



Town of Hanover Conservation Commission
Hanover Town Hall, 550 Hanover St., 2nd Floor Meeting Room
MINUTES for JULY 17, 2013



Approved: 8/14/13

Those Members and Staff present: Lou Paradis, Chairman; Frank Brierley, Hearing Officer; William Woodward, Commissioner; Amy Walkey, Conservation Agent; Sandra MacFarlane, DMI Admin. Asst.
Those Members and Staff not present: Lisa Satterwhite, V. Chairman; (vacant) Commissioner; 2 (vacant) Assoc. Members
Others Present: As per attached Sign-in Sheet.

6:30 PM

I. ANNOUNCEMENTS & DATES TO REMEMBER: Chairman Paradis made the following announcements:

1. **Summer Schedule continues~ next meeting: August 14, 2013 @ 6:30 PM** in 2nd Flr. Meeting Room ~ Town Hall
2. **Vacancies on Commission~** 2 Associate positions, 1 full Member

II. ACTION ITEMS:

1. **Eagle Scout Candidate, Jack Hayes~** Presentation of Eagle Scout Project: Cleanup of Vandalism and restoration at Morrill Allen Phillips Wildlife Sanctuary
Eagle Scout Candidate Jack Hayes presented a video of his proposed Eagle Scout project. Scout Hayes described his initial site visit, stating that he found motor bike jumps made of logs and soils, many trees cut with chainsaws, on and off the trails, a large fire pit with recently burned sticks, and a lot of trash. He explained that his project included disassembly of the motor bike jumps, removal of trash and burnt logs, new signage for the parcel and trails, and filling of the fire pit and other dug out areas using as much of the already disturbed soils on site as possible. However, he added that the damage to the original grade is so extensive that it may be necessary to bring in fill to complete the project. In response to the Commission's questions regarding damage to vegetation and time frames, he noted that the area would be re-planted with several native plants and that he expected to be finished within a month. He also listed each Committee or Town office that he will be contacting during the project, including David Tyre, Hanover's Environmental Police Officer.

Chairman Paradis pointed out that the damage to the site has been of great concern to both the Commission and the Open Space Committee. He thanked Scout Hayes for his presentation and great service to the Town, noting that if there were not such generous volunteers, the Town would ultimately pay in many different ways.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to approve the project, including the use of clean fill and new native vegetation, and with much appreciation to Eagle Scout Candidate, Jack Hayes.

2. Requests for Certificate of Compliance:

(i) **SE 31-713, BL 01-77, #600 Main St.~** Request based on "*all work completed*"- as per Applicant
VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to issue a Certificate of Compliance.

(ii) **SE 31-908, BL 06-18, #9 Elijah's Path~** Request based on "*all work completed*"- as per Applicant
VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to issue a Certificate of Compliance.

(iii) **SE 31-1042, BL 12-11, #632 Hanover St.~** Request based on "*all work completed*"- as per Applicant
VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to issue a Certificate of Compliance.

(iv) **SE 31-1064, BL 13-01, #1954 Washington St. (Sunoco Station)~** Request based on "*all work completed*"- as per App.

No action taken.

7:00 PM

III. - PUBLIC HEARINGS:

1. BL 13-43, Circuit, Pleasant, and Whiting St's Gas Line Project - RDA- *cont'd from 6/19/13 mtg.*

PRESENT: Bradley Holmes, WS, Environmental Consulting and Restoration, Applicant's Representative

DISCUSSION: Mr. Holmes presented plans including a 2013 GIS Wetland Delineation Overlay Map, USGS, FEMA Map, and Natural Heritage and Endangered Species Map dated 2013, that included Circuit St., Pleasant St., Whiting St., and a revision to the project which included a portion of Hanover St. He explained the project as the installation of new natural gas lines to be located within paved roadways and at edge of pavement using the open trench method with erosion control materials placed as required by existing field and roadway conditions. He pointed out that no work is proposed within wetland resource areas and that all work was proposed within previously disturbed roadway layout. The Agent noted no concerns with the project.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

2. BL 13-48, #1312 Main St. - RDA- *for septic replacement in BZ to BVW*

PRESENT: Bradley Holmes, WS, Environmental Consulting and Restoration, Applicant's Representative

DISCUSSION: Mr. Holmes presented a plan dated 6/10/13 showing the abandonment of a failed cesspool and the installation of a new Title V rated residential septic disposal system. He pointed out that due to the constraints of the site, the septic tanks were proposed 42 ft. from an on-site BVW, but that the leaching field was located 50 ft. from the BVW, and that although work to abandon the cesspool requires erosion control materials to be located as close as 25 ft. from the BVW, the new system improves site conditions as well as lessens impacts to the BVW. In response to the Commission's comments regarding conservation posts, Mr. Holmes stated that he would submit a revised plan showing conservation posts at the tree line due to previously allowed historic mowing on this property. The Agent noted agreement with the proposed work locations due to the site conditions, as well as locations of the proposed conservation posts.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a Negative #3 Determination of Applicability with submission of a revised plan showing three (3) conservation posts at the tree line.

