

Town of Hanover Conservation Commission

Hanover Town Hall, 550 Hanover St.

2nd Floor Meeting Room

MINUTES for JULY 11, 2018

Approved 8/15/18



Those Members and Staff present: Chairman Brian McLoone, V. Chair Lisa Satterwhite, Hearing Officer Frank Brierley, Members Robert Sennett and James Vaille, Associate Member Duke Magoun, Conservation Agent Sandra MacFarlane

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

I. ANNOUNCEMENTS & DATES TO REMEMBER:

1. Summer Meeting Schedule- Next meeting August 15
2. MACC Fall Conference- Saturday, October 20, 2018 at Holy Cross College, Worcester
3. One Associate Member position on the Conservation Commission is available. Volunteer applications are available at the Selectmen's Office or online at the link:
http://www.hanover-ma.gov/sites/hanoverma/files/file/fy_14_talent_bank_application.pdf
4. Member or Member's designee needed as voting member on Community Preservation Comm.
5. Conservation Agent MacFarlane was reappointed to the Fireworks Site Focus Committee for Fiscal Year 2019.

II. ACTION ITEMS:

1. BL 18-56- Gas Line RDA-H- Hanover St.- *for upgrade to gas lines and mains within roadway layout*
VOTE: Upon a motion and second made by Members Brierley and Vaille, it was voted 5-0-0 to issue a Negative #3 Determination.

2. BL 18-61- Boardwalks RDA-H- off Virginia Dr.- Eagle Scout Project- Scout Alex Jasie, Troop 1
Eagle Scout Candidate Alex Jasie could not attend tonight's meeting and requested the Commission review his project for approval due to time restraints. Jasie could not attend due to unforeseen circumstances. He is scheduled to attend the August 15 meeting to make his presentation and update the Commission on the status of his project.

VOTE: Upon a motion and second made by Members Brierley and Sennett, it was voted 5-0-0 to issue a Negative #3 Determination.

3. BL 18-67- Boardwalk RDA-H- Melzar Hatch parcel- Eagle Scout Project- Scout Jamie Parry, Troop 1

Eagle Scout Candidate Jamie Parry gave a presentation to the Commission regarding the boardwalk project including area photos and bridge/boardwalk construction diagrams.

VOTE: Upon a motion and second made by Members Brierley and Sennett, it was voted 5-0-0 to issue a Negative #3 Determination.

4. SE 31-1150- Revised Plan Review- 33 Tyler Ln.- *for irrigation well w/l approved limit of work 54 ft from BVW*
The Commission reviewed the 6/14/18 revised plan showing the addition of an irrigation well in the rear of the property. The closest point of the well to the bordering vegetated wetland is 54 ft. and the closest point of the well to any portion of the soil absorption system is 121 ft. He explained that the additional work would necessitate the relocation of the erosion control down gradient, but still out of the no-disturbance setback to the wetland. He noted that installation of the well would cause no negative impacts to the wetlands at its proposed location as it proposed greater than 50 ft. from wetland flag #WFA25 and greater than 95 ft. from wetland flag #WFA13.

VOTE: Upon a motion and second made by Members Brierley and Sennett, it was voted to approve the revised plan without the necessity of filing an amended or new Notice of Intent.

5. SE 31-940- Certificate of Compliance Request- 242 Whiting St.
Upon a motion and second made by Members Vaille and Brierley it was voted 5-0-0 to issue the Certificate of Compliance.

6. Hanover Conservation Commission Regulations Review Project- review and preliminary approval of updates to Regs prior to a public hearing for final approval and effective date.

VOTE: Upon a motion and second made by Members Vaille and Sennett it was voted 5-0-0 to allow the Conservation Agent to provide revised sections of the Regulations and approved the following schedule for review at future meetings:

- a. Suggested schedule to review sections under Action Items:
 - i. Aug 15 meeting- Coverpage, Table of Contents, Introduction, Purpose
 - ii. Sep 05 meeting- Jurisdiction, Exemptions and Exceptions
 - iii. Sep 19 meeting- Applications and Fees
 - iv. Oct 03 meeting- Notice and Hearings
 - v. Oct 17 meeting- Regulations/Appeal Process
 - vi. Nov 07 meeting- General overview of revised document
- b. Suggested date for public hearing to approve document and set effective date of Conservation Commission Rules and Regulations- November 21, 2018

6:45 PM

III. PUBLIC HEARING:

1. **BL 18-55, 52 Brook Cr.-** RDA- *for septic upgrade in BZ to BVW*

PRESENT: Rob Carlezon, PE, Merrill Engineers and Land Surveyors, Applicant's Representative

DISCUSSION: Mr. Carlezon presented a plan dated 6/6/18 for a residential septic disposal system replacement for a failed system. He noted that all work was located greater than 50 ft. from the on-site Bordering Vegetated Wetland (BVW) with erosion control and limit of work proposed at 72 ft. from the BVW.

