

# Town of Hanover Conservation Commission

Hanover Town Hall, 550 Hanover St.

2<sup>nd</sup> Floor Hearing Room

## Minutes for NOVEMBER 6, 2019

Approved 12/4/19



Those Members and Staff present:

Brian McLoone, Chairman, Lisa Satterwhite, Vice Chair, Robert Sennett, Hearing Officer,  
Members Jim Vaille and Mahendra Patel, Associate Members Duke (Otis) Magoun, and Steve Louko

Not Present- none

Others- as per Sign-In Sheet

### 6:30 PM

I. ANNOUNCEMENTS: Chairman McLoone opened the meeting and made the following announcements:

1. Next Meeting- Wednesday, December 4, 2019 at 6:30 PM- *applications due by 11/20/19*
2. Conservation Commission Positions available (*contact Conservation Agent if interested*):
  - a. Conservation Member or designee for the Community Preservation Committee
  - b. Conservation Member or designee for the Master Plan Implementation Committee

II. ACTION ITEMS:

1. Community Preservation Committee member consideration- Associate Member Steve Louko

VOTE: Upon a motion and second made by Members Vaille and Satterwhite, it was voted 5-0-0 to designate Associate Member Steve Louko to the Community Preservation Committee.

2. Request to waive application fee- **BL 19-93, 1075 Washington St.-** SS Natural Science Center/SS YMCA School

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to waive the \$50 site inspection fee for the SS Natural Science Center/SSYMCA School.

3. Request for Certificate of Compliance- **BL 19-25, SE 31-1128, 82 Cape Cod Ln.**

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to issue a Certificate of Compliance for SE 31-1128, 82 Cape Cod Ln.

### 6:45 PM

III. PUBLIC HEARING:

1. **BL 19-103, 62 Hillside Cr.-** RDA- *for septic system upgrade in BZ to BVW*

PRESENT: none- Conservation Agent MacFarlane stepped in to present the application due to unforeseen circumstances for the applicant.

DISCUSSION: The Agent presented a plan dated 10/10/19 prepared by McGlone Enterprises, Inc., detailing a residential septic upgrade with erosion control materials and limit of work proposed at 60 ft. from an on-site Bordering Vegetated Wetland (BVW). It was noted that the wetland line was confirmed by the Agent, the system improves conditions for the wetland on site, and that the project met Title V requirements and has Board of Health approval.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

2. **BL 19-104, 198 Cedar St.-** RDA- *for septic system upgrade in BZ to BVW*

PRESENT: David Newhall, PE, Merrill Engineers and Land Surveyors, Applicant's Representative

DISCUSSION: Mr. Newhall presented a plan dated 10/21/19 detailing a residential septic upgrade with erosion control materials and limit of work proposed at 25 ft. from an on-site Bordering Vegetated Wetland (BVW) and closest point of work for the leaching field proposed at 50 ft. from the BVW. He added that the lot was created in 1951 in reference to a small portion of work that was proposed in outer riparian to Bailey's Brook. He pointed out the location of five (5) proposed conservation setback markers at approximately 20 – 25 ft. from the BVW which was necessary due to constraints of the site. The Agent confirmed the wetland line as accurate and noted that due historic mowing and

existing elevations of the site, the proposed location of the system and setback markers was acceptable without the necessity of a Notice of Intent. Mr. Newhall pointed out the successful test pit locations, adding that other locations for the system were not acceptable due to soils.

VOTE: Upon a motion and second made by Members Vaille and Satterwhite, it was voted 5-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

3. **BL 19-101, SE 31-1200, 152 Mann's Dr. -NOI-** *for installation of inground pool in BZ to BVW*

PRESENT: Ed Cullen, PE, Merrill Engineers and Land Surveyors, Applicant's Representative

DISCUSSION: Mr. Cullen presented a plan dated 10/16/19 detailing the location and size of an above-ground swimming pool. He noted that the gravel base for the pool was proposed at 46 ft. from an on-site Bordering Vegetated Wetland (BVW) and that erosion control materials were proposed at 22 – 25 ft. from the BVW due to the location of the driveway and existing riprap slope to the BVW. The Agent confirmed site conditions, proposed location of the pool/gravel base, and accuracy of the wetland line. She noted that the applicant agreed to the installation of five (5) conservation setback markers along the 25 ft. no-disturbance line at the rear of the yard, and six (6) additional markers at top and bottom of rip-rap slope to further protect the BVW near the driveway. Mr. Cullen added that the markers would be installed prior to the installation of the pool.

VOTE: Upon a motion and second made by Members Vaille and Satterwhite, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with above ground pool conditions.

