

Hanover Conservation Commission Meeting Minutes

FEBRUARY 22, 2023

Hanover Town Hall, 550 Hanover St.

2nd Floor Meeting Room and **via Zoom**

Approved 3/29/23



6:00 PM Due to lack of quorum, the meeting started at 6:20 PM.

Roll Call of Members and Welcome by the Chairman.

Those Members present by roll call: Hearing Officer Robert Sennett, Member James Vaille,
Member Mahendra Patel (*arrived at 6:20 pm*)

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

Members not present: Chairman Brian McLoone, V. Chair Lisa Satterwhite, Associate Members Duke Magoun and David Sawin.

Member Sennett stepped in as Chair for the evening.

Member Vaille stepped in as Hearing Officer for the evening.

I. GENERAL ANNOUNCEMENTS: Acting Chair Sennett made the following announcements and welcomed

Members of Boy Scout Troop #38 and associates. Scout Master Mr. Dennis Bell introduced the Scouts and gave a brief explanation, noting that attendance tonight was part of the Scouts community affairs education.

1. This meeting is being recorded and has Zoom participation.
2. Next Meeting: Wednesday, March 29, 2023 at 6 PM¹
3. Welcome to Troop 38 Scouts who will be observing the meeting tonight.

6:25 PM

II. PUBLIC HEARINGS:

1. **51 Gardner Way, COOC-23-3, SE 31-_____**²- NOI- *upgrade to outdoor entertainment area in bz to BVW*
PRESENT: John Ahern III, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, and property owners Lisa and Graham Walters.

DISCUSSION: Mr. Ahern presented a plan dated 2/8/23 showing the expansion of an outdoor entertainment area rear of a residential home. Work included expansion of a patio associated with an existing inground swimming pool, construction of a wooden shed (pool house), landscaping, additional drywell, and retaining wall. No work was proposed within the resource area or no-structure setbacks. Mr. Holmes pointed out that the closest distance to the off-site wetland of the structures was 63.9 ft. with erosion control materials located at 41.6 ft. from the wetland. Further that conservation setback markers were to be installed at the 35 ft. wetland setback.

The Conservation Agent noted that the wetland line was clear and accurate, that the existing metal fence helped to protect and define the buffers and that plan was revised to relocate proposed conservation posts from within the drainage easement to top of slope out of the detention basin footprint.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a standard Order of Conditions as follows:

J. Vaille- aye, M. Patel- aye, R. Sennett- aye

¹ 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>

² MA DEP File # not issued at time of Agenda posting

2. **104 Plain St., COOC-23-2, SE 31-1265-** NOI- *redevelopment project w/ stormwater improvements*

PRESENT: Brad Holmes, Environmental Consulting and Restoration, LLC, Applicant's Representative, and property owner Anthony Caramello.

DISCUSSION: Mr. Holmes presented a plan dated 2/20/23 showing the redevelopment of a commercial site within riverfront area. Work included cleanup of debris and invasive vegetation, removal of storm damaged trees, maintenance of the existing culvert, and the installation of a gated gravel accessway to the rear of the building. Member Vaile commented on a recent site inspection with the Conservation Agent and Member Sennett. The Conservation Agent commented on the constraints of the site, adding that the proposed work would be an improvement to site conditions for the riverfront and wetland vegetation. Also, that the addition of Low Impact Development components for stormwater management will help eliminate negative impacts to the nearby wetlands and stream. Mr. Holmes further explained the function of the wildflower garden which will serve to aid in stormwater control. A brief discussion regarding further protection of the bordering vegetated wetland, culvert, and riverfront area resulted in several special conditions as listed below.

