

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF MAY 23, 2017
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
Bill Woodward, Member
Brenna Audette, Clerk
Paul Andruk, Vice Chairman

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

Public Hearings

7:00 PM Notice of Intent for the construction of an addition to a single family home and associated grading within the 100' buffer zone to a Bordering Vegetated Wetland at 55 Leon Court, Map 2, Lot 6A for John Fortes (**DEP #SE175-0681**) (**New Hearing**)

Mr. Clemons read the Public Hearing Notice and the abutters were verified. Mr. Fortes approached the Commission to make a presentation for a proposed 30' x 22' addition to an existing single family house. He said that he had to relocate the well because of a new septic system that was recently installed. Ms. Audette arrived at 7:05 PM. As mitigation for the proposed activity in the 50' buffer zone, Mr. Fortes proposed to clean up debris buried on the property, a debris pile adjacent to his property and to plant trees.

Mr. Clemons reiterated that Mr. Fortes had received approval of the septic system and the plan (dated 10/18/16) he submitted reflects that. Because a well had been drilled within 50' of the wetland, Mr. Fortes was asked to file an After-the Fact Notice of Intent for the record. Mr. Clemons reviewed comments from the NOI Checklist with Mr. Fortes. Essentially, the Commission would require an updated plan. Ms. Muncy had concerns with the building setbacks depicted on the plan and if Mr. Fortes had consulted with the Zoning Board of Appeals. She suggested that he confer with that department for guidance on whether it was feasible before going forward with Conservation. No abutters were present.

Motion to continue to 6/27/2017 at 7 PM: Bill Woodward

Second: Sharon LePorte

Vote: 5-0-0

7:15 PM Continued Request for Determination of Applicability to determine the accuracy of the boundary of a wetland resource area at 144 Indian Head Street, Map 47, Lot 0-1-2AH for Keith D. Boyle represented by Vautrinot Consulting, P.O. Box 144, Plympton, MA 02367

Mr. Woodward recused himself. Mr. Clemons reported that he, Ms. LePorte, Ms. Audette, Mr. Woodward and Ms. Muncy had conducted a site inspection this afternoon and taken a few pictures. Mr. Vautrinot commented that Mr. Boyle wanted the delineation to

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determine the setbacks for any future activity on his property. Mr. Vautrinot contends that part of the bog is high enough that if left alone, it would revert back to upland.

Mr. Clemons commented that the Commission has to apply a decision based on the Wetlands Protection Act. The wetland indicators that they observed were vegetation (Cranberries, an obligate species), standing water, and saturated soils which are all indicative of wetland hydrology. Ms. LePorte added that they didn't see anything to indicate that it was upland and that there was no way around it.

Mr. Boyle commented that he was seeking a decision because he wanted to erect a barn and also because Mr. Ellis is proposing a house next door. He was of the opinion that if he put his land into Chapter 61A, he'd have an agricultural exemption to build. Mr. Clemons answered that it would be worthwhile and more efficient to have the bogs and the irrigation channel flagged before filing for any activity. Mr. Clemons asked for comments from abutters. Those present were:

Melissa Sullivan, 86 Indian Head Street – Had concerns that the ditch being referred to may be a perennial stream and also questioned whether a barn and horses had anything to do with agriculture.

Mr. Clemons said that that will be discussed at another time and a decision is needed so that other projects can move forward. Ms. LePorte requested that the plan needs to depict flagging. Mr. Ellis commented that if the bog is a wetland, why go through the expense of having it flagged. Mr. Vautrinot asked for a decision on the plan before them (rev. 5/21/17).

Motion to issue a Positive 2B Determination of Applicability: Sharon LePorte

"The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination"

Second: Brenna Audette

Vote: 4-0-1 (Mr. Woodward abstained)

Discussions

Request for an Extension to an Order of Conditions for Lakeside Road (the roadway) for one year for Lori Earner (DEP #SE175-0395)

Motion to extend the Order of Conditions for one year (exp. 5/20/18): Bill Woodward

Second: Paul Andruk

Vote: 5-0-0

Request for a Certificate of Compliance for 180 Indian Head Street, Map 47, Lot 3, part of Lot 14 for Michelle M. & Donald H. Ellis, Jr. (DEP #SE175-0664)

Mr. Woodward recused himself from discussion. Mr. Clemons reported that the Commission had walked the site today and reviewed a list of items in the Order of Conditions. Mr. John Delano, Consultant, accompanied the Commission on the inspection and was satisfied with what he saw; chiefly the mitigation area and the drainage swale for the driveway.

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Motion to approve and issue a Certificate of Compliance pending installation of the conservation plaques: Sharon LePorte

Second: Paul Andruk

Vote: 4-0-1 (Bill Woodward abstaining)

Old Business/New Business

Order of Conditions for the construction of an addition to a garage with a deck above and a paver apron at 62 Stringer Lane, Map 83, Lot 3-21 for **Applicant:** Champion Builders, PO Box 1414, Duxbury, **Owner:** Steven & Mary Cronin **(Local File#17-01) – signed**

Update on DCR Forest Management grants and plans

Mr. Clemons updated the Commission. Mr. Phil Benjamin has been working on the two Forestry Management Plans for which the Commission received funding last fall from the Department of Conservation and Recreation. Mr. Benjamin is aware that the plans have to be submitted to the State by June 1st.

Eversource Energy Herbicide applications along power line rights-of-way in 2017, 21-day notification – Letter was reviewed by the Commission and was suggested that Ms. Muncy notify Eversource to make them aware of vernal pools at the Webster-Billings Conservation Area.

Memo from Mike McCue, Town Administrator regarding cable access – Reviewed and taken under consideration pending further information.

Minutes

Motion to approve the Minutes of May 9, 2017: Sharon LePorte

Second: Brenna Audette

Vote: 5-0-0

Adjournment

Motion to adjourn at 8:20 PM: Sharon LePorte

Second: Brenna Audette

Vote: 5-0-0