree in memory of Andrea Epps

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Hickey, to Accept donation of apple tree in memory of Andrea Epps. ***Voted 5 – 0***

V

OLD BUSINESS

Revisit Right of First Refusal – 485 Winter Street

Chairman Mitchell first explained that last meeting, the Board had been presented with a first right of refusal for the 485 Winter Street property, and the Board discussed whether they would exercise that right before deciding that they would need more information regarding financials and timeframes before deciding.

Brian [last name] explained the process and procedures of exercising this right to the Board, clarifying questions and confusions they had.

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to move forward with preparing and issuing a letter regarding part of the Right of First Refusal process. ***Voted 5 – 0***

VI

APPROVE MEETING MINUTES – October 21, 2020 open session meeting minutes

MOTION by Ms. FitzGerald-Kemmett, seconded by [Mr. Hickey], to approve the meeting minutes for October 21st, 2020, pending the amendment made as suggested by Mr. Dyer. ***Voted 4 – 0 – 1***

VII

TOWN ADMINISTRATOR REPORT

Mr. Stanbrook updated the Board on recent activities, as follows:

Old Business

1. Town Election – Mr. Stanbrook read Beth Sloan's Town Election Statement.
2. Tax Levy – quick stats – Tax Rate \$15.10 per \$1k valuation in FY21 versus \$15.27 in FY20
Average Single Family Residential house value in FY21 is \$367,689
FY21 Average Single Family Residential tax bill = \$5,552.10
FY20 Average Single Family Residential tax bill = \$5,411.20
Increase FY21 versus FY20 \$140.90 or 2.6%
3. New Growth – increases in value to a property due to new construction and not because of a general increase in property values – calculated be the value of the new growth times the previous year's tax rate. New Growth gets added to the 2.5% increase in the tax levy. New growth for FY21 is \$267,198. \$12.6M of the \$17.5M was in single family residential and residential condos.
4. Letter to the Governor and Lieutenant Governor in support of the North River Commission budget – letter written and sent. Update from North and South River Watershed Assn. – partial funding has been restored, and they are working with the Governor and Lt. Governor on other solutions.
5. WHRSD Audit Timeline – Mr. Stanbrook has received a tentative timeline from the vendor for the audit. The audit will commence the week of November 30th and it will have a tentative completion date in March. The cost of the operational and comparative audit is \$28K and will be split 50-50 between Whitman and Hanson. The **Scope of Services** include review of all school accounts, programs, program revenues, revolving accounts, excess and deficiencies, non-school and non-state revenues such as rental fees for use of buildings and fields, and detailed expenditures of all accounts and review of salaries and benefits. The audit shall also compare existing and historic District spending to comparable Districts in the Commonwealth of similar size and makeup and determine the long-term sustainability of the levels of spending presented.

New Business

1. Hanson Town Administrator Special Act requires Mr. Stanbrook to give the Board an update on all outstanding legal matters – Mr. Stanbrook gave his monthly update via letter to the Board, but it will not be a public document – it may contain personnel, union bargaining, or health-related issues that cannot be discussed in public session – but he has complied with the requirements under the Act.
2. Monthly Financial Report – Hanson Town Administrator Special Act requires Mr. Stanbrook to render a monthly financial report to the Board. Town Accountant Todd Hassett has been providing Mr. Stanbrook with those reports monthly and he has passed along the latest report through October. He noted that if the Board had any questions on the report, to please let Mr. Stanbrook know, and he will forward them to Mr. Hassett for clarification.
3. ROCCC has worked with Hanson Police and Hanson Fire to secure two grants for the Town totaling \$400,000. \$200K is the FY21 State 911 Department Support and Incentive Funding grant and another \$200k is the FY21 State 911 Department Development Grant Transition Award Grant. Mr. Stanbrook noted the great work done by Director Mahoney at the ROCCC and Chief Miksch and Thompson for being able to secure these state grants for the Town.
4. On the Whitman-Hanson Regional School Committee Agenda for the following night's meeting, Mr. Stanbrook noted that they were asking for the Towns to appoint a "Member Town Municipal Representative for Collective Bargaining". It is usually one of the two Town Administrators that serves as the representative. He has discussed with the new Whitman Town Administrator Lisa Green, and she has graciously offered to be the Town's rep in collective bargaining with the school. Ms. Green is an attorney and is well-versed in the issues facing the towns and the schools. Mr. Stanbrook believes that she will make an excellent muni rep for collective bargaining. Chairman Mitchell and Mr. Stanbrook will be attending the School Committee meeting the following night, and they will pass that information on to the School Committee in person.
5. Mr. Stanbrook attended a recent School Committee meeting remotely to hear more information about an announcement by School Committee Member David Forth from Whitman that the District and the Towns of Whitman and Hanson were under investigation by several state agencies. Mr. Forth did not have specifics at the meeting, but he did say that he was contacted by the Inspector General, the Attorney General, and the Department of Revenue (and its subdivision the Division of Local Services) about an investigation that was ongoing. Mr. Stanbrook has not heard any more information on this and again as he

will be attending the meeting the following night, he will try to get more information at the meeting. There were not many specifics given out at the last meeting.

6. COA Supportive Day Care program is closing as of November 27th. It has been unable to operate given the COVID restrictions, and there is no money left in the fund to pay the employees. Director Mary Collins and Mr. Stanbrook were hopeful that the town was moving into a situation where the COVID restrictions could be lifted and the program could start up again, but the latest surge has dashed these hopes. He wanted to thank everyone that made the program function and to the love and care they showed to the Town's most vulnerable residents.
7. Mr. Stanbrook's review form that was discussed in September was in the packet for the Board.
8. Coming attractions: Next scheduled meeting is Tuesday December 8th at 6:00 p.m. in the Board of Selectmen's meeting room – discussion of Mr. Stanbrook's review forms will be the main topic for discussion.

