

## Hanover Conservation Commission

### MEETING MINUTES

**JANUARY 25, 2023**

Hanover Town Hall, 550 Hanover St.

**2<sup>nd</sup> Floor Meeting Room and via Zoom as per instruction above.**

**Approved 2-22-23**



#### **6:00 PM**

Upon a Roll Call by the Chairman the following were present: Brian McLoone, Chairman; Robert Sennett, Hearing Officer; James Vaille, Member; Mahendra Patel, Member (arrived at 6:20 pm)- joined via Zoom; David Sawin, Assoc. Member.

Staff present: Sandra MacFarlane, Conservation Agent and IT Host, Quinten Collins.

Chairman McLoone welcomed all present and made the following announcements:

#### **I. GENERAL ANNOUNCEMENTS:**

1. This meeting is being recorded and has Zoom participation.
2. Next Meeting: Wednesday, FEBRUARY 22, 2023 at 6 PM
3. Commission's 2023 Annual Schedule:

• <u>January 25</u>	• <u>February 22</u>	• <u>March 29</u>	• <u>April 26</u>
• <u>May 31</u>	• <u>June 28</u>	• <u>July 26</u>	• <u>August 30</u>
• <u>September 27</u>	• <u>October 25</u>	• <u>November 29</u>	• <u>December 27</u>

#### **II. PRESENTATION:**

1. Becky Malamut, NSRWA- NRD Grant info update & Luddam's Ford Dam

The Commission thanked Ms. Malamut for the information regarding the benefits that are available through the Natural Resource Damages Grant that aids in restoration of injured, destroyed, or lost resources as a result of a release of hazardous substances or oil and to identify actions and funds needed to restore such resources. A brief discussion ensued regarding the removal of the Luddam's Ford Dam, confirming that the project is only at the feasibility stage.

#### **III. ACTION ITEMS:**

1. Request for Extension Permit (EXT)

a. SE 31-1204, Gray's Place Lot #1- *for 3-year extension*

b. SE 31-1198, 1775 Washington St., Hanover Crossing- *for 3-year extension*

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted as follows to issue both Extension Permits:

BM- aye, RS- aye, JV- aye, MP- aye

2. Request for Certificate of Compliance

a. SE 31-1185, 295-301 Winter St.- *based on all work completed*

b. SE 31-260, 161 Birchwood Rd.- *based on all work completed*

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted as follows to issue both Certificates of Compliance:

BM- aye, RS- aye, JV- aye, MP- aye

#### **6:15 PM**

#### **IV. PUBLIC HEARINGS:**

1. 93 East St., CDOA-22-6- RDA, *for IVW buffer restoration*

PRESENT: John and Kristina LaVasseur, Property Owners

DISCUSSION: The Conservation Agent explained that in response to a complaint, an inspection was conducted and a verbal cease and desist was issued on this site to the homeowners. The violation included the removal of mature trees within the buffer zone to an off-site isolated vegetated wetland

(IVW). It was noted that the home owners and tree service persons stopped all work immediately. In observing the area, it was found that no trees were cut beyond the 35 ft. IVW setback, therefore the tree cutting would have been within the Regulations had an application been submitted. Ms. LaVasseur noted that they were new owners and were unaware that the area in the rear neighbor's backyard was a protected wetland, as it was behind a wooden 6' fence. It was also agreed that mitigation for the area will include buffer restoration using native New England trees and shrubs.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted as follows to accept the landscaping plan, close the hearing, and issue a Negative #3 Determination of Applicability (NOI not required):

BM- aye, RS- aye, JV- aye, MP- aye

2. 26 River Rd., COOC-22-19, SE 31-\_\_\_\_<sup>1</sup> - NOI- *hardscaping (redevelopment) within inner riparian to No. River*  
PRESENT: Bart Lipinski, PE, Grady Consulting, LLC, Applicant's Representative

