



**Town of Hanover Conservation Commission**  
**Hanover Town Hall, 550 Hanover St., 2<sup>nd</sup> Floor Meeting Room**  
**MINUTES for January 15<sup>th</sup>, 2014**

Approved 2/19/14



Those Commission Members and Staff present: Lou Paradis, Chairman; Lisa Satterwhite, Vice Chairman; Frank Brierley, Hearing Officer; William Woodward, Commissioner; Justin Shepard, Commissioner; Amy Walkey, Conservation Agent; Sandra MacFarlane, Asst. Conservation Agent

Those Members and Staff not present: 2 Associate Members (vacant)

Others: as per attached sign-in sheet

**6:30 PM** Chairman Paradis opened the meeting and made the following announcements:

**I. ANNOUNCEMENTS & DATES TO REMEMBER:**

1. **February 5<sup>th</sup> and 19<sup>th</sup>, 2014 @ 6:30 PM** in 2<sup>nd</sup> Flr. Mtg Room - Town Hall
2. **Vacancies on Commission-** 2 Associate positions

**6:35 PM** *The next item was taken out of order.*

**IV. ADMINISTRATIVE**

**2. Correspondence- Reports and Minor Permits:**

**a. Conservation Staff- General and Enforcement Issues:**

- (i) Status of on-going projects, process for non-compliance

PRESENT: Town Counsel James Toomey, Esq., Toomey, Hesse, Lehan; Anthony Marino, Dir. of Community Services

DISCUSSION: Attorney Toomey was present to discuss the Commission's vote at the 12/18/13 Commission meeting to revoke the Order of Conditions SE 31-940, issued for a project formerly known as the Village Commons Project. Chairman Paradis explained that the Commission's decision to revoke the Order was based on the many unresolved issues at the site, the length of time that the site has been inactive, the inability to inspect the site/project due to the foreclosure process on the property and the lack of compliance with the original Order of Conditions. Counsel suggested rather than revoke the Order, that the Commission meet with the owner to discuss the concerns. Commissioners Shepard and Satterwhite both expressed concerns that the lot lines on which the original Order was issued have changed, as well as other proposed changes to the project that necessitate the submission of a new Notice of Intent.

VOTE: Based on the discussion above and as per a motion and second made by Commissioners Shepard and Satterwhite, it was voted 4-0-1 (Commissioner Woodward abstained) to rescind the vote taken on 12/18/13 to revoke the Order of Conditions, SE 31-940, Village Commons, and to send a letter to the property owner with an invitation to meet with the Commission to discuss any outstanding issues on the site, with site inspections to be conducted.

**II. ACTION ITEMS:**

**1. Review conditions for permits:**

- a. Orders of Conditions- The Staff presented a list of proposed revisions to the current OOC template for their review.

**III. PUBLIC HEARINGS:**

**BL 13-65, SE 31-1078, #82 Buttercup Ln.-NOI-** *continued from 12/04/13 meeting*

PRESENT: Marta Nover, PE, Henry Nover, PE, Nover-Armstrong Engineers, Inc., Applicant's Representative; Ronald Polisen, Applicant/Property Owner; Steve Ivas, WS, Ivas Environmental, Inc., Commission's Wetland Consultant

DISCUSSION: Mr. Nover submitted photos showing an existing wooded path on 82 Buttercup Ln. In regard to an Environmental Letter Report submitted by Ivas Environmental and dated January 8, 2014, that detailed several concerns, Mr. Nover explained that he did not have a written response to submit at this time. He gave brief verbal answers to the Commission as follows:

1. the current plan fits the entire parcel on the plan, a 1" to 20' scaled plan would not;
2. a plan showing revisions to the wetland line as per Mr. Ivas's suggestions will not be submitted;
3. the requested calculation for total impacts to the 35 ft. no-structure setback from BVW resulted in 8,260 sq. ft.;
4. there are no other alternatives to the current position of the driveway and verbal confirmation regarding minimum allowable width of the driveway, 12 ft., was recently obtained by Mr. Polisen from the Fire Chief;

5. written confirmation of the above has not been obtained;
6. yard waste and fill at end of cul-de-sac will be removed;
7. the two (2) PVC pipes in question will be added to a revised plan and detailed as "to be removed";
8. BVW Data Form has been completed;
9. area with 1:1 slope has been changed to a stone retaining wall;
10. in regard to the 2:1 wetland replication standard, he feels the area is best replicated at a 1.6 to 1 ratio;
11. the three (3) potential vernal pools will remain as "ponded areas" on the plan due to their location within the BVW;
12. plantings will be no larger than 1 ft.;
13. the Invasive Species Mgt. Plan is complete;
14. a Construction Sequence for the replication area has not been done.