VOTE: Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to issue a Negative #3 Determination of Applicability (*NOI application not required*).

2. **BL 18-58, Rte. 3 Transportation Improvements-** RDA- *for roadway and vegetation work in BZ to BVW's*

PRESENT: none due to traffic issues out of Boston- The Conservation Agent presented the project.

DISCUSSION: The Agent explained that the project and presented a plan showing the re-surfacing of MA State Highway- Route 3, including north and south bound travel lanes, shoulders and on/off-ramps, and will consist of maintaining drainage structures and pipes, guardrail replacement, pavement markings, and related incidental work. She pointed out that work also includes, tree trimming for road safety maintenance with selective removal of dead, dying or unsafe trees within the State Highway Layout up to a maximum of 20-feet from the edge of pavement and/or a maximum of 15-feet of guardrails or ramps.

VOTE: Upon a motion and second made by Members Sennett and Brierley, it was voted 5-0-0 to close the hearing and issue a Negative #3 Determination of Applicability (*NOI application not required*).

3. **BL 18-57, 1082 Broadway-** NOI- *for new driveway in BZ to IVW & new sfd in BZ to BVW*

PRESENT: Jeff Hassett, PE, Morse Engineering Co., Inc., Applicant's Representative, Roy and Mary Ellen Morell, property owners/Applicants

DISCUSSION: Mr. Hassett presented a plan dated 7/16/18 showing the construction of a new single family dwelling with attached garage proposed 72 ft. from an off-site Bordering Vegetated Wetland (BVW), within Riverfront Area (RFA) to the Indian Head River, with erosion control and limit of work proposed up to 25 ft. from the BVW and within outer riparian located at the right rear of the lot. He pointed out that the driveway was located as far from two (2) on-site Isolated Vegetated Wetlands (IVW) as possible, but was proposed at up to 5 ft. from IVW flags #102 - 107. As mitigation, he proposed the installation of two (2) rain gardens using only native New England buffer plants in a ratio of more than 2:1 replacement for the disturbed IVW buffer as shown in the 7/9/18 Proposed Rain Gardens Plan. In addition he noted that permission through the North River Commission was obtained prior to the NOI submission. The Agent confirmed the accuracy of the resource area boundaries and proposed location of the rain gardens as suitable for the installation of native plants. The Commission reviewed the 6/22/18 Alternatives Analysis without comment. The Commission

recommended that salt alternative be used during winter storms and that any snow to be stored on site should be plowed away from the resource areas.

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 a special condition requiring the installation of three (3) conservation setback markers.

4. BL 18-59, 899 Broadway- NOI- *for residential room addition in BZ to BVW*

PRESENT: Dana Altobello, PE, and David Newhall, PE, Merrill Engineers and Land Surveyors, Inc., Applicant's Representatives, John Cokinos, Applicant

DISCUSSION: Mr. Altobello presented a plan 6/21/18 showing the relocation of natural gas line and removal of retaining walls and 4,700 sf of paved driveway for the construction of a 54 ft. x 60 ft. attached residential garage and new wooden porch with erosion control materials and limit of work proposed at 25 ft. from an on-site Bordering Vegetated Wetland (BVW). The Commission required the installation of four (4) conservation setback markers. The Agent noted confirmation of accurate wetland lines and proposed distances for structures.

VOTE: Upon a motion and second made by Members Brierley and Vaille it was voted 5-0-0 to issue a standard Order of Conditions.

IV. ADMINISTRATIVE:

1. Reappointments to Commission- Jim Vaille, Lisa Satterwhite, Brian McLoone was announced.

2. Agent's Report – Reviewed without comment.

✚ Reminder of the Security Protocols at the Fireworks Site- Entry to the Fireworks Site remains on an as needed-by appointment only status with approval by Peter Dillon, Tetra Tech Site Manager.

✚ Fireworks Site Update- Work proposed in the wetland area off the King St. trail (near the walking bridge) to remove several large metal plates, railroad ties, and concrete blocks (the remainder of an old target area) has been completed. This area has been designated as the Western Wetland Bermed Area (WWBA). Through the cooperation and innovative ideas of Mr. Dillon's crew, use of heavy cranes to access the WWBA, which would have disturbed a large amount of protected vegetation and habitat along the access way, was avoided by cutting the plates into small sections in place. The use of small motorized carts to remove the pieces along the trail was successful as well. As of now, all items have been safely and successfully removed from this wetland. As per my post-removal site inspection, the area is healthy enough to re-naturalize and does not require additional plantings.

On 7/5/18 Mr. Dillon and I met in the Conservation Office to review the results of LIDAR investigations on areas related to the WWBA. As new firing and impact areas have been found outside of the scope of the initial Order of Conditions, a new Notice of Intent is required.

