

Hanover Conservation Commission  
**Meeting Minutes**  
**September 28, 2022**

Hanover Town Hall, 550 Hanover St.

2nd Floor Meeting Room and via Zoom as per instruction above.

**Approved October 26, 2022**



**6:00 PM**

Roll Call- Brian McLoone, Chairman- present; Lisa Satterwhite, V. Chairman- present; Robert Sennett, Hearing Officer- present; James Vaille, Member- present; Mahendra Patel- present; David Sawin, Assoc. Member- present

Those Members not present: Duke (Otis) Magoun, Assoc. Member

Staff present: Sandra MacFarlane, Conservation Agent; Meeting Host- Quinten Collins

Chairman McLoone opened the meeting and made the following announcements:

**I. GENERAL ANNOUNCEMENTS:**

1. This meeting is being recorded and has Zoom participation.
2. Next Meeting: Wednesday, October 26, 2022 at 6 PM

**II. ADMINISTRATIVE:** Reviewed with minimal comment.

1. Administrative Permits/Events/Other:

- a. **CMA-22-6**, Minor Activities Permit- at 428 Water St. for removal of hazardous trees
- b. **CDMA-22-4**, DOA for Minor Acts- at 127 Myrtle St. for above ground pool +92 ft. from stream, clean-up of storm damage and enhancement of buffer zone.
- c. **CHPD-22-16 - 18**, HPD Scheduled Event Permit- Police Firing Range for September & October
- d. **CSI-22-34 - 37**, for non-permit/general or complaint inspections at Deerfield Ln., Elm, Center & East St's.

2. Minutes- 8/31/22- Upon a motion and second made by Members Sennett and Vaille it was voted as listed to approve the minutes.

B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

3. Agent's Report

4. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting-* none

**6:15 PM**

**III. PUBLIC HEARINGS:**

1. **0 Riverside Dr., CDOA-22-4-** RDA- for construction and installation of wooden observation deck along walking trail

PRESENT: Harold Thomas, Co-Chair Open Space Committee, Robert Meader, Coordinator

DISCUSSION: Mr. Meader presented plans and photos dated September 2022 showing the construction and proposed installation of a wooden observation deck within riverfront area to the Indian Head River.

He explained that the deck would be constructed off-trail, carried to the site, and installed on an existing stone bed and large concrete footings. In response to the Chair's questions regarding clearing, Mr. Meader pointed out that it would be minimal since the gravel and stones were already there. He added that a local resident and contractor, George Pongratz, Hanover Excavation and Design, has been hired to transport the footings, do the minor leveling and place them. In regard to the wood, Mr. Meader confirmed that it was environmentally safe treated wood which requires less maintenance in the future. VOTE: Upon a motion and second made by Members Sennett and Satterwhite it was voted as listed below to close the hearing:

B. McLoone- aye; L. Satterwhite- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye.

Upon a motion and second made by Members Sennett and Satterwhite it was voted as listed below to issue a -2 Determination of Applicability (NOI not required.):

B. McLoone- aye; L. Satterwhite- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye.

**2. adj. to 167 Washington St., CDOA-22-5-** RDA- *for extension of walking trails within the buffer to a wetland and maintenance of the centrally located wetland area as a wet meadow (to be annually mowed).*

PRESENT: Owen Grey, Wildlands Trust of SE MA, Jay Wennemer, PWS, Applicant's Representative.

DISCUSSION: Mr. Grey presented a plan dated September 2022 showing public walking trails, protected resource areas, and the location of a proposed parking lot on the site. The Agent explained that she observed the wetland during a recent walk regarding the location of the parking lot, which she confirmed was greater than 100 ft. from the central wetland. Also that due to a complaint call regarding mowing of the entire field (including the wetland areas) notification to Mr. Grey was sent prohibiting such activities within wetlands as per the Commission. It was explained that the Commission's policy is to protect wetlands and not allow mowing, hence the RDA request. Mr. Wennemer explained that this is a unique area for native and migrating birds and that wet meadows are becoming fewer throughout the area so they are being identified and maintained more frequently. In response to the Commission's questions regarding methods, Mr. Wennemer further explained the equipment to be used. A brief discussion ensued regarding further benefits that wet meadows provide for wildlife. He noted that this includes plants such as cattails and rushes, the sensitive fern plants and similar native ferns. In response to the Chair's questions regarding the boardwalk, the Conservation Agent noted that although the boardwalk spans wetland area, it is built to a height that doesn't impact the wetland beneath.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted as listed to close the hearing: B. McLoone- aye; L. Satterwhite- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye.

Upon a motion and second made by Members Sennett and Patel it was voted as listed to issue a -2 & -3 Determination of Applicability (NOI not required.): B. McLoone- aye; L. Satterwhite- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye.