4. **BL 19-102, SE 31-1201, 149 Old Washington St. -NOI-** *for septic system upgrade in BZ to BVW*

PRESENT: Brendon Kling, PE, Grady Consulting, LLC, Applicant's Representative

DISCUSSION: Mr. Kling presented a plan dated 10/18/19 detailing the abandonment (pump, crush, fill with clean sand) of a failed residential septic system and the installation of a new Title V rated septic disposal system with erosion control materials and limit of work proposed at 36 ft. from an on-site Bordering Vegetated Wetland (BVW). Mr. Kling confirmed Board of Health approval of the plan. The Agent confirmed the wetland line as accurate and reported on site conditions. A brief discussion ensued regarding the existing shed located up to the edge of the BVW resulting in agreement on 2 special conditions as listed below.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with Special Conditions as follows:

- a. Upon the necessity to replace the wooden shed in the rear yard, any new accessory structure shall be located out of the 35 ft. no-structure setback to the wetland.
- b. Due to it's proximity to the wetland, the existing shed shall not be used for other than dry storage which includes small equipment, hand tools, and similar non-chemical items. The storage of petroleum based products such as gasoline, oil, kerosene, and similar, is strictly prohibited.

5. **BL 19-105, SE 31-1202, 46 Nash Landing-** *NOI- for swimming pool, etc. in BZ to BVW*

PRESENT: Brad Holmes, ECR, Inc., Applicant's Representative; Applicants Berty and Shelly Martinez

DISCUSSION: Mr. Holmes noted that although the plans were originally dated in 2006, ECR, as well as the Conservation Agent have confirmed the wetland line as accurate in 2019. The Commission required conservation post installation at the 25 ft. no-disturb setback from the on-site Bordering Vegetated Wetland, BVW. He pointed out that although a small portion of the wooden shed is currently located within the 25 ft. setback and within the 35 ft. no-structure setback, it will not remain and that the property owners have agreed that any new accessory structure will be located no closer than 35 ft. from the wetland. The Agent explained that the landscaping plan included all native NE plants as recommended, and that standard pool conditions will apply. The Commission required installation of conservation setback markers and a drywell for seasonal pool discharge (or connection to an existing drywell).

VOTE: Upon a motion and second made by Members Sennett and Patel, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with pool conditions and Special Conditions as follows:

- a. The pool shall be connected to a new or existing drywell system to capture seasonal pool discharge;
- b. Conservation setback marker plaques may be attached to the fence at the rear of the pool and may be attached with zip ties or similar fasteners;
- c. Four (4) Conservation posts shall be installed along the 25 ft. no-disturbance setback in the areas that are not covered by the pool fence.

- d. A revised plan is not required for submittal, however, the above items must be detailed on the As-Built Plan submitted with the Request for Certificate of Compliance.
- e. Standard pool conditions will be added to the OOC.

6. **BL 19-61, SE 31-1198, 1775 Washington St, Hanover Crossing-** NOI- *redevelopment project in multiple resource areas-* The applicant has requested a continuance of this hearing to the Commission's December 4, 2019 meeting.

PRESENT: None

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted to continue the hearing to December 4, 2019 at 6:45 PM as per the Applicant's request.

#### IV. ADMINISTRATIVE:

1. Minutes- 9/4/19 and 10/02/19

VOTE: Upon a motion and second made by Members Vaille and Satterwhite, it was voted 5-0-0 to approve the minutes for 9/4 and 10/02, 2019.

2. Minor Activities Permits/Events issued and updates: Reviewed without comment.
- a. BL 19-100, 106 – 109, Scheduled Events- HPD Training- *Oct. 2, 4, 28 – 31, 2019*
  - b. BL 19-110, Main St. Wetlands Loss report review
  - c. BL 19-111, 37 Samoset St.- RDA-H- *for additions on previously disturbed areas +100' to BVW, +190' to AMHWL*
  - d. BL 19-113, 63 Vine St.- RDA-H- *for removal of above-ground pool, storm damaged trees +70' from BVW*
3. Agent's Report- Reviewed without comment.
4. Correspondence- Reviewed without comment.
5. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting-* None.

**7:45 PM** Upon a motion and second made by Members Sennett and Satterwhite, it was voted 5-0-0 to adjourn the meeting.

Minutes Respectfully Submitted by Sandra D. MacFarlane, Conservation Agent, CDMI  
Conservation Office

#### Documents provided at meeting:

- 11/6/19 Agenda
- RDA-H with waiver of Fee request- SS Natural Science Center/SS YMCA
- RDA application packet- 62 Hillside Cr.
- RDA application packet- 198 Cedar St.
- NOI application packet- 152 Mann's Dr.
- NOI application packet- 149 Old Washington St.
- NOI application packet- 46 Nash Landing
- Request to Continue hearing- 1775 Washington St.
- 9/4/19 and 10/02/19 draft Minutes
- 11/6/19 Agent's Report
- Minor Acts Permits and Event's as listed in Section IV. 2. a. – d. above