



Town of Hanover Conservation Commission
Hanover Town Hall, 550 Hanover St., 2nd Floor Meeting Room
MINUTES for September 4, 2013

Approved 10/02/13

Those Members and Staff present: Lou Paradis, Chairman; Lisa Satterwhite, Vice Chairman; Frank Brierley, Hearing Officer; William Woodward, Commissioner; Amy Walkey, Conservation Agent; Sandra MacFarlane, Asst. Conservation Agent
Those Members and Staff not present: (vacant), Commissioner; (vacant), 2 Assoc. Members
Others: as per attached list.

6:30 PM Chairman Paradis welcomed all present and made the following announcements:

I. ANNOUNCEMENTS & DATES TO REMEMBER:

1. **Regular Annual Schedule commences- Sept. 18th and October 2nd, 2013 @ 6:30 PM** in 2nd Flr. Mtg Room - Town Hall
2. **Vacancies on Commission-** 2 Associate positions, 1 full Member position

II. ACTION ITEMS:

1. Ratify Enforcement Order/Cease and Desist:

a. *#160 Woodland Dr.- for violation of Order of Conditions*

Homeowners Marzena and Eugeniusz Bramowski were present to discuss violations of an open Order of Conditions that included the filling of buffer zone to a Bordering Vegetated Wetland (BVW), lack of installation of a rain garden, and driveway pavers in an area which was permitted as gravel only.

The Agent updated the Commission regarding the pending Enforcement Order and site issues.

Mrs. Bramowski explained that the additional fill, etc. was the result of their misunderstanding of the Order.

In regard to the driveway, she noted that the gravel was put down as required, but that she continued the pervious pavers that were allowed in front of the new garage, over the entire driveway. She added that due to the low elevation of the front yard, left of the driveway, stormwater entered her property from the street and that the fill was laid to prevent ponding and erosion from the street. In addition, that the rain garden was not conducive to the existing elevations and vegetation in the approved location.

In response to the Commission's concerns for the depth of the fill, especially around the base of several trees, Ms. Bramowski agreed to construct tree wells under the direction of a professional arborist or similar specialist with initial review conducted by the Conservation Agent.

After reviewing photos of the approved location for the rain garden, and a brief discussion regarding roadway runoff, the Commission agreed to eliminate the requirement of the rain garden. The Commission approved the Restoration Plan submitted by Ms. Bramowski which included seeding the filled area with a conservation/wildflower seed mix.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to ratify the Enforcement Order with the following conditions:

- a. The driveway may remain as pervious pavers adherence to manufacturer's recommendations for maintenance to assure continued permeability.
- b. The requirement of a rain garden has been eliminated due to the placement of fill in the buffer for stormwater management from street run-off.
- c. The fill to the left side of the driveway may remain in place with the addition of tree wells to be installed around the mature trees in this area. Tree well installation shall be under the direction of a professional arborist or similar environmental professional.
- d. The As-Built Plan submitted with the Request for Certificate of Compliance shall include the above revised details and notations as such.

2. Request to Review Revised Plans:

a. *#153 Pine Tree Dr.- for relocation of portion of leaching field approved under SE 31-1012*

The Agent reported that due to an on-site construction error, two (2) rows within the leaching field were installed over the property line onto the abutting lot. The revised plan dated 8/19/13, detailed the removal of that part of the leaching field on the abutting property and the installation of two additional rows to maintain the structure on the appropriate lot.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to accept the revised plan without the necessity of an Amended Order of Conditions. The As-built shall detail the leaching field as constructed above with appropriate notations added to the plan.

7:00 PM

III. -PUBLIC HEARINGS:

1. BL 13-59, #317 Center St.- RDA- *for construction of residential addition and attached deck in BZ to BVW*

PRESENT: Peter Lyons, PE, Collins Engineering, Inc., Applicant's Representative and Daniel Leary, Property Owner/Applicant

DISCUSSION: Mr. Lyons explained the project as a residential addition with an attached wooden deck 50 ft. from a BVW in association with a new septic system installation proposed greater than 100 ft. from the BVW. In response to Chairman Paradis, he noted that the system design and location had Board of Health approval. In response to the Agent's concerns regarding several mature trees that were removed within the BVW buffer zone, Mr. Leary explained that they were storm damaged and diseased. Further that only two (2) pines were removed in preparation for the addition and deck. The Commission agreed that the tree work was minor in nature and that the current permit will note an after-the-fact approval. The Agent reported agreement with the flags that were placed in July 2013 by Wetland Specialist Walter Hewitson and recommended approval based on conversion of existing lawn.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of Applicability to include a condition noting approval for the tree work already conducted.

