



# Hanover Conservation Commission

## Meeting Minutes JANUARY 31, 2024

Hanover Town Hall, 550 Hanover St.  
**2nd Floor Meeting Room** and **via Zoom as per instruction above.**

Approved 2/28/24

### 6:00 PM

A Roll Call resulted in the following Members being present: Brian McLoone, Chairman, Lisa Satterwhite, Vice Chairman, Robert Sennett, Hearing Officer, James Vaille, Mahendra Patel, and Associate Member George Joukov.

Members not present: Assoc. Member David Sawin

Staff present: Conservation Agent Sandra MacFarlane and IT Host Joshua Bates.

Chairman McLoone opened the meeting and made the following announcements:

#### I. GENERAL ANNOUNCEMENTS:

1. Welcome to George Joukov- new Associate Conservation Commission Member
2. This meeting is being recorded and has remote participation.
3. Next Meeting: Wednesday, February 28, 2024 at 6 PM<sup>1</sup>

#### II. ACTION ITEMS:

1. Request to Review Revised Plan

- a. **191 Water St., SE 31-1278**, for relocation of work

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to accept the revised plan as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

2. Certificate of Compliance

- a. **96 Webster St., SE 31-1233, COOC-21-6**, based on all work completed

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 5-0-0 to issue a Certificate of Compliance as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

3. Certificates of Compliance- confirm 11/29/23 vote:

- a. **476 Webster St., So. Shore Voc. Tech.- SE 31-1224, BL 20-107**, Parking lot expansion project - based on all work completed.

- b. **476 Webster St., So. Shore Voc. Tech.- SE 31-1199A, BL 19-66A**. Athletic field lighting and improvements, clearing of trees for Agricultural use area, Ticket Booth projects- based on all work completed.

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to confirm the 11/29/23 vote to issue the Certificates of Compliance for SE 31-1224 and 1199A as listed in II.3.a. and 3.b. above as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

### 6:15 PM III. PUBLIC HEARINGS:

1. **Route 3- Exit Ramp to Route 53, CDOA-24-1, RDA-** for stormwater improvements and repairs to structures in BZ to BVW along highway ramp.

PRESENT: Andrea Coates, David Pichette, Ken Coburn- Applicant's Representatives- MassDOT, Div. 5, Highway Dept.

DISCUSSION: Ms. Coates referred to plans within the RDA application dated 12/21/23 showing a section of the Route 3 Highway including the southbound exit ramps into Hanover, north of the Hanover Mall. She explained that due to the necessity to resolve pending safety issues, the Conservation Agent had issued an Emergency Order for immediate work on several of the stormwater structures. Also, that due to continuing flooding issues in additional areas along the ramps, as well as below freezing weather conditions, icing across the exit ramps continued to cause safety issues. Ms. Coates pointed out locations of several stormwater structures that required maintenance for the removal of overgrown vegetation and storm debris. The Agent noted difficulty in accessing all of the structures listed on the plans due to their location across active exit ramps, but noted that the ones she was able to get to were definitely in need

<sup>1</sup> Commission's 2024 Annual Schedule: (Dec. mtg rescheduled due to Holiday. Dates may be subject to change.)

January 31, 2024	February 28	March 27	April 24	May 29	June 26
July 31	August 28	September 25	October 30	November 27	December 18

of maintenance (photos provided by MassDOT showed similar conditions of the remaining structures). She recommended that the work be approved as presented in the RDA.

VOTE: Upon a motion and second made by Members Sennett and Vaille for a roll call vote, it was voted 5-0-0 to issue a negative Determination of Applicability (NOI application not required) as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

**2. 139 Gray's Place, SE 31-1275, ANRD-23-1, ANRAD-** *for wetland delineation only, no work proposed*

PRESENT: none

DISCUSSION: As the owner was not present, the Conservation Agent reported that the owner had shared his desire to continue the hearing for an extended timeframe. She recommended that the Commission continue to an indefinite date, therefore keeping the application open, but requiring abutter notification of the future date when the applicant was more prepared.

VOTE: Upon a motion and second made by Members Sennett and Vaille for a roll call vote, it was voted 5-0-0 to continue the hearing to an indefinite date as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

**3. 79 North St.- SE 31-1286, COOC-23-22, NOI-** *for demo house, new house, inground pool in BZ to BVW*

PRESENT: Chi Man, PE, Hardy + Man Engineering, Applicant's Representative and John Liang, property owner.