✚ 645 rear Center St. Conservation Parcel- A meeting was held with the Acting Planner to review a Conservation Restriction (CR) for a parcel off Center St. This parcel was approved for Community Preservation funds at a 2007 Annual Town Meeting and purchased in August of 2007. The CR may be in final form for signing at the Commission's 7/11/18 meeting.

✚ Merchant's Row- Regarding the 6/12/18 warning to move staging and sorting piles out of the 35 ft. no-touch setback, materials have been removed. As a result, the 35 ft. no-touch setback boundary will be spray painted on exiting pavement as per D. Keller, PE, Merrill Engineers to help eliminate future issues. Work to expand the detention basin is pending next month.

✚ Cardinal Cushing property off Washington St.- An RFP was recently issued by Cardinal Cushing to attract development ideas for the upland areas on this site. No submittals were received as of 7/11/18. However, a preliminary meeting was held on 7/5/18 with the Acting Planner, Town Manager and Conservation Agent to discuss access to isolated upland areas on this property that range in size from 3 acres to 32 acres and possible development. It was established that up to 6 wetland crossings would be required to develop upland areas and that any development would require purchase of or easements on abutting properties to access the site.

✚ 283 Columbia Rd.- Old Colony Planning Council (OCPC) listed the Previte's Marketplace Project under pending Environmental Notifications- EEA # 15854- at their 6/27/18 meeting.

✚ 48 Stone Meadow Ln.- MA DEP sent notification to all parties regarding the OOC, that a "wetlands loss" designation exists on this site, as per their GIS historical records. Deb Keller, PE, Merrill Engineers is investigating this situation.

- ✦ 6 Pushcart Ln.- Pending wetland delineation and wetland cleanup to remove large metal objects including car axels, air conditions, and other similar items. Previous permit SE 31-466 shows wetland at 35 ft. from rear of house in 1996.
 - ✦ Water Restrictions in Hanover- As of 6/19/18 until further notice, watering restrictions apply throughout town. Outside sprinkler use is prohibited and outside watering is limited to an odd/even day, odd/even St. # system. Also, owners of private wells should be registering with the DPW.
 - ✦ Hunting Update- MA DFW is considering an extension to Archery Season for deer hunting by 2 weeks. Archery Season is listed on their website as October 15 through November 24 for 2018. The extension would change the opening date to October 1.
 - ✦ Turkey Count in Progress- Notification was received this week regarding MA DFW's annual reporting of wild turkey sightings across the State. Forms are available in the Conservation Office for identifying and reporting wild turkey counts in Hanover. For past counts of turkeys and other wildlife populations, hunters have been a valuable source of reporting.
 - ✦ Forestry Practices MOU between MA DEP and MA DCR- Commissioners Leo Roy, DCR and Martin Suuberg, DEP, signed the 6/8/18 Forestry Memorandum of Understanding to address procedures and responsibilities for each agency regarding forestry activities under the MA Wetlands Protection Act and the MA Forest Cutting Practices Act, and implementing regulations of both. The MOU lays out purpose, procedures for DCR/DEP, as well as Conservation Commissions. DCR and DEP are conducting outreach to stakeholders regarding pertinent regs and requirements of the MOU which will ensure proper training of staff involved in oversight of forestry and wetlands protection laws and regulations. A copy of the MOU is available in the Conservation Office and online.
3. Minutes- 5/16/18- Upon a motion and second made by Members Brierley and Sennett it was voted 5-0-0 to approve the minutes.
4. Minor Activities Permits/Events/Other- Reviewed without comment.
- a. BL 18-54, Wood Hollow- *Multi-dept'l final inspections/ SWMgt in new Subdivision (no work in BZ)*
 - b. BL 18-60, 971 Webster St.- *Emergency Minor Acts Permit for crushed cesspool accident in BZ to BVW*
5. Correspondence- Reviewed without comment.
6. Other- *Those items not reasonably anticipated by the Chair within 48 hours of the meeting*
- a. Rear #645 Center St. parcel- Conservation Restriction
Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to approve the Conservation Restriction.

8:55 PM

Upon a motion and second made by Members Vaille and Sennett, it was voted to adjourn the meeting.

Minutes Respectively Submitted by
Sandra D. MacFarlane, Conservation Agent, DMI
Conservation Office

Documents Provided at the meeting:

- 7/1//18 Agenda
- 5/23/18 appointment letter FWSFC
- RDA-H application packet for items as listed above in II.1. – 3.
- 6/14/18 revised plan for 33 Tyler Ln.
- COC Request packet for 242 Whiting St.
- 2007 Hanover CC Regulations
- RDA application packet for 52 Brook Cr.
- RDA application packet for RTE 3 Trans Imp's project
- NOI application packet for 1082 Broadway
- NOI application packet for 899 Broadway
- Reappointment letters for members as listed above in IV.1.
- 7/11/18 Agent's Report
- 5/16/18 draft minutes
- Minor Acts permit for Wood Hollow
- Minor Acts permit for 971 Webster St.
- Conservation Restriction for rear 645 Center St.

