



Legion Drive Affordable Housing Feasibility Study

HANOVER, MASSACHUSETTS

Vine Associates, Inc.
372 Merrimac St.
Newburyport, MA 01950
978-465-1428
978-465-2640

Vine Associates, Inc.
190 Old Derby Street
Hingham, MA 02043
781-749-2530
781-743-2751

Vine Associates, Inc.
18 Beach St.
P.O. Box 555
Monument Beach, MA 02553
508-743-0390
508-743-0391



Prepared For:

Hanover Housing Authority

Prepared By:

Vine Associates, Inc.

In Association with:

Aaberg Associates



October 22, 2008

Acknowledgements

The Legion Drive Affordable Housing Feasibility Study was prepared for the Hanover Housing Authority with funding provided by the Town of Hanover's Community Preservation Fund. The Project Consulting Team and Town representatives that provided assistance for the Study are identified below.

Town of Hanover Housing Authority

Thomas Burke, Chair

Stephen Carroll

Diane Campbell

Caitlin Cavanaugh

Joseph Lynch

Town of Hanover

Andrew Port, Town Planner and Project Manager

Patrick Gallivan, Conservation Agent

Jeanmarie Kent Joyce, Health Agent

Victor J. Diniak, Superintendent of Public Works

Doug Billings, Supervisor Water Department

Barbara Stone, Hanover Fire Department

James Metivier, Safety Office Police Department

Consulting Team (Vine Associates, Inc.)

Susan St. Pierre, AICP, Project Lead

Paul King, Project Engineer

Doug Aaberg, Surveyor

With Additional Assistance from

Hanover Housing Plan Consultants - Karen Sunnarborg Consulting/Abacus Architects + Planners

CONTENTS **Page**
Executive Summary

1.0 Introduction and Community Affordable Housing Needs

1.1 Study Scope and Process2

1.2 Community Affordable Housing Needs2

2.0 Community Setting and Property Description

2.1 Community Setting.....4

2.2 Property Description4

2.3 Existing Infrastructure7

2.4 Regulatory Context9

3.0 Development Opportunities and Constraints

3.1 Community Context.....13

3.2 Physical and Natural Characteristics13

3.3 Existing Infrastructure15

3.4 Regulatory Issues18

3.5 Ownership.....20

4.0 Development Options and Conceptual Master Plan

4.1 Housing Mix22

4.2 Optional Site Layouts.....22

4.2.1 Authority Property.....23

4.2.2 Authority and Archdiocese Properties24

5.0 Implementation

5.1 Site Design and Layout32

5.2 Building Design and Layouts32

5.3 Infrastructure Improvements.....33

5.4 Developer Solicitation Process36

5.5 40B Process.....36

Figures

Figure 1 Locus Plan

Figure 2 Tedeschi Conveyance Parcel Boundaries

Figure 3 Zoning Map

Figure 4 Project Vicinity

Figure 5 Wetland Resource Areas

Figure 6 Housing Authority Parcel Option 1

Figure 7 Housing Authority Parcel Option 2

Figure 8 Housing Authority and Archdiocese Parcels Option 1

Figure 9 Housing Authority and Archdiocese Parcels Option 2

Attachments

Attachment 1 Property Deed and Plan

Attachment 2 State Approval of 2008 Housing Plan

Attachment 3 Order of Resource Area Delineation Issued by the Hanover Conservation Commission

Executive Summary

The Hanover Affordable Housing Feasibility Study evaluates the potential for developing affordable housing at a 6.59 acre site (hereinafter referred to as “Property”) owned by the Hanover Housing Authority located on the north side of Legion Drive in central Hanover. As part of the Study, the Property was surveyed and existing conditions including property ownership, zoning restrictions, topography, wetland resource areas, and utilities were identified and analyzed. Issues that could potentially affect development were identified and diagrammatic site layout plans were developed and presented to the community. Two optional site layouts were created to illustrate how senior rental housing could be developed on the Property. Concept diagrams were also prepared that incorporated an adjacent 3 acre site owned by the Archdiocese of Boston to demonstrate how that parcel could be integrated into a housing program for the Housing Authority Property should the Town and/or Housing Authority ever gain control of that property. The optional layouts include walk up and elevator accessed units and range in size from 60 to 92 units.