2. BL 13-62, #229 Plain St.- RDA- *for septic upgrade in BZ to BVW*

PRESENT: John Keefe, PE, Keefe Associates, Inc., John MacDonald, Property Owner/Applicant

DISCUSSION: Mr. Keefe explained that the new septic system was necessary due to a failed system and that the design and location has been approved by Board of Health. He pointed out that all work was proposed 56 ft. from the BVW.

The Agent noted agreement with the wetland flags that were placed by Pinebrook Consulting in August 2013, but noted that yard waste and other debris was dumped and piled in the wetland that may or may not be on Mr. Leary's property. Mr. Leary agreed to have the debris removed either way.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Satterwhite and Brierley, it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

3. BL 13-56, SE 31-1076, #1566 Hanover St.- NOI- *continued from 8/14/13 meeting- for single family dwelling, driveway, septic in RFA*

PRESENT: Brian Taylor, PE, Stenbeck and Taylor, Inc., Brad Holmes, WS, both Applicant's Representatives; Kevin Karlberg and Ronald Ivil, Property Owners/Applicants

DISCUSSION: Mr. Taylor explained that the site, entirely within Riverfront Area to a tributary to French's Stream, is severely degraded and disturbed, so has been submitted as a Redevelopment Project. Mr. Holmes confirmed site conditions and damage to resource areas due to collapsed structures, disposal and storage of vehicles, several debris piles containing household items that included rotted clothing, broken glassware, appliances, as well as metal scrap.

Mr. Taylor pointed out a small (70 sq. ft.) area of BVW restoration proposed as a result of replacing a 6" pipe under the entrance area of the driveway with a 12" pipe to improve the natural flow. Further that the driveway is proposed as gravel only, as it is partially adjacent to the BVW. He also pointed out that the proposed house takes into consideration the overall square footage and location of the existing barn, the shed, and the house foundations, resulting in a larger house than the original, but less overall disturbance from structures within the Riverfront Area.

Mr. Karlberg noted that all foundations will be removed and taken off site, as well as all of the debris found on site.

Mr. Holmes noted that the pipe to be replaced connects the wet meadow to the left of the driveway to the existing stream.

Also that mitigation is proposed including removal of a great amount of invasive species that are damaging existing mature trees, use of conservation seed mix in buffer areas, reclamation of the inner riparian by removal of all debris, and the addition of professional landscaping.

The Agent noted agreement with the wetland flags and confirmed site conditions, but noted concern with the amount of abandoned vehicles on site. She recommended soil sampling for possible release of oils and hazardous materials and an increased number of site inspections due to site conditions. The Commission reviewed two (2) 2008 letters from the Board of Health and Building Dept. detailing problems and concerns for the conditions on site. All agreed that the cleanup and redevelopment of the site will be a great improvement, not only for the protected resource areas, but for the community.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to close the hearing and issue an Order of Conditions with special conditions as follows:

- a. additional site inspections due to demolition of structures, removal of debris piles, vehicles, and the overall critical conditions on site;

- b. soil samples and additional inspections by the Agent or similar professional due to disposal and storage of vehicles on site for environmental impacts from possible release of oils and hazardous materials.

4. BL 13-61, SE 31-1077, #671 Webster St.- NOI- *for residential garage with new septic in RFA*

PRESENT: John Monahan, PE, Applicant's Representative and Roger and Susannah Leslie, Property Owner

DISCUSSION: Mr. Monahan explained the project as the construction of a residential un-attached garage with an associated new Title V rated septic system. In response to the Chair's question regarding the existing septic system, Mr. Leslie stated that the new system will not be connected to or associated with the main septic system for the house due to the required length of the connection. He added that there was only a single rest room planned within the garage, and that the garage would be used for dry storage only, nothing that could contaminate the area.

Mr. Monahan gave a brief history of the parcel, pointing out that the stream had been relocated to its current position during the 1960's. Further that the gravel parking areas on site were of the same age.

