

**Town of Hanson**  
**542 Liberty Street, Hanson, MA 02341**

## **Conservation Minutes, August 11, 2015**

HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF AUGUST 11, 2015  
TOWN HALL, 542 LIBERTY STREET, HANSON, MA

*Disclosure: ~These minutes are not verbatim – they are the administrative agent's interpretation of what took place at the meeting.  
All materials presented during this meeting are available in the Conservation Office.  
Open Meeting Law, G.L.c. 30A § 22.~*

**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 John Kemmett, Chairman, in Meeting Room A at the Town Hall.

**Present:** John Kemmett, Chairman  
Frank Schellenger, Vice Chairman  
Brad Kirlin, Clerk  
Brenna Audette, Member  
**Absent:** Phil Clemons, Associate Member  
**Also Present:** Laurie Muncy, Agent  
Rebecca Nehiley, Administrative Assistant

### **Minutes**

**Motion to approve minutes of July 28, 2015:** Brad Kirlin  
**Second:** Frank Schellenger  
**Vote:** 4-0-0

### **Appointments**

**7:00 PM Appointment** with Mark Ridder to discuss a Minor Modification to the Plan for Stonebridge Commons (**DEP #SE175-396**)

Mr. Ridder attended the meeting to inform the Commission of a minor revision to the approved plan for Stonebridge Commons off of Winter Street. He presented a Building Site Plan, Phase IV dated 1/27/15 prepared by Marchionda & Associates, L.P. for the construction that is currently in operation. Mr. Ridder explained that two of the proposed buildings, Units 12A and 12 have been modified from four to three units and from five to four units. There is less impact to the buffer zone. He went on to say that the project is in the next to the last phase of construction before the final phase off of Liberty Street. Mr. Ridder submitted a letter dated 8/11/2015 requesting permission to make a minor correction to the Plan.

**Motion to approve a Minor Correction to the approved plan:** Frank Schellenger  
**Second:** Brad Kirlin  
**Vote:** 4-0-0

### **Public Hearings**

**7:15 PM Continued Notice of Intent** for the construction of a single family home, septic system, landscaping and grading within the 100' buffer zone to a Bordering Vegetated Wetland at part of 172 Indian Head Street, Map 47, Lot 3, part of Lot 14 for Donald Ellis Jr. represented by Vautrinot Consulting, LLC. (**DEP #SE175-0664**)

This hearing was continued from 7/28/15. Ms. Audette had listened to the audio tape of the first hearing held on 7/14/15 so as to allow her to deliberate. The Commission had conducted a site inspection at 6:30 PM immediately preceding this hearing. Members of the Commission, the Agent, Mr. Vautrinot as well as Mr. Don Ellis attended the site walk.

Mr. Vautrinot presented a revised plan dated 8/11/15. He proceeded to address all of Mr. John Delano's comments that were in his final review letter dated 8/10/15. All of the concerns that Mr. Delano had identified initially with the Plan and Notice of Intent filing had been resolved except that Mr. Ellis, Jr. wanted to reinstate his request for a variance to remove 7 large trees in the 50' buffer zone as they posed a hazard. Mr. Ellis, Jr. had previously withdrawn his request to remove the trees. Mr. Vautrinot suggested planting about twenty 2 1/2-inch native evergreen trees every 25' at the 30' buffer zone line as mitigation.

Mr. Kemmett commented that it was his understanding that the shed was to be removed from the plan. Mr. Ellis replied that they wanted to keep the shed. Mr. Kemmett reiterated that if the shed is depicted in that location on the plan, that's where it has to be constructed.

**Motion to approve a variance from the 50' No-build setback to plant native trees as mitigation for cutting 7 large trees subject to receipt of a revised Plan and a Request for Variance letter:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 4-0-0

**Motion to approve and issue an Order of Conditions with standard conditions for a single-family house:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 4-0-0

### Discussions

#### **Proposed Article to designate Bonney Hill Fields as Conservation Open Space**

To see if the Town will vote to transfer to the care and custody of the Conservation Commission, a parcel of land located at the Plymouth County Hospital more specifically described as "Lot 3" on a plan entitled "Plan of Land in Hanson, Massachusetts, owned by the Town of Hanson Dated June 12, 2008 prepared by Land Planning, Inc." and recorded with the Plymouth County Registry of Deeds as Plan #376 of 2008 for the purpose of open space, passive recreation and wildlife habitat protection; and further to name this parcel "Bonney Hill Meadows Conservation Area", or take any other action in relation thereto.

Mr. Kemmett commented that the Plymouth County Hospital Re-use Committee had recommended this parcel be used for Conservation purposes. Mr. Schellenger added that it's one of the last open spaces in town that is upland. It is an upland habitat with low-growth vegetation which is very rare in Hanson. Also, it is not buildable rendering it a prime candidate for conservation.

**Motion to approve the Article for inclusion in the October Town Meeting warrant:**

Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 4-0-0

#### **Proposed Article regarding drainage study of stormwater at 1101 Main Street**

Mr. Kemmett questioned why the subject matter of this particular Article was on the agenda, because as the Chair it was his responsibility to set the agenda based on feedback from the rest of the Commission and the staff. Ms. Muncy explained that Mr. Jim McGahan, Selectman, had approached her to ask her to write an article for inclusion in the October Town meeting warrant. He wanted the article to be proposed by the Conservation Commission. As she wasn't sure of the protocol for such an article, she placed it on the agenda for advice and direction from the Commission. Mr. Kemmett took exception Mr. McGahan had never discussed his proposed article directly with anyone on the Conservation Commission and an item was on the agenda that the Commission had not requested. Mr. McGahan, who was in attendance, said he had no problem if the Commission did not want to discuss it this evening. Mr. Schellenger asked why it was on the agenda. Ms. Muncy reiterated that she did not want to act on Mr. McGahan's request to write an article without direction from either the Planning Board, the Conservation Commission or the Town Administrator.

Mr. Kemmett remarked that after having served on the Commission for eight years, he had never had a member of the Board of Selectmen come to the Town to ask for taxpayer money to solve the problems of an individual owner. Mr. McGahan replied that the Conservation Commission was required to do as the Board of Selectmen requested as the Conservation Commission is overseen by the Board of Selectmen and unfortunately, he was in disagreement over this issue. Mr. McGahan said the reason to call for a study is the lack of a plan of the viaduct system in that area. Mr. Kemmett repeated that that it was not an issue for this Commission and that Mr. McGahan was out of order. Although Mr. Kemmett asked him to stop speaking several times, Mr. McGahan continued. He was of the opinion that since there is a lot of interest in having this land developed, there should be some sort of mapping between High Street and Phillips Street. He added that there was a dye test done years ago by the former Health Agent to try and determine where the water was leading to. It was his understanding that the water was not coming from 1101 Main Street, but from across the street. Mr. Kemmett commented a drainage study comes under the purview of a different Department, perhaps the Highway Department or the Drainage Committee. Mr. Schellenger asked the question that if it's not under Conservation jurisdiction, then who is responsible for drainage issues. Ms. Muncy answered that the Planning Board was responsible for MS4 Stormwater Management. Ms. Muncy again apologized for placing it on the Conservation agenda.

**Old Business/New Business**

A.E. Wood/Invoice – **signed**

**Adjournment**

**Motion to adjourn at 7:40 PM:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 4-0-0