

## Town of Hanover Conservation Commission

550 Hanover St., Hanover MA 02339

### **MINUTES - April 22, 2020**

**Approved May 20, 2020**

Those Members and Staff present via Zoom Meeting: Brian McLoone, Chairman; Lisa Satterwhite, V. Chair;  
Robert Sennett, Hearing Officer; Members James Vaille and Mahendra Patel;  
Associate Members Duke Magoun and Steve Louko; Conservation Agent Sandra MacFarlane  
Those Members not present: none

#### **I. ANNOUNCEMENTS:**

Chairman McLoone opened the meeting and made the following announcements:

1. As per Governor Baker's March 10, 2020 Executive Order and March 23, 2020 "Stay at Home" Order, the Commission Members will hold this meeting using remote attendance.
2. The Town Hall remains closed to the public and Conservation Agent, Ms. MacFarlane, is operating the Conservation Commission Office remotely. All Conservation Office contacts remain the same- 781-826-6505 and [sandra.macfarlane@hanover-ma.gov](mailto:sandra.macfarlane@hanover-ma.gov) (email is preferred). All applications should be submitted via email to the Agent with hard copies and fees sent to the Town Hall at the above address and for RDA's, ANRAD's, and NOI's- email to MA DEP as required. As all calls are transferred to the Agent's computer, you must leave your email address within any messages left on the phone system
3. Next Meeting- to be announced- VOTE: Upon a motion and second made by Members Vaille and Sennett, the Commission voted to schedule the next meeting for May 20, 2020.

#### **II. ACTION ITEM:**

1. **BL 17-32, SE 31-1154, 742 Broadway-** Extension Permit Request  
VOTE: Upon a motion and second made by Members Satterwhite and Patel, it was voted 5-0-0 to issue a 3-yr. Extension Permit.
2. **BL 14-24, SE 31-1088, 136 Washington St.-** Certificate of Compliance Request  
VOTE: Upon a motion and second made by Members Patel and Vaille, it was voted 5-0-0 to issue a Certificate of Compliance based on work never commenced.
3. **BL 10-24, SE 31-1020, 21 Bard Rock Ln.-** Certificate of Compliance Request  
VOTE: Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to issue a Certificate of Compliance based on all work completed and in compliance.

**2:15 PM**

#### **III. PUBLIC HEARING:**

1. **BL 20-33, 37 Samoset Dr.-** RDA<sup>1</sup>- *for inground pool & rain garden in BZ<sup>2</sup> to BVW, outer riparian/ FEMA*  
PRESENT: none – Conservation Agent presented for homeowners Michael and Darcy Lamond.  
DISCUSSION: Upon the request of the applicant, the Agent presented a plan entitled *Proposed Inground Pool* dated 3/23/20 for an inground swimming pool proposed 160 ft. from a perennial stream and 85 ft. from an on-site Bordering Vegetated Wetland (BVW) with erosion control materials proposed at 82 ft. from the BVW. She explained that as mitigation for work in BLSF, a 5' x 5' rain garden was proposed. Upon request from the Chairman, no members of the public requested to speak.

VOTE: Upon a motion and second made by Members Satterwhite and Patel, it was voted 5-0-0 to close the hearing and issue a Negative #3 Determination of Applicability with the following conditions:

- a. Upon necessity of shed replacement, any new accessory structure must maintain the 35 ft. no-structure setback from the BVW.
- b. Upon completion of the rain garden and pool installation, the applicant shall call for a site inspection.

**2. BL 20-35, SE 31-1209, 118 Hillside Cr.- NOI- for construction of pool house in BZ to BVW**

PRESENT: Jeffrey Hassett, PE, Morse Engineering Co., Inc., Mark Luggelle, Applicant

DISCUSSION: Mr. Hassett presented a plan dated 4/2/20 detailing the demolition of a wooden shed and the construction of a pool house in the same location. Also that the existing concrete pad is scheduled for demo and removal from site. Erosion control and limit of work are proposed rear of the fence to protect the bank of the on-site intermittent stream. The Agent recommended removal of all trash from the area behind the shed and installation of a gutter system on the new pool house. The Commission required the removal of all stockpiles during construction on a timely manner and the addition of conservation setback markers.

