

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Conservation Minutes, August 25, 2015

HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF AUGUST 25, 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, Member
Phil Clemons, Member
Absent: Brenna Audette, Member
Also Present: Laurie Muncy, Agent
Rebecca Nehiley, Administrative Assistant

Mr. Kemmett welcomed Phil Clemons to the Commission as a new member. Phil has served as an Associate Member to the Commission for the past several years and had served in the capacity of member about 30 years ago and felt it was time to become a voting member again.

Minutes

The minutes of August 11, 2015 were tabled until the next meeting.

Old Business/New Business

Order of Conditions for the construction of a single family home, septic system, landscaping and grading at 172 Indian Head Street, Map 47, Lot 3, part of Lot 14 for Donald Ellis Jr. (**DEP #SE175-0664**) - **signed**

Mr. Don Ellis and his son Don Ellis, Jr. attended the meeting to request permission to cut the trees down before installing the silt sock (erosion control). Mr. Ellis, Jr. explained that usually the EC goes in first, but in this case several large trees are coming down and the EC could be damaged in the process, so it makes more sense to wait.

Motion to allow the work to begin (tree cutting) before the installation of the silt socks: Brad Kirlin
Second: Frank Schellenger
Vote: 4-0-0

Appointments

None

Public Hearings

None

Discussions

Update on Factory Pond Dam – letter from Amory Engineers (attached)

Ms. Muncy explained that the dam repair was put out to bid. Seven bids were received and the proposals were reviewed by Amory Engineers. The company that was awarded the contract to do the work was J. Hockman, Inc. of Norkfolk MA with a low bid of \$114,326.00. Ms. Muncy added that the bid was well within the parameters of the amount appropriated at Town Meeting to repair the dam.

Enforcement Order

Ms. Muncy informed the Commission that in response to a complaint, she had inspected the property adjacent to 20 Arlene Street today, August 25, 2015. The owner of 20 Arlene Street has allegedly encroached onto town-owned land with an excavator and removed trees within a resource area without permission. Ms. Muncy had taken pictures of substantial damage to the environment. She recommended an enforcement order with a request to cease and desist the activity and to require a restoration plan. Mr. Clemons suggested that the Town Administrator's office should be made aware of the situation since it is town-owned property. The Commission executed the enforcement order.

Question posed as to how towns handle the use of town owned conservation properties for use by a commercial entity such as a company giving trail rides. – see request for information from West Tisbury Conservation Commission

Mr. Clemons commented that it was a financial question regarding fees for service. Also, horses could disturb habitat and trail rides would not be the best use of open fields. Mr. Kemmett said that there is also a question of liability. He added that ultimately, this could be looked at when updating management plans for open space parcels.

MACC Fall Conference is Saturday, October 17th at Devens Common Center from 9 AM to

3:30 PM "Wetlands Replication and Restoration" - Brad Kirlin, Phil Clemons and John Kemmett want to attend. Becky will sign them up.

Nathaniel Thomas Mill

Mr. Kemmett said that since the Nathaniel Thomas Mill property was purchased with Community Preservation Funds for Conservation purposes, it is required to have a Conservation Restriction (CR) on the land in perpetuity. The person that was writing the CR does not want to include the actual building in the restriction, just the land. Therefore, Mr. Kemmett suggested, there must be a creative way to exclude the building. Mr. Kemmett suggested that the Mill building be turned over to the Recreation Commission as they are better suited to handle it in the long term. A revolving account has already been established for the rental income and that can continue to be used for maintenance for the building. However, he added that the Conservation Commission would have less say so. Mr. Kemmett said that he had already spoken with members of Recreation and they would be amenable to managing it.

Mr. Clemons said that he had spent a lot of time with Scott MacFadden of the Wildlands Trust and had actually done a sketch of the property with the building, bridge and waterwheel so that it could be excluded from the CR. He said that he could pick up with Scott to see where they left off. Mr. Clemons also said that there was a Stakeholders meeting in Spring of 2011 for which he had written a draft Stakeholders Working Agreement. He was of the opinion this document should be reviewed. Mr. Kirlin asked if the CPC is concerned that the building is left out of the CR. Mr. Kemmett, said no, their main concern is having the CR.

Ms. Muncy suggested a joint meeting in the near future with the Recreation Commission and the Nathaniel Thomas Mill Committee to discuss the management of the Mill building.

Other Old Business/New Business

WB Mason/Invoice – signed

Adjournment

Motion to adjourn at 8:00 PM: Frank Schellenger

Second: Brad Kirlin

Vote: 4-0-0