VOTE: By roll call, upon a motion and second made by Members Patel and Vaile, it was voted to close the hearing and issue an Order of Conditions with special conditions as follows:

J. Vaile- aye, M. Patel- aye, R. Sennett- aye

Special conditions:

- The addition of boulders to the top course of the retaining wall, with a second course if necessary;
- Conservation setback markers may be attached to sections of 4" plastic pipe instead of the typical 4" x4" fence posts due to the site conditions;
- The pile of vehicle tires rear of the building shall be relocated to a shed or other structure to either side of the building, but not rear of the building;
- There shall be no permanent parking rear of the building;
- Storage of other items rear of the building, such as pool installation materials, shall be temporary only.

3. **646 Main St., COOC-23-1, SE 31-1264-** NOI- *244 sf crossing of BVW for access to upland w/ >2:1 replication- Hearing continued from the January 25, 2023 meeting.*

PRESENT: John Ahern III, PE, and Deborah Keller, PE, Merrill Engineers and Land Surveyors, Applicant's Representatives, property owner Christina Lynn

DISCUSSION: Mr. Ahern presented a plan dated 2/9/23 showing bordering vegetated wetlands (BVW), associated buffer zones, and riverfront area at the rear of the property. He explained that of the four (4) proposed structures (inground swimming pool with patio, barn, indoor horse arena, and installation of a 12' box culvert), three (3) were entirely within upland, and only the installation of the 12' box culvert altered BVW and its associated buffer zone. Also, that the proposed 12 ft. accessway to the arena will be gravel. Mr. Ahern submitted 2 brochures regarding the fencing that is proposed within buffer and at the perimeter of the site to add further protection for the horses. The Agent noted that the 244 sf of BVW alteration was originally proposed with 450 sf of wetland replication. But that in agreement with the owners, the "old farm road" on site that cuts through the BVW will be closed off with a gate (after arena construction) for a total of 3,600 sf of naturally restored wetland. Also, that the standard condition for submission of a manure plan will be on the Order. It was noted that conservation setback markers are detailed on the plan and that other than the wetland crossing, erosion control materials and limit of work are located up to the 25 ft. no-disturbance BVW setbacks and on upland 202 ft. from the annual mean high-water line of Bailey's Brook (340 ft. from the stream bank). Upon invitation from the Acting Chair to speak, resident abutter at 662 Main St. shared concerns for the number of trees to be removed near his property line. A brief discussion ensued resulting in no opposition to the project. Special conditions shall include monitoring of the wetland restoration for a period of 2 growing seasons, and as listed below.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue an Order of Conditions with special conditions as follows:

J. Vaile- aye, M. Patel- aye, R. Sennett- aye

Special conditions:

- Submission of manure plan;
- The wetland restoration (old farm road) shall be allowed to return to a natural wetland, but may be used during construction of the indoor horse arena. After construction however, it must be gated off to return to wetland conditions. If it is found that the elevations are detrimental to wetland vegetative growth, grading may be done to the elevation of the wetland soils to enhance natural growth;
- A professional wetland specialist shall be used to monitor the wetland restoration areas for a minimum of two (2) growing seasons;
- Fencing at the property perimeter may be up to the wetland but must be installed using manual methods.

4. **36 Herring Brook Way-CDOA-21-9-RDA-** *for construction of sfd in BZ to BVW*

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders
Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 2/17/23 showing the construction of a single family dwelling with attached garage, paved driveway, drywells for roof runoff, final grading and general landscaping. He pointed out that all work was proposed greater than 50 ft. from an on-site bordering wetlands and included installation of underground utilities, grading, general landscaping, the construction of a single family dwelling, subsurface infiltration units, the paved driveway and turnout. Further that work included and completed under the previous Subdivision Order of Conditions SE 31-1227 includes the installation of erosion control materials and conservation posts, grading, tree removal, stormwater management units and utilities adjacent to Herring Brook Way. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a Negative #3 Determination of Applicability (NOI not required) with special conditions as follows:

J. Vaile- aye, M. Patel- aye, R. Sennett- aye

Special conditions:

- Site inspections for the house foundation, septic location, conservation posts, erosion control materials and similar are required;
- A perpetual condition shall be added for maintenance, repair, and replacement as necessary of the conservation setback markers;
- Roadway sediments shall be swept up at the end of each work day and/or after storm events.