VIII SPECIAL PERMIT APPLICATION HEARING

At 7:00 p.m., Chairman Mitchell opened the Marijuana Cultivation/Manufacturing Special Permit Hearing.

Impressed Cultivation, represented by Solli Engineering, is requesting Site Plan approval to allow for the operation of a marijuana cultivation facility located at 15 Commercial Way. The property is located in the Commercial Industrial and Flexible Overlay zone.

The plan is to complete this project in phases. Phase 1 of the project will focus on preparations for the site, and Phase 2 with focus on expanding, improving, and further developing the site with an additional building. The main areas of the property that will be included in Phase 1 are the front half of the property, some of the front parking, and landscaping. Additional aspects of this project that were brought up in discussion were as follows: concerning the drainage system, high level flow pipes will be included; there was no traffic study done as this project is for a cultivation facility, resulting in minimal to no traffic impact; concerning earth removal, they are to follow General By-laws of the Town of Hanson, and so this is not a zoning issue.

The Zoning Board of Appeals also presented waivers to the Board on behalf of Impressed, LLC, Solli Engineering. The By-laws and Subdivision Rules and Regulations that the waivers address are as follows:

Section VI.M.6.C.6 – Special Permit Requirements – Proposed security measures for the Marijuana establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

- a. As addressed in discussion, security is focused on the building and not the site, and the project does not propose fencing. This was discussed by the Board at a previous meeting (Sept. 22nd) and it was agreed upon that the building's proposed security measures were adequate. The Zoning Board of Appeals requested waiver relief from this requirement.

Section 6.5 – Storm Drains – Requires storm drains to be a minimum of 12 inches in diameter.

- a. The project proposed storm drainage pipes with less than a 12-inch diameter, and they respectfully request waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.4.32.2.b – Requires minimum cover over drains pipes to be 2'6".

- a. The design proposed pipes with less than 2'6" of cover. The 8-inch pipes are proposed to be schedule 80 PVC pipes and the 12-inch pipe is proposed to be Class V reinforced concrete pipe to withstand the increased loading from limited cover. They respectfully requested waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.4.32.2.c – Requires the drainage system to have a self-scouring velocity of 3 feet/second.

- a. Due to the existing topography, the proposed pipes must be designed at minimum slopes and sizes resulting in lower velocities. Due to the size of the contributing drainage areas and flows entering these pipes, they feel that the designed pipe velocities will not result in an adverse effect to the proposed drainage system. They respectfully requested waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.4.32.6.c – Requires three feet of freeboard to be provided during the 25-year storm.

- a. The proposed detention basin is four and a half feet deep; this basin is sized proportionally to attenuate peak flows. The 25-year storm event provides 1.39 feet of freeboard, and the 100-year storm event provides 1.01 feet of freeboard; the design satisfies the Massachusetts Stormwater Management Standards. They respectfully requested waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.4.32.6.f – Requires side slopes in detention basins to not exceed 3:1.

- a. The detention basins are proposed to have 2:1 side slopes, as previously submitted. The 2:1 side slopes are maintained due to the volume required to attenuate the peak flows of the redevelopment. The design of the basins has been modified to include the installation of biodegradable erosion control blankets on all slopes greater than 3:1. They respectfully requested waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.4.36 – Requires pipes to have a full flow velocity of 3 feet/second.

- a. Due to existing topography, the proposed pipes must be designed at minimum slopes and sizes, resulting in lower velocities. Due to the size of the contributing drainage areas and flows entering these pipes, they feel that the designed pipe velocities will not result in an adverse effect to the proposed drainage system. They respectfully requested waiver relief from this subdivision regulation to maintain the proposed design.

Section 7.B.4.a – Requires all setbacks to be at least 50’.

- a. The existing and proposed front setbacks are 49.9’, and the existing building is existing, nonconforming with the required front setbacks. The project does not propose to exacerbate the front setback; the existing building in this location will be maintained and will not be altered in any way. This was reviewed by the Zoning Board of Appeals on August 25th, 2020.

Section 7.G.3.d – Stormwater design

- a. This will be handled by the Conservation Commission.

Section 7.4.43 – Requires security bars to be included at the entrance and outlets of all culverts.

- a. They recommend security bars be added at the discharge point into the detention basin. The site layout plan has been revised with a callout stating to install a security bar at the flared end structures at the discharge points.

Section 7.4.45 – Requires rip rap aprons to include stones with a minimum thickness of 12”.

- a. According to the calculations included in the revised Project Narrative, a minimum thickness of 5” for the rip rap aprons is adequate for this design.

Finally, as the existing driveway curb cut is 90’ in width, the project proposes to reduce this width to approximately 56’ as shown on the Site Plan.

There were no abutters present, and Atty. Winner stated that the Board could approve the Site Plan with condition. Chairman Mitchell noted that he would want to see the updated plans before okaying the project.

MOTION by Mr. William Cushing, seconded by Mr. Kevin Perkins, to approve the site plans with conditions. *Voted 3 – 0*

The concern over the HVAC system and the potential smell in the surrounding areas was brought up again as it is considered a major concern amongst the Board and the public. This was further addressed to emphasize the systems put into place to prevent this from being an issue.

MOTION by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to continue the hearing on December 15th, 2020, at 6:00 p.m. *Voted 5 – 0*

IX ADJOURNMENT

At 10:15 p.m., ***MOTION*** by Ms. FitzGerald-Kemmett, seconded by Mr. Dyer, to adjourn the meeting. ***Voted 5 – 0***

Respectfully submitted,

Amanda Guindon
Minutes Clerk