**3. 207 Cross St., SE 31-1258, COOC-22-12 -** NOI- *for construction of room addition, deck in BZ to BVW*

PRESENT: George Camia, property owner, Paul Gunn, PE, Morse Engineering Group, Applicant's Representative.

DISCUSSION: Mr. Gunn presented a plan dated 8/16/22 showing the construction of a room addition and deck to a single family dwelling, relocation of a septic tank, drywell for roof runoff, conservation post installation, and landscaping. The Conservation Agent noted the presence of invasive species, management of such, accuracy of plan to the site, and that there were no issues on site impacting the wetlands. Mr. Gunn added that all work was located in previously disturbed area on the site and within buffer zone only.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted as listed to close the hearing: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

Upon a motion and second made by Members Sennett and Vaille it was voted as listed to issue a standard Order of Conditions: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

Commission Member James Vaille recused himself from the hearing as he is an abutting property owner.

**4. 0 West Hanover Lot 29, COOC-22-15, SE 31-\_\_\_\_\_**<sup>1</sup> - NOI- *for conversion of railway to paved bicycle trail in buffer to BVW, riverfront area, and up to BVW boundary, following the methods of the Nat'l Rails to Trails Program.*

PRESENT: Deborah Keller, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, and Kurt Kelly, Deputy Supt. of DPW, Project Manager for this project. The Conservation Agent noted that Selectman Louko and Chair of Open Space Committee are present.

DISCUSSION: Ms. Kelley explained that the project has received support from residents and town departments and gave a brief history of the project, including the availability of \$250,000 for Phase I of the project at the 2021 Town Meeting vote. He explained that he has been working with MA DCR for additional grants. Ms. Keller presented a plan dated 8/24/22 showing the rail bed and associated wetland areas, as well as the proposed work for the trail. She noted that the railbed runs through areas of wetlands and riverfront area near the convergence of the Drinkwater River and Cushing Brook. Chair McLoone shared that he was familiar with the Rail Trail project in Rockland, at which this portion of Hanover's trail will connect to. In response to the Commission's questions, it was confirmed that parking would be located where the gravel turn-out is now (adjacent to the trail off Hanover St.), not Circuit St.,

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

and that the trail will be paved. The Conservation Agent reported on a recent site inspection with Ms. Keller, noting that much of the path is overgrown and full of invasive vegetation that will have to be removed, that the elevations will remain essentially the same with grassed swales in places along the sides, and that the existing wooden bridge is not part of the project, as it is on private property. Abutter comment included concerns for privacy and stormwater runoff. Ms. Keller explained that the elevations would be the same and that grading would be minimal to match existing levels. Also that the path will not exceed DCR's property line. A brief discussion ensued regarding signage and fencing, which is an issue that can be discussed with abutters by Ms. Kelley outside of the meeting. Further concerns included policing of the trail and usage by motor bikes and other small motorized recreational vehicles. As the Open Space Regulations allow only passive recreation on public trails, this topic will be discussed with Hanover Police personnel and the Environmental Police Officer.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite it was voted as listed to close the hearing: B. McLoone- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

Upon a motion and second made by Members Sennett and Patel it was voted as listed to issue an Order of Conditions: B. McLoone- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

Commission Member James Vaille returned to the meeting.

#### **6:45 PM**

5. Hanover Wetlands Protection Bylaws, Section #6-14 of the General Bylaws- *for acceptance of revisions to the bylaw to correct errors, add clarifying language, add 2 application types that will expedite the permitting process for minor activities within the buffers, add definitions, and increase ease of reading. (to be continued to October 26 meeting after discussion, awaiting Town Counsel and Bylaw Review Committee comments)*

PRESENT: Conservation Agent MacFarlane

DISCUSSION: The Conservation Agent presented a copy of the revised Hanover Wetlands Protection Bylaw #6-14 and explained the revisions. She noted that comments from Town Counsel were still pending and that a final appointment with the Bylaw Review Committee would take place after the final vote. The Commission reviewed the draft with minimal comment and approved moving forward with the process for approval at 2023 Town Meeting.

VOTE: Upon a motion and second made by Members McLoone and Patel it was voted as listed below to continue the hearing to October 26, 2022 at 6:15 pm: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

IV. ACTION ITEMS and Confirmation of permits: *The following Requests for closure of permits that were issued from 1985 through 2010 refer to a single complex formerly known by a series of subdivision names (Hanover Country Club, Park Drive Extension, Village Park, Village Commons, Village Square, and Village at Seven Springs). Subsequently, through the permits listed below, the complex was divided into **Sconset Landing** located off Park Dr., **Village Square** located at 644 Washington St., and an undeveloped parcel adjacent to 860 Washington St. The permits below remain open on the chain of title at the Plymouth County Registry of Deeds, in Conservation files, and at MA Dept. of Environmental Protection due to a series of multiple property owners, a bankruptcy event, and partial abandonment of the property. With the actions of the Commission at this meeting, the open permits will be officially closed in the proper manner. For those permits listed with "work never commenced, or withdrawn" the perpetual (on-going) conditions are no longer valid, as are the permits. For all others, perpetual conditions are valid and do not expire with the permits- they must be followed.*

1. Requests for Certificates of Compliance (COC) The Conservation Agent presented and explained each of the following permits. The Commission had minimal comments.