The Housing Authority hopes to solicit proposals in the 2008 to develop housing on the Site. Such development will address in part the Town’s existing shortage of affordable rental housing and will help the Town work towards its goal of providing at least 10% of its year round housing stock as affordable housing.

1.0 INTRODUCTION AND COMMUNITY AFFORDABLE HOUSING NEEDS

1.1 Study Scope and Process

Vine Associates, Inc. was retained by the Hanover Housing Authority (hereinafter referred to as “Authority”) in December of 2007 to prepare a feasibility study and conceptual diagrams for the development of affordable housing at property owned by the Authority on Legion Drive in Hanover.

The consultant team reviewed the Town’s draft Housing Plan¹ to understand the affordable housing needs of the community and assessed the Property to identify its community context, physical attributes, infrastructure needs, legal and regulatory constraints, and other issues that could affect housing development. Based on those factors, the consulting team, in consultation with the Authority, concluded that the Property could support the development of at least 60 of affordable rental senior housing and that such use was compatible with the Town’s housing needs as well as the deeded use restrictions imposed on the Property.

Two diagrammatic site layouts were then prepared for the Property and presented to the Housing Authority. Two additional site layouts were created that incorporated the adjacent 3 acre tract of land owned by the Archdiocese of Boston (hereinafter referred to as “Archdiocese”) to illustrate how the project could be developed should that land be made available to the Authority at some point in the future. An additional concept plan developed by the Town’s Housing Consultant for the combined Authority/Archdiocese property as part of the 2008 Housing Plan is also included in this report.

The report includes recommendations for incorporating design standards such as architectural style, building height and density, open spaces such as buffer zones and walking paths, and green design elements as part of the development. A public meeting was held on September 23, 2008 to receive public input on the study.

1.2 Community Affordable Housing Needs

The Town of Hanover, like many communities in the Commonwealth of Massachusetts has experienced rapid growth in housing costs and there is a lack of affordable housing in the community. As noted, the Town recently completed its Affordable Housing Plan. According to the Housing Plan, the average price of a single family home in Hanover exceeds \$450,000 and is not affordable to many Town residents including seniors. The Housing Plan includes strategies to plan for providing affordable housing to best meet the needs of the community including rental housing for seniors.

Some additional findings of the Housing Plan relative to the contemplated affordable housing use of the Property (senior and disabled) are noted below:

¹ Town of Hanover Housing Needs Assessment prepared for the Hanover Housing Authority by Karen Sunnarborg Consulting and Abacus Architects + Planners and dated May 2007.

- The wait list for the senior units at the Hanover Legion Elderly Housing and Cushing Residence exceed 3 years
- about 40% of elderly renters spend too much on housing
- almost 20% of elderly renters spend more than 50% of their income on housing
- there is currently no wait for the 13 handicapped units at the Cushing Residence

The Housing Plan recommends that new affordable housing projects be developed in a manner that is compatible with the community by taking advantage of a site's natural attributes, incorporating mixed income units, providing low to medium density, and avoiding large impacts in one area.

In addition to these housing needs, the Town currently does not meet the state goals for affordable housing. According to the state Massachusetts General Law ("MGL") Chapter 40B ("Ch. 40B), local communities in Massachusetts are required to set aside 10% of the year round housing stock for low and moderate income residents which in Hanover, is 444 units based on the U.S. 2000 Census data. The Town's inventory of affordable housing units as noted on the state Subsidized Housing Inventory is 375 units which represents 8.45% of its year round housing stock (4,440 units). Because of this shortfall, developers (including nonprofit organizations) can essentially avoid strict compliance with local land use laws (but not state laws such as the Wetlands Protection Act and Title 5) by filing a Comprehensive Permit with the Zoning Board of Appeals pursuant to the provisions of Ch. 40B and the community can lose significant local control over development review.

Recently, the Zoning Board of Appeals approved the Webster Village Project in North Hanover, a 44-unit Chapter 40B condominium development that will include 11 affordable units for first-time homebuyers. Once the units are added to the State Subsidized Housing List, the number of affordable units will increase to 386 representing 8.69% of the Town's total 2000 year round housing stock which still however, represents a or a shortfall of 58 units from the 10% goal of 444 units.

2.0 COMMUNITY SETTING AND PROPERTY DESCRIPTION

2.1 Community Setting

The Property is located just south of the Town Center off of Spring Street (see Figure 1, Locus Plan). Land uses surrounding the Property include residential uses along Spring Street; the 60 unit, seven building Hanover Legion Senior Housing Complex (“Senior Housing Complex”) on the south side of Legion Drive; vacant land owned by the Boston Archdiocese (part of St. Mary’s church); and single family homes to the northeast and east.