At the invitation of the Chairman, Mr. Ivas reiterated the necessity of minimizing impacts to resource areas and to complete the application as required. The Commission noted agreement. The Chairman reminded that all standard application criteria must be met by all applicants and requested submission of a written response to Mr. Ivas's report.

Mr. Ivas noted that he requires further field review to evaluate alternative replication sites.

Ms. Nover disagreed, explaining that Mr. Ivas has already reviewed the areas for replication, that the only alternative was located too close to the potential vernal pool and would disturb established, mature trees and critical habitat.

In response to comments from the Agent, Mr. Nover explained that neither a hydrant nor sprinklers were discussed with the Fire Chief, and therefore were not detailed on the plan.

Mr. Ivas suggested that his recommendations for the wetland line be followed and submitted on a revised plan.

The Chairman expressed concerns regarding a paved driveway, and noted negative impacts to the wetlands and other stormwater management issues.

In regard to the status of the lot as "non-buildable", Mr. Nover indicated that Mr. Poliseno will submit a request to amend to the Planning Board in the near future. Mr. Poliseno stated that he expects a positive outcome and that the Fire Dept. "is all set" with the plan.

Mr. Poliseno agreed to let Mr. Ivas continue his on-site review.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Satterwhite and Brierley, it was voted 5-0-0 to continue the hearing to February 5, 2014 at 7:00 PM.

**2. BL 13-82, #124 Elm St.-RDA- for septic upgrade in BZ to BVW and RFA**

PRESENT: Shayne McGlone, RS, Applicant's Representative

DISCUSSION: Mr. McGlone explained the project as the abandonment of a failed septic system (pump, crush, fill with clean sand) 40 ft. from an off-site Bordering Vegetated Wetland (BVW) and within Riverfront Area (RFA) to an unnamed perennial stream and the installation of a new Title V residential septic disposal system with tanks and leaching field proposed at 81 ft. and 85 ft., respectively, from the BVW and within RFA. He added that erosion control materials and limit of work are proposed at 52 ft. from the BVW and 65 ft. from a perennial stream. In response to the Commission's questions concerning alternate locations, he pointed out that the parcel was composed of a large amount of fill with a high water table on the site. Further that the new system was mounded to maintain the required distance from ground water. The Agent noted the improvement to the site due to the new system and agreed alternative locations were not possible.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Satterwhite and Brierley, it was voted 5-0-0 to close the hearing and issue a standard Negative #3/#2 Determination of Applicability.

**3. BL 13-83, #1061 Broadway-RDA- for septic upgrade in BZ to BVW and RFA**

PRESENT: Shayne McGlone, RS, Applicant's Representative

DISCUSSION: Mr. McGlone explained that this septic upgrade project was approved by the Board of Health as part of a future sale of the property. The proposed project includes the abandonment of a failed septic system (pump, crush, fill with clean sand) within Riverfront Area (RFA) to an unnamed perennial stream, and the installation of a new Title V residential septic disposal system with leaching field proposed at 80 ft. from an off-site Bordering Vegetated Wetland (BVW) and within RFA. He added that erosion control materials and limit of work are proposed at 61 ft. from the BVW.

The Agent noted that the project was an improvement to the current situation and that due to the constraints of the site, the proposed location was acceptable.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Satterwhite and Brierley, it was voted 5-0-0 to close the hearing and issue a standard Negative #3/#2 Determination of Applicability.

