

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

## **Conservation Minutes, July 14, 2015**

**HANSON CONSERVATION COMMISSION**  
**MINUTES OF THE PUBLIC MEETING OF JULY 14, 2015**  
**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 John Kemmett, Chairman, in Meeting Room A at the Town Hall.

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

**Absent:** Brenna Audette, Member

**Also Present:** Donald Ellis, High Street, Donald Ellis, Jr., High Street, Tom Constantine, Brook Street, Mark Vess, High Street, Jim McGahan, Selectman, Beechwood Road, Bill Scott, Selectman, Indian Head Street, Bruce Young, Selectman, Indian Head Street, Don Howard, Selectman, Tracy Seelye, Whitman-Hanson Express, Sharon Jaspersen, Woodbine Avenue, Richard Edgehille, Woodbine Avenue, Alan Dias, Halifax, Mark Amorello, Pembroke and David McDonald, Indian Head Street

### **Public Hearings**

**7:00 PM 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) (New Hearing)

Mr. Brad Kirlin read the Public Hearing Notice and the abutters were verified. Mr. Al Vautrinot submitted a revised Plan (dated 7/14/15) and a Construction Sequence. The Plan had been revised in response to the Commission's consultant, John Delano's review letter (dated 7/10/15). The proposal is for a single family house on a retreat lot which was approved by the Planning Board. The wetlands were delineated by William Woodward on 4/20/15 and approved by the Conservation Commission on 5/26/15.

Mr. Vautrinot briefly answered to each of Mr. Delano's comments for the Commission. Of note, he disagreed with the discrepancy in opinion of the amount of buffer zone disturbance. In answer to a request by Mr. Delano for a narrative that includes the impact of development of flood storage capacity and an alternative analysis, he replied that they weren't required. He had added a drainage swale with a filter fabric along the driveway onto the Plan in response to one of Mr. Delano's requests. Mr. Kemmett asked if abutters had any comments. Those present were:

**Dave McDonald, 248 Indian Head Street** - Had concerns with the effect of development on flooding as his basement already gets water. Mr. Vautrinot explained some of the relevant elevations depicted on the Plan to Mr. McDonald.

Mr. Schellenger asked if the remaining portion of the lot would be developed as two entrances suggested the potential for the lot to be subdivided. Mr. Ellis, Jr. responded that he had no intention of sub-dividing further. Mr. Schellenger wanted assurances that the lot not be sub-divided because that would render it a 5-lot sub-division subject to Stormwater Management regulations. Mr. Ellis disagreed with Mr. Schellenger. Mr. Kemmett said that it was within the Commission's jurisdiction to condition that into an approval. He also requested that Mr. Vautrinot address all of Mr. Delano's comments in writing and submit the documentation that was requested. Mr. Kirlin clarified that the Commission required an official response for the record.

**Motion to continue until July 28<sup>th</sup>, 2015 at 7 PM:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 3-0-0

### **Appointments**

#### **7:15 PM Appointment with Joe Marangiello to discuss 1101 Main Street property**

Mr. Marangiello approached the Commission to discuss a Plan (dated 11/16/11) and his proposal to construct a 23,000 square foot building on the old, existing foundation of one of the buildings that had been demolished. He commented that his new plan had been approved by the Zoning Board of Appeals. Ms. Muncy clarified that it was different plan that what had been approved by ZBA through which he had received a Special Permit for a 60,000 square foot building. She added that Mr. Marangiello needed feedback from the Commission to move forward.

Mr. Kemmett suggested that Mr. Marangiello have a look at his existing Order of Conditions (OOC) so as to make sure that he is in compliance, adding that the Commission could not approve a new proposal until old conditions have been met. Mr. Schellenger commented that the existing OOC should be amended as the project has taken on a larger scope than what was approved by the Commission which was only for the demolition and filling in of the buildings. Ms. Muncy advised that because it's a difficult site, Mr. Marangiello should do as much as he can out of jurisdiction and to get help from a professional who is familiar with the State Wetlands Protection Act and the Hanson By-Laws and Rules and Regulations.

Mr. Constantine began to comment on the history of the site to which Mr. Kemmett advised was inconsequential at this point. Mr. Vess requested specific points or tools for discussion. Mr. Kemmett replied that in order to discuss his development goals, Mr. Marangiello has to come in with a new set of drawings and either a new Notice of Intent or a Request for an Amendment to his existing Order of Conditions.

### **Discussions**

#### **Open Space**

Mr. Clemons updated the Commission as to Open Space. Of note, he is working on a Management Plan for the Poor Meadow Brook Conservation Area so that it's possible to move forward with some of the management goals for the property. The Plan should be ready by the next meeting.

The Invitation for Bids will be going out shortly for the dyke removal at Smitty's Bog which was approved at Town Meeting. Mr. Clemons said that it's very similar to a restoration plan for the right of way which has been under Conservation jurisdiction since the 1960's. Also, Mr. Clemons hoped that the Commission would allow the acquisition of several quotes to implement the Parking Plan for Smitty's Bog and proposed working with the office staff to that end. Mr. Kirlin asked about the funding for the parking lot. Mr. Kemmett suggested that Mr. Clemons come to the next Community Preservation Committee meeting as it would be a worthy discussion to have with them.

#### **Factory Pond Dam**

Mr. Muncy updated the Commission as to the progress of the repair of the Factory Pond Dam (**DEP #SE175-0655**). Mr. Pat Brennan of Amory Engineers is currently working on getting out the Request for Proposal's to do the work that was originally proposed. However, on July 7, 2015, it was discovered that there was a breach of the dam for which immediate repairs were necessary. Ms. Muncy issued an Emergency Certification to the Hanson Highway Department to get the work done. Working with A.E. Wood, the Highway Department did a great job and put in temporary boards to stop the breach. The DCR Office of Dam Safety was notified of the issue at hand and were satisfied with the solution.

**Motion to ratify the Emergency Certification:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 3-0-0

#### **Nathaniel Thomas Mill**

Ms. Nehiley informed the Commission that Ms. Sylvia Salas had called to report a small fire at the Mill over the weekend was caused by a renter. The Fire Department had been called and it was put out with no damage or injury. However, the FD noted that the Mill was lacking a fire extinguisher. Ms. Nehiley ordered one as well as a bracket to hang it. Mr. Clemons volunteered to install the fire extinguisher.

#### **Assignment of Signatories for Invoices**

**Motion to allow all Commission Members to sign invoices and other documents relevant to Conservation matters:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 3-0-0

### **Old Business/New Business**

Invoice/Reimbursement – **signed**

Express Newspapers/Invoice – **signed**

Sampson Lumber/Invoice – **signed**

John W. Delano & Assoc./Invoice – **signed**

Liddell Brothers/Invoice – **signed**

MACC Membership dues/Invoice – **signed**

**Order of Conditions** for a repair a septic system at 6 Upton Street, Map 2, Lot 346 for Jane Tsoumas (DEP #SE175-0662) – **signed**

### **Minutes**

**Motion to approve the minutes of May 26, 2015, June 9, 2015 and June 23, 2015:** Frank Schellenger

**Second:** Brad Kirlin

**Vote:** 3-0-0

### **Adjournment**

**Motion to adjourn at 8:20 PM:**

**Second:** John Kemmett

**Vote:** 3-0-0