

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF AUGUST 28, 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
Paul Andruk, Vice Chairman
Sharon LePorte, Member
William Woodward, Member
Michael DeVeuve, Clerk

Also Present: Rebecca Nehiley, Administrative Assistant

Minutes

Motion to approve the minutes of June 26, 2018: Michael DeVeuve
Second: Sharon LePorte
Vote: 5-0-0

Motion to approve the minutes of August 14, 2018: Bill Woodward
Second: Paul Andruk
Vote: 3-0-2 Philip Clemons and Michael DeVeuve abstaining

Public Hearings

7:00 PM Notice of Intent for a proposed redevelopment of an abandoned commercial site to include construction of buildings, septic and storm water management for Ken Marston, Bowmar Realty Trust and Joseph Marangiello, J & M Realty Trust represented by Stenbeck & Taylor (**DEP #SE175-0702**) (**New Hearing**)

Michael DeVeuve read the Public Hearing Notice and the abutters were verified. Mr. Marston and David Soper, Project Manager attended. Mr. Marston described the project using the "Site Redevelopment Plan" dated 8/13/18 (6 pages). He, as co-applicant, proposes to rehabilitate and reuse the existing Ocean Spray freezer building which is 17,000 sq. ft. and in "pretty good shape." Joe Marangiello proposes to construct a new 100 x 200 sq.ft. building on an existing foundation that is now partially filled with water and debris. The overall proposal also calls for removal of pavement, the addition of new pavement and the installation of rain gardens and other storm water control measures. Mr. Marston added that they are awaiting comments from the Commission's consultant, John W. Delano & Associates, Inc..

Mr. Clemons remarked that the site has a long history. The recent wetland flagging had been delineated by Environmental Consulting and Restoration, LLC on 5/4/18 and 7/31/18. He asked how the storm water is going to be managed. Mr. Marston referred to page 3 of the plan which depicted the developed conditions of the site. He said that the largest contributor of storm water to the site is a 42 inch pipe coming from under the train tracks. They are planning to use a much smaller pipe and to build a coffer dam with an oil separator to catch water. The water will then be redirected to one catch basin and on to an existing spillway. The water will be treated twice before reaching the wetlands. Three rain gardens are also proposed to treat storm water and a list of plantings can be found on page 4.

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Mr. Clemons asked about other site improvements. Mr. Marston said that they've already started the process and submitted photos of old tires, debris and an old boat that have been removed as part of the general cleanup of the site. Mr. Marangiello arrived at the meeting at 7:30 PM. No abutters were present:

Motion to continue the hearing until 9/11/18 at 7 PM pending consultant review:

Sharon LePorte

Second: Paul Andruk

Mr. Clemons read the DEP's letter into the record (attached).

Vote: 5-0-0

7:30 PM Continued Notice of Intent for the construction of a single family house, driveway, and associated grading and landscaping within 100' of a Bordering Vegetated Wetland at LOT 5 Indian Head Street, Map 47, Lot 20 for Brookside Realty, LLC (applicant), Donald H. Ellis, Sr., (owner) represented by Vautrinot Consulting, P.O. Box 144, Plympton, MA (**DEP #SE175-0699**)

Mr. Clemons commented that the applicant needed to provide a document that produced a high level of confidence that the wetland line was still valid. A letter from Vautrinot Consulting (dated 8/6/18) certified that the resource area had not changed since the original delineation was done in 2015. In addition, the Town's new engineering representative, Daniel Mulloy, P.E. of Site Design Engineering, LLC (dated 8/14/18) concurred there were no apparent changes to the wetland system and recommended approval. There were no abutters present.

Motion to close the hearing, approve and issue an Order of Conditions: Paul Andruk

Second: Michael DeVeuve

Vote: 4-0-1 William Woodward abstaining

7:45 PM Continued Notice of Intent for the construction of a new single family house, septic system and driveway within 100 feet of a Bordering Vegetated Wetland at 0 County Road, Map 74, Lot 2 for Kathleen Nee represented by Alan Dias General Contracting (**DEP #SE175-0701**)

This hearing was continued from August 14, 2018. Mr. Dias submitted a revised Plan dated 8/23/18 that depicted revisions to the wetland line which was reviewed in response to an enforcement order for unauthorized activity in the 50' buffer zone. The Commission had hired Marc Garrett of the Garrett Group to review the wetland boundary line and to provide a report. Mr. Garrett mostly concurred with the original delineation except for minor changes (within 10') of three flags. The result of the change was that there is additional impact from the septic system in the 100' buffer zone. Mr. Dias said that because of concerns, some of the stockpiled fill was removed by hand from jurisdiction. Mr. Clemons commented that he appreciated the effort to correct the management of the soil onsite.

Motion to close the hearing and approve an Order of Conditions: William Woodward

Second: Paul Andruk

Vote: 5-0-0

Discussions

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Request for an Extension to an Order of Conditions for Lakeside Road, Map 79, Lot 26-2 (Lot 3A) for Lori Earner (DEP# SE175-0454)

Motion to extend the Order of Conditions for one year: Bill Woodward

Second: Sharon LePorte

Vote: 4-0-1 Paul Andruk abstaining

Request for a Certificate of Compliance for 0 Whitman Street (LOT 1), Map 109, Lot 4 for Thomas J. Hastings Co., LLC (DEP #SE175-0616)

Motion to approve and issue a Certificate of Non-Completion: Sharon LePorte

Second: Paul Andruk

Vote: 5-0-0

Order of Conditions for a septic repair project for a single family home at 6 Upton Street, Map 2, Lot 346 for Jane Tsoumas (DEP #SE175-0700) - **signed**

- Grant of Easement – **requires owner signature**

Order of Conditions for the construction of a single family house, driveway, and associated grading and landscaping at LOT 5 Indian Head Street, Map 47, Lot 20 for Brookside Realty, LLC (DEP #SE175-0699) - **signed**

48 Leon Court – possible violations

Ms. Nehiley said that the office had received a phone call from DEP, SERO reporting a possible wetland violation (significant tree clearing) at 48 Leon Court. Ms. Roth, the DEP Circuit Rider, said to have someone from Conservation inspect. Mr. Woodward, accompanied by Bob Curran, Building Inspector, went out on the afternoon of 8/22/18 to make some observations, but were immediately told to “get off the property” by the property owner. They were unable to verify tree clearing, but Mr. Woodward said that he observed 3 sheds from a neighbor’s backyard vantage point. Mr. Fortes, who lives across the street, presented pictures of cut trees. Ms. LePorte asked if cutting trees for firewood was permissible. Mr. Clemons said it may be possible, but someone should check in with the office informally first.

Motion to draft a letter to the owners to Cease and Desist and to come to the next meeting to discuss: Paul Andruk

Second: Sharon LePorte

Vote: 5-0-0

Tax Custodian Land Sale Protocol

- Property Sale Review Package

Mr. Clemons had previewed the list and was of the opinion that at least ½ had no Conservation value, but a few are of interest because they’re adjacent to existing conservation land or wetlands, streams, drainage, etc.. This was tabled for further review.

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Representative to the Energy Committee

Motion to delegate Mike DeVeuve as Conservation Representative to the Energy

Committee: Sharon LePorte

Second: Paul Andruk

Vote: 5-0-0

Old Business/New Business

WB Mason/Invoice – **signed**

Adjournment

Motion to adjourn at 9:05 PM: Sharon LePorte

Second: Bill Woodward

Vote: 5-0-0