VOTE: Upon a motion and second made by Members Patel and Vaille, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with the following conditions:

- a. all debris to be removed from the stream bank and area behind the shed;
- b. demo and construction debris to be removed from the site in a timely manner;
- c. erosion control shall be installed rear of the shed between the 2 mature trees;
- d. conservation plaques shall be installed on the fence at eye level and in other areas on site conservation setback markers shall be installed at the tree line;
- e. a gutter system shall be installed on the new pool house.

**3. BL 19-66, SE 31-1199, 476 Webster St., SS VocTech- AOOC- to amend OOC**

PRESENT: none

VOTE: Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to continue the hearing to the May 20, 2020 meeting at 2:15 pm.

**4. BL 20-19, SE 31-1208, 637 Washington St.- Starland- ANRAD- for wetland review only-hearing**  
was continued from the March 4, 2020 mtg. to April 1 mtg. (cancelled), rescheduled to April 22, 2020 mtg.

PRESENT: Dana Altobello, PE, Merrill Engineers and Land Surveyors, Inc., Frank Teixeira, Applicant

DISCUSSION: Mr. Altobello presented a revised plan dated 4/3/20 showing resource area boundaries. he explained that the plan had been modified as per the Commission's Wetland Consultant Steve Ivas, Ivas Environmental, Inc. The Agent noted that as per site inspections, she was in agreement with the modified plan as presented.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 5-0-0 to approve the plan as modified and dated 4/3/20.

**5. BL 20-40, SE 31-1212, 637 Washington St.- Starland- NOI- for construction of Zip-line, 16 ft. wide access-way and new parking lot in BZ to BVW**

PRESENT: Dana Altobello, PE, Merrill Engineers and Land Surveyors, Inc.,

DISCUSSION: Mr. Altobello explained that during a site inspection with the Conservation Agent, several areas of debris removal were pointed out. These included removal of large tires from the stream bank, netting from the trees, broken fence pieces, and general trash. He noted that a plan would be developed for that work to take place prior to the proposed project. A 3/18/20 plan was presented showing a new parking area in buffer zone to Bordering Vegetated Wetland (BVW), with access from a new roadway over an existing path that required proposed wetland fill and alteration. He pointed out an area of 1.75:1 wetland replication and noted that additional mitigation was proposed. Also proposed is a new amusement area including a zip-line. He noted that due to Fire Dept. regulations, the access loop from the DQ restaurant was shut off, which necessitated the installation of an egress from the new parking area. It was pointed out that the new egress was proposed on previously disturbed and existing grassed area. A brief discussion ensued regarding stormwater management from the new parking area and roadways. The Conservation Agent noted that the reports from CEI, Inc., were still pending regarding stormwater and similar concerns.

Mr. Altobello verified successful discussions with Hanover DPW Supt. Diniak regarding work in the Aquifer Protection District, as well as pending responses to MA DEP's comment letter. Further discussion of use of chemicals for lubrication of zip line, sidewalk installation, invasives removal, and additional mitigation ensued.

VOTE: Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to continue the hearing to the May 20, 2020 meeting at 2:15 pm.

**6. BL 20-32, 25 Chestnut St-** NOI- *for garage addition in BZ to IVW and BVW*

PRESENT: Richard Servant, PE, Stenbeck & Taylor, Benjamin Johnson, Applicant

DISCUSSION: Mr. Servant presented a revised plan dated 4/22/20 showing a proposed 10 ft. extension to an attached garage. He pointed out that the extension left a remaining distance of 32.4 ft. to a westerly off-site Isolated Vegetated Wetland (IVW) which was not jurisdictional under the Wetlands Protection Act, and 58 ft. from an on-site Bordering Vegetated Wetland (BVW) located rear of the house. The Agent verified the wetland boundaries as accurate and recommended the installation of conservation setback markers and mitigation for work within the 35 ft. no-structure setback.

VOTE: Upon a motion and second made by Members Vaille and Sennett, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with the following conditions:

- a. installation of 4 conservation setback markers 10 ft. adjacent to the IVW and 2 additional posts to the existing posts adjacent to the BVW;
- b. installation of 3 birdhouses near IVW and BVW, location and type of birdhouse at the discretion of the homeowner.

