

Hanover Conservation Commission

Meeting Minutes June 7¹, 2023

Hanover Town Hall, 550 Hanover St.
1st Floor Advisory Committee Meeting Room and
via Zoom as per instruction above.
Approved- 6/28/23



5:15 PM NOTE:

Due to unforeseen circumstances, this meeting was relocated to the 1st Floor Hearing Room from the Advisory Meeting Room.

6:00 PM Meeting opened

Roll Call of Members and Welcome by the Chairman.

A roll call of those Members present resulted in the following:

Chairman Brian McLoone, Vice Chair Lisa Satterwhite, Hearing Officer Robert Sennett, Members James Vaille and Mahendra Patel, Associate Member David Sawin

Members not present: Otis (Duke) Magoun

Staff present: Conservation Agent Sandra MacFarlane, IT Host Stephen Ryerson, Communications Director.

I. **GENERAL ANNOUNCEMENTS:** The Chairman opened the meeting and made the following announcements:

1. This meeting is being recorded and has remote participation.
2. Annual Town Meeting Update: The Articles regarding the Conservation Commission reference to the Bylaws and the revised Bylaw #6-14 both passed at Town Meeting May 1, 2023 as presented.
3. Great River Race event takes place on July 30, 2023 this year, gathering point is Luddam's Ford Park and is sponsored by North and South River Watershed Association.
4. Next Meeting: Wednesday, June 28, 2023 at 6 PM²

II. **ACTION ITEMS:**

1. Extension Permit (3-year):

a. 579-637 Washington St., Starland, CEXT-23-1, SE 31-1212, BL 20-40

VOTE: Upon a motion and second made by Members Patel and Vaille it was voted to issue a 3-year Extension as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

2. Certificate of Compliance:

a. 51 Forest St., CCOC-23-1, SE 31-730- based on OOC work completed (without inground pool)

VOTE: Upon a motion and second made by Members Sennett and Patel it was voted to issue a Certificate of Compliance as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

3. Review of Restoration Plan and Enforcement Order: 51 Forest St.

The Agent re-confirmed that concerning the COC issued above, the work permitted under the Order was completed as per the approved plan of record except for the installation of the pool, which was eliminated from the plan. Also, that the violations found on this site include work that was conducted beyond the scope of the Order of Conditions SE 31-730 and further that the unpermitted work took place within the 25 ft. no-touch setback and within the wetland. Violations included cutting of 25 trees, shrubs, and removal of groundcover to install several manicured box gardens and fencing. It was noted by the owner that many trees were damaged or dead, and that the fence was installed to discourage the local deer population from damaging the newly installed landscaping. Upon notification of the violations, the owner hired Brad

¹ This meeting was scheduled due to the cancellation of the May 31, 2023 meeting.

² Commission's 2023 Annual Schedule:

January 25	February 22	March 29	April 26	May 31-cancelled	June 7	June 28
July 26	August 30	September 27	October 25	November 29	December 27	

Holmes, PWS, Environmental Consulting and Restoration, LLC, to submit a full Restoration Plan. The Commission approved the Restoration Plan. The Agent noted that upon re-inspection, the area showed many emergent and surviving obligate species. Also, that restoration work would be completed prior to work associated with the pending Notice of Intent for the installation of the pool. Due to the partial natural recovery of the wetland and buffer areas and full cooperation of the owner for full restoration as per the Restoration Plan prepared by ECR, LLC, the enforcement order did not require ratification.

6:15 PM

III. PUBLIC HEARINGS:

1. 439 Cedar St., COOC-23-7, SE 31-1270- NOI- *for inground pool in BZ to IVW- cont'd from 4/26/23 mtg*

PRESENT: Steven Kotowski, PE, Webby Engineering, Inc. Applicant's Representative, Property Owner, Michelle Maynard and Joseph Fahey

DISCUSSION: It was noted that the hearing was continued from the April 26, 2023 meeting due to a defect in abutter notification. Having resolved the issue, the hearing opened with Mr. Kotowski presenting a plan dated 5/26/23 showing the installation of an inground pool, patio, drywell, and associated site work within the buffer to an on-site isolated vegetated wetland (IVW) with erosion control materials and limit of work located at 25 ft. from the IVW for the pool work. The Conservation Agent reported that upon inspection, the wetland within the rear yard was ponded with a multitude of species in various forms of growth present in this pool. Further that verification of the status of the wetland as isolated vs. bordering was confirmed with the wetland specialist Brooke Monroe, Pinebrook Consulting. Also noted was the presence of wood chips up to the wetland boundary. The applicant agreed to the location of conservation posts at 15 ft. from the IVW and for the area to return to a natural state. The Commission approved the pool project, including appropriate fencing. The Agent recommended that although some additional species were observed that may disqualify the area as a vernal pool, PWS Monroe should return in the Spring of 2024 to verify its status and whether it can be certified by Natural Heritage.

