

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING FEBRUARY 15, 2023
SELECTMEN'S MEETING ROOM, HANSON TOWN HALL
542 LIBERTY STREET, HANSON, MA 02341**

Called to Order at 7:00 pm under M.G.L. c131, §40 and the Hanson By-Law 3-13, §5 and Rules and Regulations by Phil Clemons, Chairman, Selectmen's Meeting Room, Hanson Town Hall, Hanson, MA. This meeting of the Hanson Conservation Commission is audio-recorded.

Present: Phil Clemons, Chairman
Thomas Roffey, Jr., Vice Chairman
David Mansfield, Clerk
Sharon LePorte, Member
Frank Schellenger, Agent
Lan Woodward, Administrative Assistant

Absent: Edwin Heal, Member

Also Present: Terry McGovern, Zenith Consulting Engineers, LLC
Will Connelly, Zenith Consulting Engineers, LLC
Jeff Hassett, Morse Engineering
Joseph Webby, Webby Engineering Inc.
Kerry and Jeff Hollstein, K1 Roofing
Debra Rul'Heath, Liberty Street
State Senator Michael Brady
State Representative Dave DeCoste
Keith and Heather Johnson, County Road
Alexandria (Kruk) Roffey, County Road
Scott Shannon, Holmes Street
Sean T. Kealy, Holmes Street
David Beauvais, Holmes Street
Kathleen Marini, Jack Conway Real Estate
Joseph and Betty O'Sullivan, West Washington Street
Dean and Ruth Sylvester, West Washington Street
Jack and Pat Concrey, West Washington Street
Bob and Demetra Huston, West Washington Street
John Norris, West Washington Street

Minutes

February 1, 2023

Motion to approve February 1, 2023 Minutes by: David Mansfield

Second: Thomas Roffey, Jr.

Vote: 4-0-0

Public Hearings

7:00 PM Continued Notice of Intent to perform perc tests and to upgrade the septic system to Title V Standards within 100' of bordering vegetated wetlands and bank top to an intermittent stream, which is also a tributary to a surface water supply, at 16 Upton Street, Map 2, Lot 338, for New Neighbor Realty, represented by Zenith Consulting Engineers, LLC, 3 Main Street, Lakeville, MA 02347. (DEP# SE175-0748)

Will Connelly, Zenith Consulting Engineers, LLC, presented updated plans to Commission. Perc tests were performed and updated plans include a dewatering basin if necessary. A variance request would be needed for work within the 50' buffer zone and also a variance request for the Presby system reserve area by the Board of Health.

Chair Clemons asked if there were any questions, comments.

Motion to issue variance for work within 50' buffer zone by: David Mansfield

Second: Sharon LePorte

Vote: 4-0-0

Motion to close hearing and approve project subject to special conditions and contingent on Board of Health approval with necessary variances by: Sharon LePorte

Second: David Mansfield

Vote: 4-0-0

7:15 PM Notice of Intent to construct two bituminous concrete roadways with two cul-de-sac turnarounds, associated sidewalks, underground utilities, and drainage structures to create frontage for a nine-lot definitive subdivision located within 50' of bordering vegetated wetlands at 0 County Road, Map 74 Lots 7 and 8, Meadow Brook Farms, formerly Fern Hill Estates, for Burrage Farms LLC, represented by Morse Engineering Company, Inc., PO Box 92, Scituate MA 02066. **(DEP #SE175-0750) (New Hearing)**

*Mr. Roffey recused himself from the hearing

Mr. Mansfield read the Public Hearing Notice and green cards were verified.

Chair Clemons stated that this is a new hearing and that it is separate from the past hearing. The Commission plans to do a complete job and have a fresh slate at looking at the project. There are a lot of things to cover. We will have the Applicant make the presentation. Everyone who wishes to speak, it may not happen this evening, be assured, you will be heard.

Jeff Hassett, Morse Engineering, presented plans to the Commission. The new filing proposes construction of a 744 linear foot roadway with a cul-de-sac turnaround (Harvard Road) and a 463 linear foot roadway with a cul-de-sac turnover (Princeton Way) to create frontage for a 9 lot definitive subdivision off of County Road. There will be separate filings for the 9 proposed lots. The wetlands were flagged and delineated March 2018 by Brad Holmes, PWS of Environmental Consulting and Restoration, LLC. Mr. Hassett will submit this information to the Commission. He stated the HydroCAD analysis no longer takes credit for exfiltration in the basins during the 10 year or greater storm events, so a mounding analysis is no longer required. No wetlands will be altered and there will be erosion barriers.

Ms. LePorte is not comfortable with the flags from 6 years ago, it needs to be re-delineated because it may not be accurate.

Mr. Hassett stated the flags have been re-hung and reviewed by a wetlands scientist, Brad Holmes.