**7. BL 20-38, SE 31-1210, 83 Hanover St.-** NOI- *for demo house, construct new house and septic is riverfront area and in BZ to BVW*

PRESENT: Joshua Green, PE, Merrill Engineers and Land Surveyors

DISCUSSION: Mr. Green presented a plan dated 3/24/20 showing the demolition of a house, removal of driveway aggregate area, and the construction of a new single family dwelling, septic system upgrade, and associated grading and landscaping. Also proposed is the removal of abandoned sheds within 25 ft. of a large Bordering Vegetated Wetland system located on 3 sides of the lot. The Conservation Agent confirmed wetland boundary accuracy and noted concern with missing documentation and riverfront area calculations. Similar concerns from the Members resulted in a request from the applicant for a continuance of the meeting.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 5-0-0 to continue the hearing to May 20, 2020 at 2:15 PM.

**IV. ADMINISTRATIVE:**

1. Minutes- 2/5/20 and 3/04/20- Upon a motion and second made by Members Vaille and Sennett it was voted 5-0-0 to approve the 3/04/20 minutes.
2. Minor Activities Permits/Events issued and updates: Reviewed without comment.
  - a. BL 20-21- Gen. Site Inspection, 0 Ledgewood Dr.- *owner request- proposed alteration of BVW buffer*
  - b. BL 20-22- Gen. Site Inspection, 151 Cedarwood Rd.- *Relator request for review of resource areas*
  - c. BL 20-23- Gen. Site Inspection, 163 Cedarwood Rd.- *Relator request for review of resource areas*
  - d. BL 20-24- Gen. Site Inspection, 150 Main St.- *test pits and review of resource areas*
  - e. BL 20-25- Minor Acts Permit, 1236 Hanover St.- *for test pits +60 ft from BVW and in outer riparian*
  - f. BL 20-26- Minor Acts Permit, 20 Simmons Rd.- *for removal of diseased/storm damaged trees in BVW buffer*
  - g. BL 20-27- Scheduled Event, Clark Bog Parcel- *HPD training event on March 18, 2020*
  - h. BL 20-28- Scheduled Event, Clark Bog Parcel- *HPD training event on March 02, 2020*
  - i. BL 20-29- Gen. Site Inspection, 136 Larchmont Ln.- *Assessor request to view resource areas*
  - j. BL 20-30- DOA-H, 11 Samoset Dr.- *for septic upgrade in BVW buffer and outer riparian*
  - k. BL 20-31- DOA-H, 36 Heritage Way- *for septic upgrade in BVW buffer*
  - l. BL 20-34- DOA-H, 287 Cedar St., HHS- *for tennis court upgrade in BVW buffer*
  - m. BL 20-36, Minor Acts Permit, 248 Mann's Dr.- *for installation of gardens +80 ft. from off-site BVW*
  - n. BL 20-37, Minor Acts Permit, 162 Old Farm Rd.- *for above-ground pool on gravel with no soils alteration*

- o. BL 20-39, DOA-H, 965 Washington St.- *for temp. alteration +63 ft. from BVW, +135 ft. from stream for septic tank upgrade with new leaching field not within RFA, not within BZ to BVW*
- p. BL 20-41, 42, 43, Scheduled Event, Clark Bog Parcel- *HPD training on April 15, 16, 17, 2020*
- q. BL 20-44, Minor Acts Permit, 46 Stone Meadow Ln.- *for storm damaged tree removal in BZ to BVW*

3. Agent's Report- Reviewed without comment.

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

**3:54 PM** Upon a motion and second made by Members Sennett and Vaille, it was voted 5-0-0 to adjourn the meeting.

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

Documents provided at Zoom Meeting via Shared desktop:

- 4/22/20 Agenda
- Extension Permit Request packet for 742 Broadway
- Certificate of Compliance Request packet for 136 Washington St
- Certificate of Compliance Request packet for 21 Bard Rock Ln
- RDA application packet for 37 Samoset Dr.
- NOI application packet- 118 Hillside Dr.
- AOOO application packet for 476 Webster St.
- ANRAD application packet for 637 Washington St, Starland
- NOI application packet for 637 Washington St., Starland
- NOI application packet for 25 Chestnut St.
- NOI application packet for 83 Hanover St.
- 2/5/20 draft Minutes
- 3/4/20 draft Minutes
- 4/22/20 Agent's Report