VOTE: Upon a motion and second made by Members Sennett and Patel, it was voted to close the hearing and upon a motion and second made by Members Sennett and Satterwhite, it was voted to issue a standard Order of Conditions with pool conditions as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

2. 254 Winter St., COOC-23-8, SE 31-1271- NOI- *for septic upgrade in BZ to BVW*

PRESENT: Brad Holmes, PWS, ECR, LLC, Applicant's Representative

DISCUSSION: Mr. Holmes presented a revised plan dated 5/20/23 showing the abandonment of a failed septic system within riverfront area to Torrey brook and the installation of a new Title V rated residential septic disposal system. The Agent noted that the new system was further from river bank and that there was an insignificant amount of obligate species for consideration as a bordering vegetated wetland. Also that the work would significantly lessen impacts to the stream. Mr. Holmes pointed out the location of proposed conservation setback markers.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted to close the hearing and upon a motion and second made by Members Sennett and Satterwhite, it was voted to issue a standard Order of Conditions as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

3. 167 Union St., COOC-23-9, SE 31-1272- NOI- *for landscaping in BZ to BVW*

PRESENT: Thomas Tremblay, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, John and Jenna Gould, property owners

DISCUSSION: Mr. Tremblay presented a plan dated 4/12/23 showing grading for landscaping up to the 35 ft. setback to an on-site bordering vegetated wetland (BVW). He pointed out that erosion control materials and limit of work were located at the 26 ft. wetland setback. He added that work also included the removal of dead and damaged mature trees consisting of 10 pines and 2 oaks, the installation of a split rail fence, replacement of a deck, and general cleanup of storm debris on site. The Agent reported that upon inspection, the wetland line was accurate and removal of invasive species during the cleanup and restoration of the area would be an improvement to current conditions. The Agent recommended no stumping be allowed in order to lessen disturbance within the 25 ft. buffer.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted to close the hearing and upon a motion and second made by Members Sennett and Vaille, it was voted to issue a standard Order of Conditions as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

4. 51 Forest St., COOC-23-10, SE 31-1273- NOI- *for inground pool in BZ to BVW*

PRESENT: Caroline Rees, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, Property Owner Cassandra Bauza.

DISCUSSION: Ms. Rees presented a plan dated 5/12/23 showing the installation of an inground swimming pool, patio, landscaping, and associated site grading with erosion control and limit of work at 25 ft. from the BVW. It was noted that work on the inground pool project would be delayed until the wetland and buffer restoration work was complete, as stated during the EO discussion above. Upon full presentation by PWS Holmes, the Commission confirmed acceptance of the Restoration Plan. The Agent will work with Mr. Holmes on scheduling and oversight of the restoration work. The Commission had no issue with the installation of the pool. The Agent also recommended the removal of debris from the wetland using manual tools with off-site disposal. Due to the fact that the removal of the metal fence from the wetland would cause further damage to the emergent vegetation, the Commission allowed the fence to remain, but noted that conservation setback markers were required. During restoration, a section or two of the fences may be detached without removal of posts to gain access to those disturbed areas for re-planting. The owner is to schedule restoration work with Mr. Holmes as soon as possible. A question regarding safety fencing for the pool will be referred to the building inspector.

VOTE: Upon a motion and second made by Members Sennett and Patel, it was voted to close the hearing and upon a motion and second made by Members Sennett and Vaille, it was voted to issue an Order of Conditions with special and pool conditions as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

IV. ADMINISTRATIVE: Reviewed with minimal comments.

1. Administrative Permits/Events/Other:

- a. CHPD-23-9 thru 12, *for training events at HPD Firing Range in May and June*
- b. CMA-23-6, 27 Laurel Ln- *for removal of dead and hazardous trees*
- c. CSI-23-6, *for general inspections on Washington St. (Rte. 53 commercial sites)*

2. Minutes- 4/26/23 meeting

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

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

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

7:23 PM

Upon a motion and second made by Members Sennett and Satterwhite it was voted to adjourn the meeting as follows- BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

Minutes Respectfully Submitted by
Conservation Agent Sandra MacFarlane, CDMI

Documents provided at Meeting:

- 6/7/23 Agenda
- Rev'd WPBylaw
- Extension Permit Request packet for Starland
- COC Request for 51 Forest St.
- NOI application packet for 439 Cedar St.
- NOI application packet for 254 Winter St.
- NOI application packet for 167 Union St.
- NOI application packet for 51 Forest St.
- Admin. items as listed in Section IV. 1. a - c
- 4/26/23 draft Minutes
- 6/7/23 Agent's Report