Chair Clemons stated that we should wait to see report that will be submitted by Mr. Hassett. In addition to reviewing report, we will be monitoring, it will be in all of our interests.

Agent Schellenger would like to know when the re-hanging was completed. He visited site February 1st, and flags were not there at that time. There was confusion in the previous report, some flags were mis-identified and the report did not mention C flags that were there. The flagging caused confusion, hopefully it will be reconciled.

Mr. Hassett stated a memo will be sent from the Wetlands Scientist.

Chair Clemons stated that the site is not small. A, B, C, series together, if you look at the plan, the number of flags are about 200. By rule of thumb, the standard is roughly 30' between flags. Lines are set by checking vegetation and soil. Soil samples are taken on both sides.

Ms. LePorte stated that soil samples at various areas on site would be good thing. It looks like there will be filling, how much fill?

Mr. Hassett stated about 60,000 cubic yards. It is a flat site and groundwater is shallow.

Agent Schellenger stated that is a lot of trucks.

Agent Schellenger stated the site is very flat. The obvious break between wetland and upland is not there. Soil transects would identify the lines more closely. A transect or 2 where the planned entry road in B series, for example. These are not as necessary in A series, but one or more at least in C series is needed.

Chair Clemons stated that for the proper evaluation, 3 transects should be completed. He wanted to put on the record that work of that nature is what we would look for in the interest of both the applicant and the public.

Chair Clemons asked what the distance is from groundwater to existing surface. He also asked what is the proposed elevation on bottom of these basins.

Mr. Hassett stated approximately 2 feet for the distance of groundwater to existing surface. The elevation of the bottom is 81; existing 81-78 feet.

Chair Clemons stated that a credible 3rd party professional report on fully accurate and agreed upon regulations is needed.

Agent Schellenger is not clear on how that avoids a mounding analysis. He stated that the soil evaluations relied upon for submittals are the same test pits and borings done going back a number of years. The denial from MA DEP stated certain soil investigations are to be done; his reading of submittal is that none have been completed.

Mr. Hassett stated the MA DEP requires 2 test pits; these were performed and he will find the date/time of performance.

Chair Clemons stated that, overall, it is a large site that is $\frac{3}{4}$ surrounded by wetlands. It is fairly flat and a lot of changes are proposed to it and it would make sense for the Commission to have independent peer reviews completed for the wetland line, and stormwater, if Applicant is willing to fund.

Mr. Hassett said they will provide the additional evaluations of the wetlands. As far as the stormwater review, it will be reviewed by Planning Board who previously approved the request.

Chair Clemons disagreed; the Commission is inclined to having a quality, credible review done. If we were to proceed with review, it would be helping the Planning Board as well.

Agent Schellenger does recommend a Peer Review. The wetland regulations show we have jurisdiction.

Chair Clemons stated that we have a lot of information here, a lot of detail including 23-pages of plans. He thanked Mr. Hassett for the plans and the presentation and asked if there were any questions, comments.

Senator Michael Brady - thanked the Commission for letting him comment. He is submitting a letter with concerns of abutters. The whole area is a big concern. He also provided an update regarding Brockton Hospital.

Motion to authorize a request for Applicant to fund a Peer Review of wetland line and stormwater by:

David Mansfield

Second: Sharon LePorte

Vote: 3-0-1

Motion to continue hearing to March 1st, 2023 at 7:00 PM by: David Mansfield

Second: Sharon LePorte

Vote: 3-0-1

8:00 PM Notice of Intent to upgrade the septic system to Title V Standards and to modify, extend, and repair existing driveway within 100' of bordering vegetated wetlands at 30 East Washington Street, Map 92, Lot 16, for Kerry Hollstein, K1 Roofing, represented by Joseph Webby, Webby Engineering, Inc., 180 County Road, Plympton, MA 02367. (DEP #SE175-0751) (New Hearing)

Mr. Mansfield read the Public Hearing Notice and green cards were verified.

Joseph Webby, Webby Engineering Inc., presented plans to the Commission. The Hollstein's would like to purchase the property and upgrade the septic system (there are currently two) and would like to repair existing driveway and have two traffic flows, and curb cut to have some parking; business, residential. There are not changes to building outside. It is a roofing business and no materials would be onsite. Mr. Hollstein stated they would reach out to the Highway Department regarding curb cut when the project is closer.

Chair Clemons asked if there was any plan for sign usage?

Mr. Hollstein would like a small sign, he will speak to the Building Department regarding the requirements for signage.

Chair Clemons asked if there were any questions, comments.

Debra Rul'Heath, Liberty Street – Ms. Rul'Heath has concerns regarding wetlands.