Hanover Legion Senior Housing

The Town’s Broadway Street municipal well fields are located southeast of the Property and there are several large tracts of conservation/open space land located to the south and southeast. A large amount of the Archdiocese land is undeveloped and there is an informal walking path that extends from Legion Drive through the Property northerly into the Archdiocese property.



Walking Path

There is also a paved pathway located just east of the terminus of Legion Drive that leads to Folly Hill Lane but does not connect to Legion Drive.

2.2 Property Description

The Property is located north of and across the street from the Senior Housing Complex on Legion Drive. The Site, shown as Parcel 1 on Figure 2, is one of two parcels of land conveyed by the Tedeschi family to the Authority in 1980 for the purpose of providing housing for seniors and disabled persons (see Figure 2, Tedeschi Conveyance Parcel Boundaries and associated deeds provided in Appendix 1). The rectangular shaped Property is approximately 6.59 acre in size with a lot width that varies from 338 to 230 feet west to east and a lot depth that varies from 914 to 686 feet north to south. The property conveyance from the Housing Authority to the Hanover Legion Elderly Housing Corporation reserved a 40 foot wide easement over Parcel 1 (the Housing Authority's Parcel) for access from Spring Street to Parcel 2 (Hanover Legion Elderly Housing Corporation's Parcel). Legion Drive, a private way that was constructed to provide access to the Hanover Legion Senior Housing complex circa 1980, is located partially within that 40 foot easement.

The Property is fairly level, heavily wooded and undeveloped. Topographically, the majority of the Property is elevated above the existing grade of Legion Drive. The Property slopes down-gradient toward Spring Street to the west and the St. Mary’s property along Route 139 (Hanover Street) to the north. The only portion of the Property that contains wetlands is the southwest corner where a small isolated wetland is located (see Section 3 for a description of this resource area).



Small Pond in Southwest Corner of Site



Soils

The soils on the Property and on the Archdiocese property are identified in the currently updated Plymouth County Soil Survey as 253B Hinckley gravelly sandy loam at 3 to 8 percent slopes. This soil type is classified as excessively drained with a high permeability rate and low water holding capacity, with groundwater typically found at depths of greater than 5 feet. Record information was also obtained from the Board of Health on soil tests conducted for the construction of the septic systems on the adjacent Senior Housing Complex which identified the same soil classification. This record data for soil characteristics, groundwater level, and percolation rates is consistent with this soil type, indicating high permeability rate and low groundwater.

2.3 Existing Infrastructure

The Property is well served by Town infrastructure including the Spring Street access and utilities including Town water and gas. The Town does not have a sanitary sewer system and the adjacent Legion Drive Senior Housing development is serviced by three common large capacity septic systems.

Streets

The Property is located on Legion Drive which is a privately owned, approximately 1,200 foot long dead-end street that extends easterly from Spring Street. The first 740+/- feet of the street is located within the 40 foot easement on Parcel 1 which is reserved for access to the Senior Housing Complex located on Parcel 2 as part of the original property conveyance. The remainder of Legion Drive is located along the northerly side of Parcel 2.

Access to Legion Drive is off of Spring Street, a two-way street running north-south between Route 139 (Hanover Street) to the north and Broadway Street to the south. Legion Drive currently provides access only to the Hanover Legion Senior Housing complex and terminates at the northeasterly edge of Parcel 2.

Legion Drive does not include a turnaround. It is paved to a width of approximately 20 feet and contains a 5 foot wide bituminous paved sidewalk that extends easterly approximately 150 feet from Spring Street along the north side of the street. There are no sidewalks on Spring Street, or anywhere further east along Legion Drive. There is some level of street lighting provided along Legion Drive. There are asphalt sloped curbs located along most of the length of the street. Storm drainage consists of catch basins which drain into adjacent leaching pits.



Spring Street at Legion Drive Looking North



Legion Drive Looking East

There are six on-street visitor parking spaces located along the northern side of the street across from the Senior Housing Complex. No other on street parking is provided.

Traffic

Spring Street is a main roadway along which residential developments are located. The street serves as a main north-south connector between Broadway to the south and Hanover Street (Route 139) and the Town Center to the north. No traffic data exists for Legion Drive or Spring Street or at its intersections with Hanover Street, Legion Drive or Broadway.



