

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF OCTOBER 30, 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
Sharon LePorte, Member
William Woodward, Member
Michael DeVeuve, Clerk
Absent: Rebecca Nehiley, Administrative Assistant
Paul Andruk, Vice Chairman

Minutes

Motion to approve Minutes of September 25, 2018: Sharon LePorte

Second: Bill Woodward

Vote: 4-0-0

October 16, 2018 - **tabled**

Public Hearings

7:00 PM Notice of Intent for the construction of a 3-story, multi-family residential building with associated parking lot, driveways, utilities, landscaping, septic system and storm water management systems at Phillips Street & Station Street for Dakota Partners and Kenneth Marston represented BSC Group, 803 Summer Street, Boston, MA 02127 (**DEP #SE175-07__**) (**New Hearing**)

Mr. DeVeuve read the public hearing notice. Mr. Domenic Rinaldi, P.E. of BSC Group made the presentation for Depot Village, a multi-family residential development at the intersection of Phillips and Station Street. The project was amended earlier this year from a previously issued Comprehensive Permit under Chapter 40B Regulations for affordable housing from a larger multi-building development to a one, 3-story, L-shaped building with 48 units, associated parking, driveway, landscaping, septic system and walking paths. The storm water management system consists primarily of catch basins that infiltrate to a detention basin in the rear of the site. The undeveloped, previously disturbed site is largely comprised of fill, covering "pretty decent" soil. The cell tower will remain, but its access will be altered. The areas of the 15-acre site that won't be developed are mostly Bordering Vegetated Wetlands. As part of the mitigation plan, a 5-foot wide walkway is proposed with some passive areas running behind the properties on Phillips Street and ending at the train station to provide better access for the residents. The project received extensive review under the permitting process that included everything from traffic studies to storm water management. They received a waiver the Town's Wetland By-Law and Rules and Regulations. However, the Stormwater Report (dated October 2018) was designed in accordance with the storm water standards in the Wetlands Protection Act.

Mr. Clemons acknowledged the abutters in attendance and verified that all had been notified. He commented that some members of the Commission are familiar with the site, including going back to the 1950's when it was a farm and pre-industrial/commercial. At that time, water from the west side of Bonney Hill and Wampatuck Street ran down through a couple

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of intermittent streams, one called Hall's Brook and the other Keane's Brook and it appears that the proposed project is in the upland area between those two low areas. The property takes a lot of water from the slope of Bonney Hill and directs it towards the railroad tracks into swales and then culverts which are tributaries to the Cedar Swamp Brook which flow north into Poor Meadow Brook in the vicinity of the town's wells. So, Mr. Clemons reiterated, there are extensive wetland resources that are not too far away. Ms. LePorte said that she believes a culvert goes under Phillips Street, while although not a wetland, it empties onto the property out back. She asked if it was flagged. Mr. Rinaldi answered yes, and the 50' buffer zone is depicted on the plan, even though the By-law was waived.

Mr. Clemons reported that a 19-sheet Plan (dated 10/12/18) had been submitted. Mr. Clemons said that the Commissioners will start with questions and then open it up to those in attendance. Mr. Clemons asked who flagged the wetland. Mr. Rinaldi answered someone from BSC Group delineated the wetland in November 2017. Referencing Page 8, Mr. Clemons noted that the project is upstream from the Crystal Springs well site and asked what zone the project fell under. Mr. Rinaldi replied that because it's a Zone 2, there are storm water requirements as well as other requirements that they'll submit to the Board of Health. Mr. Clemons asked if there was any more detail to a proposed footbridge in the southern portion of the property over a drainage way. He asked if it met the State standards for crossing a BVW because during heavy storms, a fair amount of water can go through there. Ms. LePorte said that a few years ago she delineated the house where the culvert went through. There's a trench behind the property and across the street there's an intermittent stream that runs behind the houses on Phillips Street. Ms. LePorte's point being is that "it's a lot of water." Mr. Clemons commented that unless there's something in the files, maybe someone on behalf of the Commission should investigate to determine if this is a jurisdictional wetland.

Mr. Clemons asked Mr. Rinaldi if any work was proposed near a drainage easement/structure which is a 2 ft. diameter reinforced concrete pipe running through the Northern part of the property. Mr. Rinaldi answered that all the work is proposed south of that easement. Mr. Clemons then asked about the end of Station Street where a cul-de-sac is depicted on the Plans. Mr. Rinaldi answered that it does not exist in the field, only on paper. Mr. Clemons wondered if there was any construction or landscaping proposed close to the wetlands in that area. Mr. Rinaldi referring to page 8, said that the walking path is designed a few feet outside of the 50' buffer. The area around it will be grassed and existing trees will remain. Mr. Clemons inquired whether the owner/applicant has any plans to secure the end of the road. The reason being, Mr. Clemons said, is that the MBTA spent a considerable amount of money a few years ago to construct a wetland area to mitigate their work on the tracks. It has been significantly abused by trespassers and what he hopes is that this wetland has an opportunity to be accessed. Mr. Rinaldi said that it would have to be discussed as the end of Station Street is a private way. At this point there is no plan to put up a gate. In conclusion, Mr. Clemons wondered if there was any thought given to day-lighting the culverted stream to which Mr. Rinaldi answered no.