DISCUSSION: Mr. Chi presented a plan dated 1/15/24 showing the existing conditions on site. He noted that bordering vegetated wetland (BVW) exists from the North St. entrance, along the driveway, and curved to the rear of the house and yard. A second plan sheet detailed work for the demolition of the single family dwelling (sfd), and the construction of a new sfd with inground swimming pool, patio, fencing and associated site work. Although the house and reconfigured driveway have a greater footprint than the original, the distance of the new structures is further from the BVW than the original house. Further, that the roof gutter system on the house and the inground pool will have a connection to subsurface infiltration units for improved stormwater management and seasonal pool discharges. Several other stormwater improvements include a rain garden and stone swale for additional stormwater treatment. Regarding the section of existing and reconfigured driveway closest to the BVW, he noted that a stonewall is proposed in this area to further protect the BVW. The Agent pointed out the location for five (5) conservation setback markers and noted that adjustments could be made in the field if necessary, as construction progressed. Abutter Jill Rathgeber, 18 Whistle Berry Cir., questioned if any trees were to be removed near her abutting property line. As it is well within the protected wetland (+200') and work is proposed an additional +25 ft., she was assured by Mr. Chi that the wooded wetland area would remain intact.

VOTE: Upon a motion and second made by Members Sennett and Vaille for a roll call vote, it was voted 5-0-0 to close the hearing as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

Upon a motion and second made by Members Sennett and Vaille for a roll call vote, it was voted 5-0-0 to issue a standard Order of Conditions with pool conditions as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

**4. 2110 Washington St.- SE 31-1284, COOC-23-20, NOI-** *for septic upgrade and SWMgt improvements w/in RFA- hearing continued from 11/29/23 meeting.*

PRESENT: Scott Fanara, PE, Grading Consulting, LLC, Applicant's Representative,

DISCUSSION: Mr. Fanara explained that the plan was revised since the last hearing to include stormwater improvements on site. He presented the revised plan and Stormwater Management Plan dated 1/24/24 that was sent to DEP and the Agent for further review. He pointed out that the catch basin south of the building was now functioning, resulting in the appropriate amount of TSS removal and other stormwater filtration. Also that an 18" silt sac will be installed for the septic work. It was noted that all work was within inner riparian to the stream and buffer zone to bordering vegetated wetland rear of the site. Mr. Fanara confirmed that the septic design plan was recently approved by Board of Health. The Agent noted that complaints had been received regarding vehicle washing rear of the building. Further that although the detail shop was permitted, car washing on site was not as per Conservation and Zoning Bylaws. A special condition will be added to the Order as a reminder that vehicle washing is prohibited.

VOTE<sup>2</sup>: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 5-0-0 to close the hearing as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to issue an Order of Conditions with a special condition prohibiting vehicle washing on site as follows: BM-aye, LS-aye, RS-aye, JV-aye, MP-aye.

Commission Member Vaille recused himself, as he is the owner of the property listed in the next hearing. Chairman McLoone recused himself, as he is a direct abutter to the property. Associate Member Joukov stepped in for the next hearing to achieve a quorum due to the lack of connection on Zoom to Member Patel.

**5. 1518 Hanover St., SE 31-1276, COOC-23-12, NOI-** *for septic upgrade in BZ to BVW- hearing continued from 9/27/23 meeting.*

PRESENT: James Vaille

DISCUSSION: At the request of the property owner, no discussion took place and a request to continue the hearing was entered, due to the absence of the engineering representative.

VOTE: Upon a motion and second made by Members Sennett and Joukov for a roll call vote, it was voted 3-0-0 to continue the hearing to 2/28/24 at 6:15 PM as follows: RS-aye, LS-aye, GJ-aye

Commission Members Vaille and McLoone returned to the meeting, allowing Associate Member Joukov to step back as Associate. Connection to Member Patel was not reestablished.

**6. 73 Walnut St., SE 31-1287, COOC-24-2, NOI-** *for installation of pool & deck in BZ to BVW*

PRESENT: Paul Louderback, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, and John and Sean Tallarida, property owners.

DISCUSSION: Mr. Louderback presented a plan dated 1/15/24 showing the installation of an inground swimming pool, patio, utilities and associated landscaping. He noted that erosion control materials were proposed at 25 to 35 ft. from the edge of bordering vegetated wetland (BVW). A brief discussion ensued regarding locations for conservation setback markers, the use of native plants within the buffer zone, and the shed, which is to be used for dry goods only due to the close proximity to the wetland. Upon its decline, any new shed shall be located 35 ft. from the BVW.

VOTE: Upon a motion and second made by Members Sennett and Vaille for a roll call vote, it was voted 4-0-0 to close the hearing as follows: BM-aye, LS-aye, RS-aye, JV-aye.

Upon a motion and second made by Members Sennett and Satterwhite for a roll call vote, it was voted 4-0-0 to issue an Order of Conditions with pool conditions and shed reminder as follows: BM-aye, LS-aye, RS-aye, JV-aye.

**7. 0 Old Bridge Rd.<sup>3</sup>, SE 31-1288, COOC-24-1, NOI-** *for driveway & violation resolution in BZ to BVW*

PRESENT: Paul Louderback, PE, Merrill Engineers and Land Surveyors, Applicant's Representative, Ralph DiMattia, property owner.