3. BL 13-49, #74 Larchmont Ln. - RDA- *for septic replacement in BZ to BVW*

PRESENT: Stephen Nelson, RS, Clearwater Recovery, Applicant's Representative

DISCUSSION: Mr. Nelson presented a plan dated 6/24/13 showing a septic repair project including the abandonment of a failed septic system and the installation of a new Title V rated residential septic disposal system with erosion control materials and limit of work proposed 40 ft. from an off-site BVW. He noted that due to the constraints of the site and a failed system, the current proposed location is the most viable for the site. In response to the Commission's comments regarding conservation posts, he pointed out the proximity of the property lines to the house, off-site wetlands location, and noted that the existing fence, installed for the swimming pool, limits access to the rest of the rear yard. The Commission did not require conservation posts.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

4. BL 13-50, #573 Broadway - RDA- *for septic replacement in BZ to BVW*

PRESENT: Jeffrey Hassett, PE, Morse Engineering Co., Inc., Applicant's Representative

DISCUSSION: Mr. Hassett presented a plan dated 6/25/13 showing the abandonment of a leaching field and the installation of a new Title V rated residential septic disposal system 88 ft. from an on-site Bordering Vegetated Wetland (BVW) with erosion control materials and limit of work proposed at 65 ft. from the BVW. He pointed out that the current location of the septic components is proposed due to the constraints of the lot. A brief discussion ensued regarding the historic mowing up to the BVW and tree line resulting in the installation of conservation posts at the tree line near wetland flag #A9, between A7 and A6, A4, and near A1 at the tree line. A revised plan showing the location of four (4) conservation posts shall be submitted. The Agent agreed that the new septic was an improvement to the site and that the location was acceptable.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

¹ DEP # has not been assigned by DEP as of agenda posting date.

5. BL 13-52, #122 Country Rd.- RDA- for septic replacement in BZ to BVW

PRESENT: Jeffrey Hassett, PE, Morse Engineering Co., Inc., Applicant's Representative

DISCUSSION: Mr. Hassett presented a plan dated 7/1/13 showing the abandonment of a laundry pit and septic tank 26 ft. and 60 ft. from an Isolated Vegetated Wetland (IVW), and the installation of a new Title V rated residential septic system 56 ft. from the IVW and 73 ft. from an on-site Bordering Vegetated Wetland (BVW). He pointed out that a portion of the new leaching field is proposed within the outer riparian to Shingle Mill Brook, but that due to the constraints of the site, the location is the most practical. He also pointed out that no work was proposed within FEMA Flood Plain. Further, that he is in the process of filing with FEMA to remove the line from this parcel based on elevations. In response to the Commission's question regarding Board of Health approval, he noted that the project has been reviewed and approved. The Agent noted that the parcel has limitations and that as proposed, the project adds protection to the resource areas. The Commission recommended the use of organic fertilizers for this lot and the installation of five (5) conservation posts- one (1) located near the IVW at wetland flag B4, three (3) located along the BVW line near flag A1, flag A6, between flags A10 and A11 where the tree line extends northerly, and one (1) located at the rear of the property near flag A14.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

6. BL 13-51, SE 31-1074, #67 Elm St.- ANRAD- for verification of wetland delineation only- no plans rec'd for any other activity

PRESENT: James Pavlik, PE, Outback Engineering, Inc., Applicant's Representative; Mark and Ann Riordan, Applicant/Property Owners

DISCUSSION: Chairman Paradis explained to all present that this hearing was concerned with wetland delineation only and not with construction or siting structures of any kind.

Mr. Pavlik presented a plan dated 6/25/13 showing areas of BVW, FEMA, and a stream, noting that the wetland lines were delineated in June by Seth Dufort, WS, Outback Engineering. The Agent noted a substantial discrepancy between a previously approved wetland line and that on subsequent plans resulting in a recommendation for Consultant review. The Commission reviewed three plans dated as follows: 9/27/04 approved with an Order of Resource Area Delineation (ORAD), 8/29/05 approved with an Order of Conditions, and 6/25/13, submitted with the current Abbreviated Notice of Resource Area Delineation (ANRAD). All parties involved agreed to the hiring of Lucas Environmental to review the project for the Commission.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to continue the hearing to August 14, 2013 at 7:00 PM to allow the Commission's Consultant, Lucas Environmental, time to conduct field review and submit an environmental report.