Legion Drive Looking West

State records indicate that Route 139 in this vicinity had a recorded Average Daily Traffic (ADT) volume of 14,400 vehicles. Traffic counts were taken by the Planning Department in March of 2008 at the intersection of Legion Drive and Spring Street for traffic generated (to/from) the existing senior housing development. Counts were taken in the estimated morning and evening peak periods on two separate week days (Tuesday & Thursday). The results of the traffic counts, together with published traffic engineering study data were utilized to estimate the traffic generated by proposed development (see Section 3.3).



Spring Street/Hanover Street Intersection from Hanover Street looking west

The Hanover Police Department was contacted to obtain traffic accident data for the vicinity of the proposed development. Accident data records indicate that over a three year period from January 1, 2005 through April 16, 2008, there were no reported accidents at the intersection of Legion Drive and Spring Street and only one reported accident at Spring Street and Hanover Street (Route 139).

Utilities

Water

The Town of Hanover has a public water supply fed by wells with a distribution system of water mains throughout the Town. An 8 inch water main currently exists in Legion Drive and services the existing Elderly Housing complex and fire hydrants along Legion Drive. The water main connects between a 10 inch water main in Spring Street and an 8 inch main in Folly Hill Lane through an easement at the end of Legion Drive.

Fire Hydrants

Two hydrants exist along Legion Drive; one at the intersection with Spring Street and one approximately 500 feet east on Legion Drive. Another hydrant exists further east at the termination of Legion Drive on the existing Senior Housing complex property.

Natural Gas

Gas service in the Town is provided by Bay State Gas. A 2 inch intermediate pressure gas line, which is connected to a large distribution main in Spring Street, currently exists in Legion Drive and services the existing Senior Housing complex.

Electric

Electric service in the Town is provided by National Grid. Electric service is carried overhead on utility poles located along the south side of Legion Drive, branching from Spring Street. Street lights are provided on several of the poles.

Sanitary Sewer

No town sewer system exists and on-site subsurface sewage disposal systems are required.

2.4 Regulatory Context

There are several local regulatory programs including the Zoning By-law, the subdivision regulations, wetland protection by-laws, Title 5 regulations and a significant state law, Chapter 40B, that affect the development feasibility of the Property. These programs are briefly described below.