5. **90 Herring Brook Way-CDOA-21-10-RDA-** *for construction of sfd in BZ to BVW*

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders
Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 1/17/23 showing the construction of a single family dwelling with attached garage, paved driveway, drywells for roof runoff, septic disposal system, final grading and general landscaping. He pointed out that work to be conducted greater than 50 ft. from the on-site bordering vegetated wetland (BVW) includes construction of a portion of the house, the attached garage, drywells, installation of underground utilities, grading, and general landscaping. All other work will be conducted greater than 100 ft. from the BVW. He also pointed out that work included and completed under the previous Subdivision Order of Conditions SE 31-1227 includes the installation of erosion control materials and conservation posts, grading, tree removal, stormwater management units and utilities adjacent to Herring Brook Way. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a Negative Determination of Applicability (NOI not required) with special conditions as follows:

J. Vaile- aye, M. Patel- aye, R. Sennett- aye

Special conditions:

- Site inspections for the house foundation, septic location, conservation posts, erosion control materials and similar are required;
- A perpetual condition shall be added for maintenance, repair, and replacement as necessary of the conservation setback markers;
- Roadway sediments shall be swept up at the end of each work day and/or after storm events.

6. 97 Herring Brook Way-CDOA-21-8-RDA- *for construction of sfd in BZ to BVW*

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 2/17/23 showing the construction of a single family dwelling with attached garage, paved driveway, new septic disposal system, drywells for roof runoff, final grading and general landscaping. He pointed out that work no work is proposed within riverfront area. Also that proposed work greater than 50 ft. from the on-site bordering vegetated wetland (BVW) includes installation of drywells, grading, and general landscaping. He noted that only a very small portion of the house was within the 100 ft. setback to the BVW. All other work including the Title V rated septic disposal system, will be conducted greater than 100 ft. and entirely out of the riverfront area. He added that work included and completed under the previous Subdivision Order of Conditions SE 31-1227 includes the construction of a detention basin and installation of drainage pipes and other stormwater structures related to it, installation of erosion control materials and conservation posts, grading, tree removal, other stormwater management units, and utilities adjacent to Herring Brook Way. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a Negative Determination of Applicability (NOI not required) with special conditions as follows:

J. Vaile- aye, M. Patel- aye, R. Sennett- aye

Special conditions:

- Site inspections for the house foundation, septic location, conservation posts, erosion control materials and similar are required;
- A perpetual condition shall be added for maintenance, repair, and replacement as necessary of the conservation setback markers;
- Roadway sediments shall be swept up at the end of each work day and/or after storm events.

7. 50 Herring Brook Way-COOC-21-16, SE 31-1244-NOI- *for construction of sfd in BZ to BVW*

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 2/17/23 showing the construction of a single family dwelling with attached garage, new septic disposal system, drywells for roof runoff, final grading and general landscaping. He pointed out that that work to be conducted up to the 35 ft. no-structure setback from the on-site bordering vegetated wetland (BVW) includes the installation of subsurface infiltration units, grading and general landscaping. The construction of a portion of the house, associated site preparation and landscaping is proposed within 50 to 100 ft. from the BVW. All other work including a new Title V septic disposal system, installation of utilities, driveway with turnout, grading, and general landscaping, are proposed greater than 100 ft. from the BVW. Further, that work included and completed under the previous Subdivision

Order of Conditions SE 31-1227 includes the installation of erosion control materials and conservation posts, grading, tree removal, stormwater management units and utilities adjacent to Herring Brook Way. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a standard Order of Conditions as follows: J. Vaile- aye, M. Patel- aye, R. Sennett- aye

8. 70 Herring Brook Way-COOC-21-15, SE 31-1243-NOI- for construction of sfd in BZ to BVW