7. BL 13-23, SE 31-1070, #34 Twin Fawn Dr.- NOI- for sfd, septic, pool, etc. in BZ to BVW- cont'd from 6/19/13 mtg.

PRESENT: Thomas Pozerski, PE, Merrill Associates, Inc., Applicant's Representative

DISCUSSION: Mr. Pozerski explained that the hearing had been continued from the 6/19/13 meeting to allow for further review by Planning Board and the Fire Dept. He noted that the plan was revised to accommodate fire and other safety equipment including adequate access to the proposed home. Further that DPW has done a final review of the plan, as well as Board of Health, and that the plan under review at this hearing, Subdivision Roadway Extension, dated 7/8/13², has both their final approvals. A brief discussion ensued regarding revisions from the initial plans, including an extension to the roadway in front of the house and installation of a rain garden to enhance stormwater management. In response to the Commission's questions regarding outstanding issues with abutters, Mr. Pozerski noted that the matters had been resolved on site. In response to the Chairman's questions regarding resource area boundaries which are complex in nature, the Agent and Commissioner Woodward confirmed the wetland specialist's (Ivas Environmental) abilities and record of accuracy for such projects. Further consultant review was not required.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to close the hearing and issue a standard Order of Conditions including inground swimming pool conditions.

² NOTE: The plan submitted with the NOI for this project, Septic Design Plan, dated April 23, 2013, Revised 6/21/13, was further revised to include all required revisions from DPW, Fire, Board of Health, and Planning Board, prior to issuance of the permit and was dated Revised 8/7/13.

IV. ADMINISTRATIVE:

1. **Minutes-** 6/19/13

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to approve the minutes.

2. **Correspondence-** Reviewed without comment.

3. **Distribution of Ethics Commission Certification and Sexual Harassment Policy**

Ms. MacFarlane distributed both documents, explained the requirements and process for taking the Ethics Commission test online, and made the signature page available for signatures regarding receipt of the documents. This page will be provided to the Town Clerk as required.

4. **Reports and Minor Permits:**

a. **Conservation Staff- General**

276 Brook Cr.- The Agent reported that Mr. James Mahar was present to discuss his concerns regarding tree cutting on his property by his neighbor at 58 Lincoln Ln. Mr. Mahar submitted a police report and photos regarding the incident and stated that his neighbor had cut four (4) large maples in and near what he considered wetlands on his Mr. Mahar's property as well as other tree cutting and pruning. He noted that the neighbor is a landscaper who used a motorized lift to access trees over the property line, leaving some of them stripped of branches and cut tree trunks 10 ft. above ground. He was concerned that he, not his neighbor, would be responsible for the violation.

The Agent reported that as a result of a site inspection to both properties, she found trees cut within a BVW, with others significantly pruned. She also noted that in talking to the abutter, he stated he did the cutting and stacked the cut wood on his property; that he was sorry the incident happened but he was cleaning up storm damage. Ms. MacFarlane noted that during a recent visit to the Conservation Office, the abutter stated that he is willing to do "whatever the Commission requires" and that he was sorry for the incident. In response to Mr. Mahar's concern for the health of the pruned trees, Commissioner Brierley assured Mr. Mahar that cutting up to the trunk was an appropriate method for pruning trees of this size. As per the Commission, the Agent will send a letter requiring the property owner of 58 Lincoln Ln. to attend the next meeting on August 14.

191 Hillside Dr.- The Agent reported that as a result of a site inspection conducted at this site due to a complaint received in the Conservation Office this week, it was found that an 8 ft. x 8 ft. shed was being built in Riverfront Area and buffer to a BVW. Also that the un-permitted work included cutting of vegetation and small trees at the top of bank to the brook. Although a shed of this size does not require a Building Permit, its proximity to the brook and BVW would have necessitated a permit through Conservation. She added that the property owner had previous permits for work in the buffer and was aware that resource areas exist on the site.

The Commission required a violation letter including the relocation of the shed to an area at least 15 ft. from the bank and noted that for the vegetation clearing within Riverfront Area, a Minor Activities Permit is required including the site inspection fee of \$50.00. The Agent will notify the property owner.

b. **Open Space Committee Liaison Report and Community Preservation Committee Report:** none

c. **Minor Permits/Event Cards Issued:** The Commission reviewed the following minor activities permit with no comment.

(i) **BL 13-47- The Elms Subdivision-** *for tree planting along Cherry Blossom Ln.*

5. **Other:** none

8:50 PM

Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 3-0-0 to adjourn the meeting.

Minutes Respectfully submitted by

Sandra D. MacFarlane, DMI Administrative Asst.

Conservation Office.

**Acknowledgement for Receipt:
Ethics Commission Certification
Town of Hanover Sexual Harassment Policy**

The Hanover Conservation Commission and Staff Members

SIGNATURES ON FILE WITH CONSERVATION AND TOWN CLERK

Name:	Position:	Signatures:	Date Signed:
Lou Paradis	Chairman	On file	On file
Lisa Satterwhite	Vice Chairman		
Frank Brierley	Hearing Officer		
William Woodward	Commissioner		
(vacant)	Commissioner		
(vacant)	Commissioner		
Amy Walkey	Conservation Agent		
Sandra MacFarlane	Assistant Conservation Agent		