- a. SE 31-015- off Washington St. & Rawson Rd.- *for unrestricted subdivision – OOC formally withdrawn, COC issued for work never commenced (confirmation- vote not required)*
- b. SE 31-062- off Washington St.- Hanover Country Club- *for site grading, stormwater management, sand and gravel removal- MA DEP issued superseding Order of Conditions (SOOC) for SE-31-062. SOOC subsequently withdrawn by DEP due to legal action and subsequent agreement to amended the Order, Commission approved amended Order- SE 31-062A- (confirmation- vote not required)*
- c. SE 31-062A- off Washington St.- Hanover Country Club- *this amended Order supersedes SE 31-062- COC issued on amended Order in 2006 but has errors and omissions (partial work completed with cancellation of remainder- vote required)*

- d. SE 31-121- off Washington St.- for installation of cranberry bogs- work never commenced- (confirmation- vote not required)
- e. SE 31-165- off Washington St.- OOC denied in 1986, resubmitted with modifications and approved- COC issued with work never commenced- (confirmation- vote not required)
- f. SE 31-794- off Washington St.- ORAD- resource area delineation for the entire site- ORAD issued with modified plan- (confirmation- vote not required)
- g. SE 31-851- 644 Washington St.- Village Square- OOC for test pits- (all work completed- vote required)
- h. SE 31-868- 644 Washington St.- Village Square- OOC for site grading- (all work completed- vote required)
- i. SE 31-872- off Park Dr.- Park Drive Extension- OOC for site improvements- (all work completed- vote req'd)
- j. SE 31-905- off Park Dr.- Park Drive Extension- OOC for subdivision, type: Planned Residential Development for Seniors - (PRDS) (work never commenced- vote required)
- k. BL 04-61- off Washington St.- DOA for monitoring wells and test pits (confirmation- vote not required)
- l. SE 31-937CR- off Park Dr.- Village Park- supersedes SE 31-937- OOC for unrestricted subdivision, OOC reissued with corrections to property owner information- (work never commenced- vote required)
- m. SE 31-940- off Park Dr.- Village Commons- OOC for subdivision, type: Village Planned Unit Development (VPUD)- project bankruptcy and new owners resulted in plan modifications for an unrestricted subdivision and new public hearings for an amended OOC. See SE 31-940A. (no action required) (Note an Enforcement Order was issued against this Order and rectified under SE 31-940A.)
- n. SE 31-940A- off Park Dr.- Village Commons- this mended OOC supersedes SE 31-940 (all work completed- vote required).

VOTE: Based on the explanation listed in Section IV. above and presentation by the Conservation Agent, and upon a motion and second made by Members Sennett and Vaille it was voted as listed below to confirm those Certificates of Compliance issued as read into the meeting as 1.a, b, d, e, f, and k: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

Based on the explanation listed in IV. above and presentation by the Conservation Agent, and upon a motion and second made by Members Sennett and Vaille it was voted as listed below to issue those Certificates of Compliance read into the meeting as 1.c, g, h, i, j, l, and n: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

## 2. Request for Certificate of Completion for an Enforcement Order

- a. SE 31-937 & 940, EO BL 09-22- off Park Dr.- Park Drive Extension- originally known as Village Commons & Park Dr. Extension project, this 2009 EO was issued for erosion control and sedimentation issues, a large stockpile of unknown substances leaching into the BVW buffer, and administrative issues with the NOI- (all work completed- vote required)

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted as listed below to issue a Certificate of Completion (all work under the EO was completed) for the Enforcement Order issued against SE 31-937 & 940: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

## 8:03 PM

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted as listed below to adjourn the meeting: B. McLoone- aye; J. Vaille- aye; R. Sennett- aye; M. Patel- aye; L. Satterwhite- aye.

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

Documents provided at meeting:

- 9/28/22 Agenda
- permits as listed in II. a. – d.
- 8/31/22 draft Minutes
- 9/28/22 Agent's Report
- 0 Riverside Dr. RDA packet
- 0 Washington St. RDA packet
- 207 Cross St. NOI packet
- 0 West Hanover Lot 29 NOI packet
- revised Hanover Wetlands Protection Bylaw
- COC packets as listed in IV. 1.a. – n.
- CO Completion packet for off Park Dr.