Mr. Clemons asked for comments from abutters. Those present were:

Mr. William and Laurie Doucette, 185 Phillips Street – Mr. Doucette said that there's an excessive amount of water coming in from street drainage along his driveway and onto the property in question. When it rains, the water exceeds the capacity of the pipe. He tries to

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maintain it as much as he can. Mr. Clemons said that for the purpose of the discussion tonight, it's useful to understand even though it's a private driveway.

Diana Clay, Station Street – Mrs. Clay was not convinced that the drainage plan was not going to flood out the end of Station Street. She commented that the plan looks great on paper, but physically if you go down to see what's there, she was of the opinion that it wasn't going to work. Mr. Clemons referred to the Stormwater Report which divides the property into 5 sub-basins and asked Mr. Rinaldi to speak to that. Mr. Rinaldi explained that they've designed a mound along Station Street, and all of the parking lot will drain to a series of catch basins to catch the runoff. All that water is collected and directed to the drainage basin where it is infiltrated back into the ground. Mr. Rinaldi said that ultimately, they've reduced the peak flow rates. Mr. Clemons said that the question would be if any of the abutters were being harmed by the way the water was behaving presently. Because in terms of the 6 acres that are actually being developed, the goal of the Federal and State stormwater standards is to make sure they don't make those problems worse, but try to improve them whenever they can when they propose to do work.

William Clay, Station Street – He is the owner of Walker-Clay. As part of the background, the area of land that used to be level was raised with fill from Route 58. As to the drainage for Station Street, there are several catch basins going out into the woods. His understanding is that the pipe depicted on the plan as a "drainage easement" has caved in and the owner of the land and the town do not agree on who has the responsibility to fix it. He presented pictures of standing water on Station Street which he alleges comes up from the catch basins. Mr. Clemons commented that "If Station Street is private, who owns it?" Mr. Clay said that Mr. Marston owns both properties. Mr. Rinaldi said that elevations will be sloped away from Station Street and the contour lines are depicted as such on the plans.

Diana Clay, Station Street – She is hoping that someone recognizes that since they're buying the land, the stormwater management system is broken and non-functioning. Mr. Clemons clarified that "We need to be sure that the drainage works, so that everybody wins. The Commission supports the idea that everything is working."

Dick Vining, 131 Station Street – His concern is that the drainage won't work and additional runoff from a mound along Station Street and the parking lot will create a bigger problem. He said they were told they would not see any runoff onto Station Street from the project. Mr. Vining was concerned with runoff during heavy rains.

Mr. Clemons was of the opinion that it appears that the runoff will go into a network of proposed catch basins around the parking lot. Mr. Clemons reiterated that the aim of the regulations is to try hard to not make the problem worse but to put in stormwater controls where there haven't been any. Mr. Clay said that the drainage used to work on Station Street until the drainage easement caved in farther out by the tracks and the owner never fixed it. Mr. Clemons asked if there was any documentation of that. Mr. Clemons said the Commission's challenge is to be fair and reasonable within their jurisdiction, but also not be blind to behavior of water and try to get to the right place for everyone involved. Mr. Clemons invited Dan Mulloy, P.E. of Site Design Engineering, LLC, who was in attendance on behalf of the Commission, to the site walk.

Motion to schedule a site walk for Monday, Nov. 5th at 8:30 AM: Sharon LePorte

Second: Bill Woodward

Vote: 4-0-0

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Motion to continue hearing until November 13, 2018 at 7:00 PM: Bill Woodward

Second: Sharon LePorte

Vote: 4-0-0

Discussions

Request for a Certificate of Compliance for 45 Nina Drive, Map 27, Lot 3-5 for Joyce Beckstrom (DEP #SE175-0519)

Motion to approve and issue a Certificate of Compliance: Sharon LePorte

Second: Michael DeVeuve

Vote: 4-0-0

Request for Release of a Bond to Mohammad Abusabiha for 284 Monponsett Street (DEP #SE175-0633)

Motion to Release Bond: Michael DeVeuve

Second: Sharon LePorte

Vote: 4-0-0

Request for refund of balance of Consultant Review fee to Kathleen Nee for 0 County Road, Map 74, Lot 2 (DEP #SE175-0701) - **signed**

Plymouth County Mosquito Control

The Commission reviewed a letter from Plymouth County Mosquito Control dated 10/19/18 regarding proposed ditch work at Upton Street. Their courtesy in sending the notification was appreciated, but no specific comments were generated in reply. The consensus of Commissioners was that they could go ahead with the work.

Proposed land donation

The consensus of Commissioners is that more "conservation land" in the particular neighborhood should help to enhance protection of the pond's water quality. The idea was favorably received.

Mr. Michael Murray came in to the meeting to drop off some paperwork to the Commission which was accepted.

Old Business/New Business

Express Newspapers/Invoice – **signed**

Adjournment

Motion to adjourn at 8:35 PM: Sharon LePorte

Second: Michael DeVeuve

Vote: 4-0-0