DISCUSSION: Mr. Lipinski presented a plan showing the removal of a damaged wooden set of stairs and associated hardscaping with BVW buffer zone restoration. Enhancements to the riverfront area to the North River were also included on the plan. He explained that due to the steepness of the work area, the access is limited to the right side of the site and that manual equipment is to be carried by hand to the work area. The Commission reviewed and accepted the landscaping plan. The Agent added that all of her comments and those from MA DEP were adequately addressed by Mr. Lipinski.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted as follows to close the hearing and issue an Order of Conditions contingent upon the issuance of a MA DEP file #:

BM- aye, RS- aye, JV- aye, MP- aye

3. 646 Main St., COOC-23-1, SE 31-\_\_\_\_ - NOI- *244 sf of crossing of BVW for access to upland w/>2:1 replication*

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted as follows to continue the hearing to February 22<sup>nd</sup> meeting to allow for Members to conduct site inspections:

BM- aye, RS- aye, JV- aye, MP- aye

## **6:45 PM**

V. Wetlands Protection Bylaw #6-14- *for review of revised BL and comments from Town Counsel and BL Review Comm.*

VOTE: Upon a motion and second made by Members Sennett and Vaile it was voted as follows to accept and send the revised Hanover Wetlands Protection Bylaw #6-14 to the BL Review Committee for placement on the Warrant for the next Annual Town Meeting: BM- aye, RS- aye, JV- aye, MP- aye

## VI. ADMINISTRATIVE: Reviewed with minimal comments.

1. Administrative Permits/Events/Other:

- CMA-22-10, Minor Acts Permit- *at 100 Spring Meadow Ln. for manual storm cleanup in buffer to BVW*
- CMA-22-11, Minor Acts Permit- *at 287 Cedar St.- HHS- for track improvements at the HS in buffer to BVW*
- CMA-22-12, Minor Acts Permit- *at 137 Whiting St. for installation of irrigation well 65.5 ft buffer to BVW*
- CDMA-22-6, DOA for Minor Acts- *at 1229 Webster St. for septic upgrade +70 ft. from 2 w/I's & int. stream*
- CDMA-22-7, DOA for Minor Acts- *at 104 Webster St. for septic upgrade (failed system at 10 ft. from BVW) with new system located at +73 ft. from the BVW*
- CDMA-22-8, DOA for Minor Acts- *at 482 Main St. for septic upgrade (failed system @ 27 ft. from BVW) with new system located 164 ft. from a perennial stream and 89 ft. from a BVW.*
- CHPD-22-19 to 23, HPD Scheduled Event Permit- *Police Firing Range for November 1, 3, 7, 10, 17, 18*

2. Minutes- 10/26/22<sup>2</sup>

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted as follows to accept the minutes: BM- aye, RS- aye, JV- aye, MP- aye

<sup>1</sup> DEP file # not issued as of the agenda posting date.

<sup>2</sup> Nov. and Dec. 2022 Conservation Commission meetings were cancelled, therefore, no minutes available.

3. Agent's Report- Reviewed with minimal comment.

4. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting*

The Agent explained that a last-minute request was received regarding support for a land donation that would enhance the Rails to Trails project. She noted that the land offered included the railroad bridge at the convergence of the Drinkwater River and Cushing Brook that would allow the trail to continue toward its ultimate goal on Broadway.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted as follows to send the support letter as written: BM- aye, RS- aye, JV- aye, MP- aye

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

Documents provided at meeting:

- 1/25/23 Agenda
- Gray's Place Extension Request and OOC documents
- Hanover Mall Extension Request and OOC documents
- 295-301 COC Request and OOC documents
- 161 Birchwood COC Request and OOC documents
- 93 East St. application packet
- 26 River Rd. application packet
- 646 application packet
- Revised WP #6-14 and General BL #4-12
- Admin permits as listed above in Section V.
- 10/26/23 draft Minutes (Nov./Dec. mtg's cancelled)
- 1/25/23 Agent's Report
- Rails to Trails file and maps