**4. Hunting Policy- for possible expansion of areas and types of animals allowed for taking, and discussion of allowed seasons during which to hunt.**

PRESENT: Conservation Commission Members; Jason Zimmer, Dept. of Fisheries and Wildlife (DFW), SE District Supervisor; Judy Grecco, Open Space Committee

DISCUSSION: Chairman Paradis opened the public hearing and introduced Dept. of Fisheries and Wildlife SE District Supervisor, Mr. Jason Zimmer. Mr. Zimmer presented a brief overview of hunting in the State of MA. He added that the State-wide increase in the deer population has caused health and safety concerns for the herds as well as residents. As a result, the State's goal is to maintain herds at 6 – 8 deer per square mile. He reported that Hanover's deer population has reached approximately 22 per sq. mile, therefore, hunting would be beneficial. Commissioner Shepard explained that he wanted to allow all residents to benefit from conservation parcels, including those who enjoy hunting. The Commission discussed the current hunting policy (in place since 2006)– deer hunting only using archery, and only during deer hunting/archery season, and on only 2 parcels, the Clark Parcel and the Summer St. Parcel, both off King St.

A lengthy discussion ensued regarding the expansion of hunting onto additional parcels and allowing other species to be hunted, which resulted in the following decisions by the Commission:

- a. hunting using archery only, shall continue– no other weapons shall be allowed;
- b. hunting shall be allowed on any parcel under the care and maintenance of the Conservation Commission that will sustain hunting as per all applicable Mass. General Laws and MA Dept. of Fisheries and Wildlife (DFW) regulations regarding hunting, excluding any such parcel which is currently used for public recreation purposes (future maps to detail these parcels as excluded);
- c. in addition to deer, any animal listed within DFW guidelines to hunt in the State of MA shall be allowed to be taken during their respective seasons;
- d. signage shall be as per State and local regulations and coordinated through the Conservation Staff.

In response to the Chair's invitation for attendees to speak in support of the above listed decisions, Ms. Kathryn Shepard, 688 Center St. supported the Commission's decisions.

In response to the Chair's invitation for anyone to speak in opposition to the above listed decisions, no one spoke (there were no other persons present).

A brief discussion ensued regarding the use of tree stands, resulting in no restrictions beyond State regulations for their use.

(8:45 PM)– Ms. Judy Grecco, Open Space Committee Member, arrived and expressed concerns for those residents who used the walking trails and parks for recreation. She noted that with the continued encouragement and work of the Open Space Committee to utilize conservation parcels for passive recreation, and considering the increased number of residents who do so, she worried about serious accidents. The Chair gave a brief overview of the previous discussions. Commissioner Brierley noted that all State regulations must be followed, adding that no accidents have been reported to either the Staff or the State concerning hunting in Hanover. Mr. Zimmer also reiterated the necessity to reduce the density of the deer population within Hanover. In response to Ms. Grecco's questions regarding complaints received against hunters in Hanover, the Staff confirmed Mr. Brierley's statement.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Shepard and Brierley respectively, it was voted 5-0-0 to continue the hunting policy in the Town of Hanover as per the above listed decisions, *a. through d.* and to continue the public hearing to February 5, 2014 at 7 PM to review a revised hunting policy based on the above discussion.

#### IV. ADMINISTRATIVE:

1. **Minutes**– 12/18/13 VOTE: Upon an motion and second made by Commissioners Brierley and Satterwhite, it was voted 4-0-1 (Commissioner Woodward abstained), to approve the minutes.
2. **Correspondence– Reports and Minor Permits:**
  - a. Conservation Staff– General and Enforcement Issues:
    - (i) Status of on-going projects, process for non-compliance (*This item was taken out of order at 6:35 PM*)
  - b. Open Space Committee Liaison Report and Community Preservation Committee Report:  
The Agent reported that grants are being sought for the purchase of ATV's for Fire Dept., Police Dept., and Open Space for improved trail access, maintenance, and enforcement. Further, that many people attended a New Year Day walk on Hanover trails, and that more volunteers are needed to help maintain the trails.
  - c. Minor Permits/Event Cards Issued: – Reviewed with no comment.
    - (i) **BL 14-01**– Luddams Ford Park– Cub Scout Troop #37 January 11, 2014– Klondike Derby Practice
3. **Other:** *Those items not reasonably anticipated by the Chair within 48 hours of the meeting.– none*

**9:15 PM**– Upon a motion and second made by Commissioners Woodward and Satterwhite it was voted 5-0-0 to adjourn the meeting.

Minutes Respectfully submitted by Sandra D. MacFarlane, Asst. Conservation Agent, DMI, Conservation Office