DISCUSSION: Mr. Louderback presented a plan dated 1/15/24 showing the installation of a semi-circular driveway at the front of the property. The plan also listed required restoration work due to an existing enforcement action issued by the Conservation Agent. The Agent confirmed that the Assessor had not created a street number for this designated "unbuildable" property as it does not meet Assessor, Conservation Commission and Board of Health requirements for a buildable lot. The limits of bordering vegetated wetlands (BVW), FEMA flood zone, riverfront area (RFA) and North River Commission jurisdiction were pointed out. Due to the boundary of the BVW, a septic disposal system cannot meet the 100 ft. required distance from wetlands. A discussion ensued regarding the filling of the deep trench around the barn, as well as the 6+ ft. wide and deep circular hole at the front of the property that was causing a safety issue to children, or others that may fall into them. The Building Inspector Joseph Stack was present to discuss solutions for immediate action. The Agent recommended the issuance of an Emergency Order to resolve the safety issues, with cleanup and restoration of the buffer zone to be done

<sup>2</sup> During the discussion for 2110 Washington St., connection to Member Patel (via Zoom) was lost.

<sup>3</sup> The NOI listed an invalid address of #64 Old Bridge Rd. as per Assessor

under the existing Enforcement Order as weather permits. She also recommended continuing the hearing so that the driveway could be considered after the safety issues were resolved to the satisfaction of the Commission.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite for a roll call vote, it was voted 4-0-0 to issue the Emergency Order for the immediate resolution of the safety issues, also, to allow for the cleanup and restoration of buffer zone under the Enforcement Order, and to continue the hearing to 2/28/24 at 6:15 PM as per the applicant's request as follows: BM-aye, LS-aye, RS-aye, JV-aye.

#### IV. CONSERVATION COMMISSION & NSRWA: Samantha Woods, Exec. Director

**Dam Removal Project Clarification-** *No removal of structures prior to cleanup of contamination in stream sediments, then all reviewed on case by case basis.*

Ms. Woods gave an update to the status of dam removal throughout Hanover and explained that other than the many environmental benefits from dam removal, there were a few important additional matters that needed to be considered. Those include the availability of funding through the Natural Resources Damages Grant and the continuing cleanup efforts at the National Fireworks Site, as well as necessary cleanup along the Indian Head River. A brief discussion ensued and the Chairman reiterated the Commission's moratorium on dam removal until such time that the contaminants are eliminated.

#### V. ADMINISTRATIVE:

1. Agent's Report- *Minor Acts permits issued and other*: Reviewed with minimal comments.

a. 1/11/24 National Fireworks Site Update from EPA & DEP- *available by using the following link: <https://www.youtube.com/watch?v=hNEDf6jdNFk> & to view the EPA National Fireworks Site Fact Sheet go to: <https://www.hanover-ma.gov/former-national-fireworks-site/pages/public-meeting-documents-and-media>*

b. CEC-23-1, Route 3 exit ramp to Route 52- *Emergency Order- for emergency stormwater component maintenance*

c. CMA-23-12, 65 Frank's Ln.- *for test pits*

d. CMA-23-13, 11 Laurel Ln.- *for hazardous tree removal*

e. CMA-24-1, 83 Dillingham Way- *for hazardous tree removal*

f. CDMA-23-11, 221 Plain St.- *for septic upgrade +70 ft. from BVW*

g. CDMA-23-12, 392 Cedar St.- *for septic upgrade 68 ft. from BVW*

h. CHPD-24-1, Clarke Bog Parcel- *HPD Firing Range- for training event on 1/5/24*

i. Confirm support for Agricultural Commission

j. General Updates

2. Minutes- Upon a motion and second made by Members Sennett and Satterwhite for a roll call vote, it was voted to approve the 11/29/23 and 1/03/24 minutes as follows: BM-aye, LS-aye, RS-aye, JV-aye.

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

**8:05 PM** Upon a motion and second made by Members Sennett and Satterwhite, it was voted 4-0-0 to adjourn the meeting as follows: BM-aye, LS-aye, RS-aye, JV-aye.

Minutes Respectfully Submitted by Conservation Agent Sandra MacFarlane, CDMI

Documents Provided at meeting:

- 1/31/24 Agenda
- New Member Welcome Letter
- Annual Town Report for Conservation
- Revised Plan- 191 Water St. Substation
- COC Requests- SE 31-1233, SE 31-1224, SE 31-1199A
- DOA application packet for Rte. 3
- ANRAD application packet for 139 Gray's Place
- NOI application packets for 79 North St., 2110 Washington St., 1518 Hanover St., 73 Walnut St., 0 Old Bridge Rd.
- 1/31/24 Agent's Report
- Minor Acts and other Admin Permits as listed in Section 5.1.
- 11/29/23 and 1/3/24 draft Minutes