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders
Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 2/17/23 showing the construction of a single family dwelling with attached garage, paved driveway, drywells for roof runoff, final grading and general landscaping. He pointed out that that work to be conducted greater than 35 ft. from the on-site bordering vegetated wetland (BVW) includes relocation of an historic stone wall, construction of a portion of the house, the attached garage (40 ft.), a portion of the paved driveway and turnout, subsurface infiltration units, grading, and landscaping. All other work will be conducted greater than 100 ft. from the BVW. He also pointed out that work included and completed under the previous Subdivision Order of Conditions SE 31-1227 includes the installation of erosion control materials and conservation posts, grading, tree removal, stormwater management units and utilities adjacent to Herring Brook Way. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a standard Order of Conditions as follows:
J. Vaile- aye, M. Patel- aye, R. Sennett- aye

9. 110 Herring Brook Way-COOC-21-17, SE 31-1242-NOI- for construction of sfd in BZ to BVW

PRESENT: Alan Loomis, PE, McKenzie Engineering Group, Inc., and Matt Dacey, Champion Builders
Applicant's Representatives

DISCUSSION: Mr. Loomis presented a revised plan dated 2/17/23 showing the construction of a single family dwelling with attached garage, paved driveway, drywells for roof runoff, final grading and general landscaping. He pointed out that no work was proposed within riverfront area, nor within 35 ft. from the on-site bordering vegetated wetland (BVW). Work proposed greater than 35 ft. from the BVW includes installation of underground utilities, grading, landscaping, a portion of the driveway layout, and relocation of an historic stone wall. Work greater than 50 ft. includes installation of additional subsurface utility lines, a single family dwelling with attached garage, paved driveway with turnout, stormwater management components, grading and general landscaping. He also pointed out that work included and completed under the previous Subdivision Order of Conditions SE 31-1227 includes the installation of erosion control materials and conservation posts, grading, tree removal, stormwater management units and utilities adjacent to Herring Brook Way. It was also noted that the new Title V rated septic disposal system was greater than 100 ft. from both BVW areas and not within riverfront area. The Agent and Members commented on recent site inspections noting that there were no issues in the field, that the conservation markers and wetland flags were still up and clearly visible and that soils stockpiles will be used for backfill as the lots are built upon. There were no abutter comments.

VOTE: By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to close the hearing and issue a standard Order of Conditions as follows:
J. Vaile- aye, M. Patel- aye, R. Sennett- aye

III. ADMINISTRATIVE: Reviewed with minimal comment.

1. Administrative Permits/Events/Other:

- a. CSI-23-1 & 2- & CPRE-1 & 2, for general and/or complaint reviews on Plain St., Hanover St., Broadway

- b. CHPD-23-2 & 3, for add'l training events in September and April 2023.
2. Minutes- 1/25/23 and 1/30/23 meetings VOTE: By roll call, upon a motion and second made by members Vaille and Patel, it voted to approve both sets of minutes.
3. Agent's Report- Reviewed with minimal comment.
4. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting-* none

8:22 PM By roll call, upon a motion and second made by Members Vaile and Patel, it was voted to adjourn the meeting as follows: J. Vaille- aye, M. Patel- aye, R. Sennett- aye

Minutes Respectfully Submitted By Conservation Agent Sandra MacFarlane.

Documents provided for meeting:

- 2/22/23 Agenda
- NOI application packet for 51 Gardner Way
- NOI application packet for 104 Plain St.
- NOI application packet for 646 Main St.
- NOI application packet for 50 Herring Brook Way
- NOI application packet for 70 Herring Brook Way
- NOI application packet for 110 Herring Brook Way
- RDA application packet for 36 Herring Brook Way
- RDA application packet for 90 Herring Brook Way
- RDA application packet for 97 Herring Brook Way
- Administrative Documents as listed in Section III. 1. a & b
- Draft 1/25/23 & 1/30/23 Minutes
- 2/22/23 Agent's Report