The Agent confirmed the wetland flags locations as well as noting acceptance of the Alternatives Analysis submitted with the Notice of Intent. She also noted that due to the angle of the existing slopes, the resource areas were easily apparent. Further that all work was out of the 100 ft. buffer to BVW, but was within outer riparian to the stream on a pre-existing lot. In response to the Commission's questions concerning erosion control, she noted that it was proposed in appropriate locations.

Abutter Alice Lowe, 663 Webster St., stated that she has flooding issues on her property and was worried that new construction would increase the problem. Mr. Leslie pointed out that the natural elevations would not be changed. Chair Paradis noted the direction of flow actually was away from her property to the opposite side of Mr. Leslie's site. Ms. Lowe reiterated her concerns and questioned the septic project. Mr. Leslie stated that the rest room in the new garage would have minimal use.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to close the hearing and issue a standard Order of Conditions.

5. BL 13-58, SE 31-1075, #112 Washington St. (Builder's Lot #1)- NOI- *for construction of single family dwelling, etc. in BZ to BVW*

PRESENT: Gregory Morse, PE, Morse Engineering, Inc., Applicant's Representative and Applicant Paul Ricciardi

DISCUSSION: Mr. Morse explained the project as the construction of a new single family dwelling and associated site work on a newly created lot formerly known as #128 Washington St. He pointed out that the plan was revised as requested by the Staff to include conservation posts located along the 25 ft. no-disturbance setback to the BVW (revised plan date of 9/2/13). The Agent described the lot area including the location of two (2) wetland flags on site and a partial, noting off-site location of the wetland. She noted that due to the distinct elevations on site, the BVW was not difficult to confirm.

In response to the Commission's concerns regarding the driveway, Mr. Ricciardi agreed to construct the driveway with pervious pavers or gravel.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to close the hearing and issue an Order of Conditions with a special conditions regarding the driveway surface to remain gravel or pervious pavers in perpetuity.

IV. ADMINISTRATIVE:

1. **Minutes-** 8/14/13 VOTE: Upon a motion and second made by Commissioners Woodward and Satterwhite, it was voted 4-0-0 to approve the minutes.
2. **Correspondence-** Reviewed without comment.
3. **Reports and Minor Permits:**
 - a. Conservation Staff- General - The Agent reported:
 - (i) that the issues with the detention basin at Starland is being reviewed;
 - (ii) that the repairs to the Hackett's Pond Dam have been completed;
 - (iii) that the breaching of the South Shore YMCA has not begun yet;
 - (iv) that Prime Infiniti project has been completed;
 - (v) that the wetland replication at 7 Bard Rock Ln. (Morse Farms Estates), has yet to be done and that the funds held in escrow may not be enough to cover the complete replication costs- (the Staff will review other options);
 - (vi) that Trail Maintenance Day is 9/21/13 and all are invited to join in;
 - (vii) that the Asst. Conservation Agent is working on an Accounting Report for the Finance Dept. that will be reviewed at a future meeting;

- (viii) and briefly discussed the current Eagle Scout Project at the Morrill Allen Phillips Wildlife Sanctuary, and an Eagle Scout project which will be on the 9/18 agenda as an RDA for trail maintenance, a boardwalk, and a bridge at the Indian Head River/Riverside Dr. Conservation parcel.
- b. Open Space Committee Liaison Report and Community Preservation Committee Report: none
- c. Minor Permits/Event Cards Issued: Ms. MacFarlane reported that one Minor Activities permit was issued as follows:
- (i) **BL 13-63- #79 Birch Dr.** *for installation of fencing up to 25 ft. from BVW using manual methods*
5. **Other: Justin Shepard, Candidate for Conservation Commission Membership**
Mr. Shepard, candidate for Commission membership, was welcomed by the Commission. A brief question and answer period took place, resulting in a vote to send a letter of support to the Board of Selectmen to appoint Mr. Shepard as a full member of the Conservation Commission.

8:30 PM- Upon a motion and second made by Commissioners Brierley and Woodward, it was voted 4-0-0 to adjourn the meeting.

Minutes Respectfully Submitted by
Sandra MacFarlane, Asst. Conservation Agent.
Dept. of Municipal Inspection