Agent Schellenger visited site. There is a long standing issue with the wetness behind buildings. Flagging was done by Brad Holmes in 1990, 1973. The wetland appears to be on other side of wall, east side, which is neighbor's property. Water runs from Liberty Street and spills over to property and leaves wet. There is some kind of tank or well in between building. The Highway Department pulled grate and it was full. Not sure if it is a leaching pit basin. If it was pumped, we could find out. It looks like it's an area drain that was put in for that issue. Agent Schellenger is not sure how to address it, it has nothing to do with the project, and it's not going to change. He might suggest, putting up markers between buildings to show resource area to not be touched and also to make sure the 50' buffer is marked off between buildings. This has no impact on the septic system proposal.

Motion to close hearing and approve project subject to special conditions including signage by: Thomas Roffey, Jr.

Second: David Mansfield

Vote: 4-0-0

Discussions

Wildlands Trust Stewardship Endowment Fee Hanson Conservation Restriction #5; Warrant to be signed.

State Ethics Commission Conflict of Interest Law Online Training Program; Due March 1st, 2023.

Town Meeting Article(s) – Due March 3, 2023; Review and approval at March 1st, 2023 meeting.

Property Management Update; Trash removed at areas needed. Mr. Mansfield stated that 16-26 bog bridges are needed at Poor Meadow Brook and Town Forest. Trail work at Poor Meadow Brook is planned for February 25, 2023.

Open Space Acquisition; No update.

Old Business/New Business

Invoice for Public Hearing Notice (Hanson Express) for 0 County Road, Parcels 74-0-7 and 07-0-8, Notice of Intent – signed

Invoice for Public Hearing Notice (Hanson Express) for 30 East Washington Street, Map 92, Lot 16 Notice of Intent – signed

Invoice for Office Supplies (WB Mason) Pens – signed

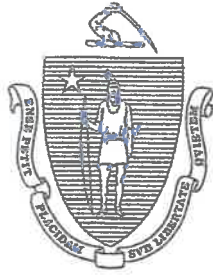
Invoice for Software (Hydrocad.net) HydroCAD Annual License – signed

Invoice for Stewardship Endowment Fee (Wildlands Trust) 2/3 Stewardship Endowment Fee – signed

Motion to adjourn at 9:07 PM by: Thomas Roffey, Jr.

Second: David Mansfield

Vote: 4-0-0



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR MICHAEL D. BRADY

Second Plymouth and Bristol District

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Chairman Phil Clemons
Hanson Conservation Commission
542 Liberty Street
Hanson MA, 02341

February 15, 2023

Dear Chair Clemons and the Board of Commissioners:

I am writing to express my opposition to the proposed housing development on County Road in Hanson, which may also impact residents on West Washington Street, Holmes Street, and Red Acre Farm. It has been brought to my attention by neighbors and activists that the development may be cause for serious environmental and residential flooding concern in the surrounding area.

Areas of Hanson, like many towns in the region, suffer from serious chronic flooding because of their local water conditions and geology. The site of the proposed development is surrounded by wetlands primed for such flooding, which can cause flooding and major property damage to abutting homeowners. The designs for this project may exacerbate this problem for abutters, as the volume of water runoff will increase due to denudation of trees and installation of hard, impermeable surfaces. The construction of the project threatens to raise the height of the lands (thus increasing the runoff velocity of groundwater to surrounding properties).

The town is generally supportive of new housing developments to house more residents and grow the economy of the town. However, given the overwhelming concern and negative sentiment from residents and neighbors citing legitimate concern regarding stormwater runoff, I feel it is unconscionable to continue with the development as described at this time. At this time, it appears that responsibly building at this site is unfeasible and irresponsible.

Thank you for your consideration.

Michael D. Brady
State Senator
2nd Plymouth and Norfolk District

Chair
JOINT COMMITTEE ON PUBLIC SERVICE

Vice Chair
JOINT COMMITTEE ON ECONOMIC DEVELOPMENT
AND EMERGING TECHNOLOGIES

JOINT COMMITTEE ON WAYS AND MEANS

JOINT COMMITTEE ON VETERANS
AND FEDERAL AFFAIRS

JOINT COMMITTEE ON CONSUMER PROTECTION
AND PROFESSIONAL LICENSURE

JOINT COMMITTEE ON ELECTION LAWS

SENATE COMMITTEE ON GLOBAL WARMING
AND CLIMATE CHANGE

SENATE COMMITTEE ON WAYS AND MEANS

RECEIVED

HANSON CONSERVATION COMMISSION

CC:

Commissioner David Mansfield
Commissioner Sharon LePorte
Commissioner Thomas J. Roffey, Jr.
Select Board Member and Commissioner Edwin Heal
Select Board Chair Laura FitzGerald-Kemmett

Select Board Vice-Chair Joseph Weeks
Select Board Member James Hickey
Select Board Member Ann Rein