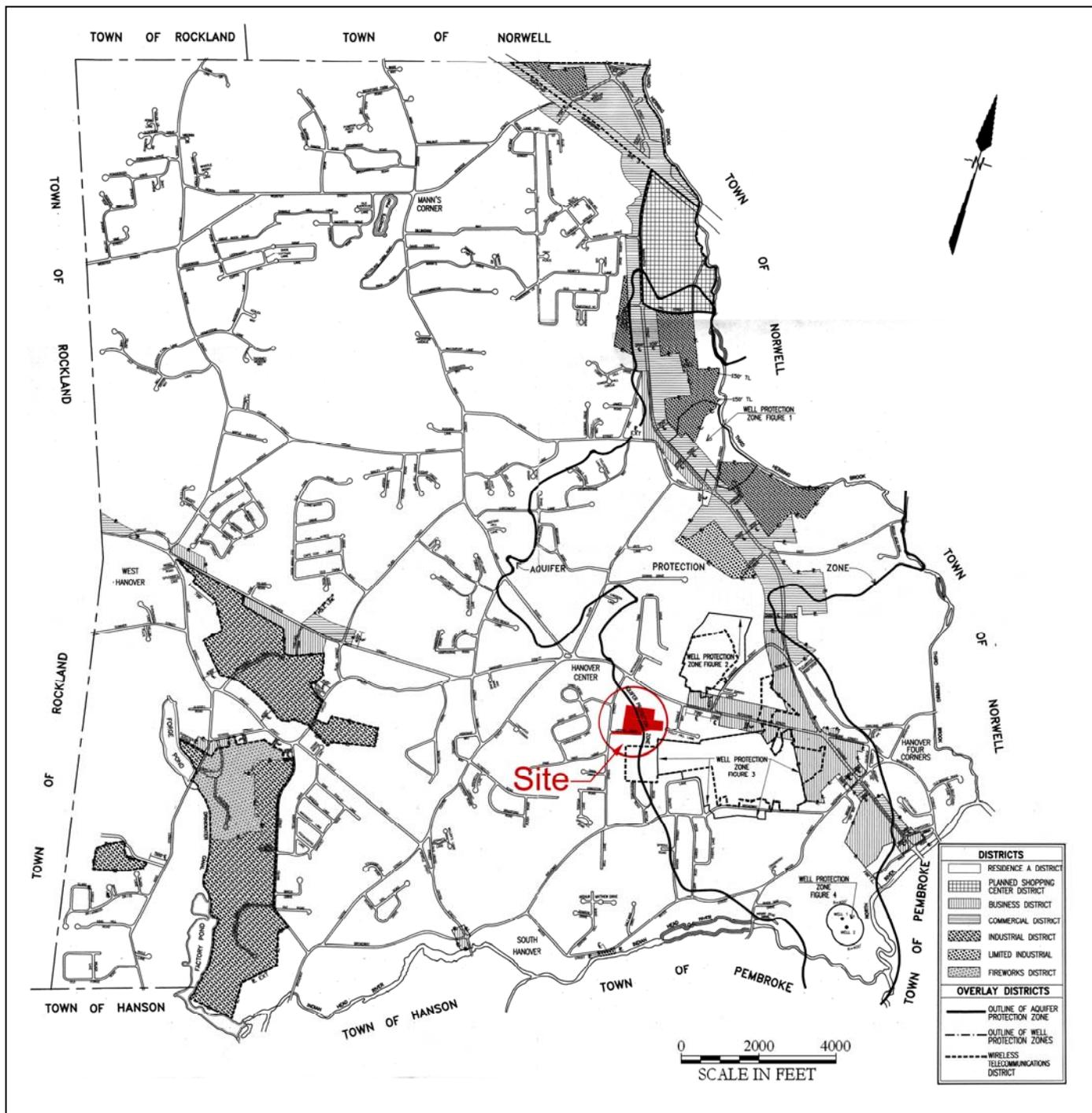
Zoning By-law

The Town of Hanover's zoning by-law includes provisions that regulate land use and impose dimensional requirements for development. The Property is located in the Residential-A Zoning District (see Section 6.400 of the zoning by-law and Figure 3, Zoning Map) which generally restricts land uses to single family residences. Portions of the Property are also located in a Water Resources Protection (Aquifer Protection Zone) District (see Section 6.800 of the zoning by-law) which is an overlay district created to protect the Town's water supply.

The zoning by-law also allows (by Planning Board Special Permit and Site Plan Review) Planned Residential Development for Seniors (age 55 or over) in Residential-A zones (see Section 6.040 A for the zoning by-law) subject to strict dimensional and design standards. Section 5.860 of the zoning by-law states that, if authorized by two-thirds majority vote of the Town at any annual or special Town Meeting, Housing for the Elderly and for Handicapped persons by the Hanover Housing Authority, Hanover Legion Elderly Housing Corporation, or by the Cushing Residence, Inc. shall be exempt from the provisions of the zoning by-law, except for provisions of Section 6.800 Water Resource Protection District and the height restrictions of Section 7.100. Site Plan approval by the Hanover Planning Board and provisions of Section 10 are still required.

Subdivision Rules and Regulations

Projects that propose to subdivide land must comply with the provisions of the *Rules and Regulations Governing the Subdivision of Land in Hanover*. These regulations impose design standards for the construction of streets and installation of and utilities. The standards require paved streets, granite curbs, grass strips, street trees, and paved sidewalks on both sides of the street and looped water mains and hydrants. The standards also impose design standards for dead end streets including requirements for turnarounds and maximum lengths.



Wetlands By-law

The state Wetlands Protection Act and its regulations at 310 CMR 10.00 are designed to protect wetland resource areas defined in the regulations and requires review of projects that propose activities in or within 100 feet of such resources. The regulations are implemented by local Conservation Commissions. Similar to many other communities in Massachusetts, the Hanover Conservation Commission has also adopted a local wetland by-law which includes additional requirements such as a 35 foot no structure setback and a 25 foot no disturb setback from wetland resource areas.

Title 5

The Town of Hanover does not have a public sanitary sewer system but relies on on-site sewage treatment and disposal systems for sewage treatment. The design and installation of septic systems are regulated under state law by Title 5 of the State Environmental Code (310 CMR 15.000). The Town zoning by-law also restricts septic systems in the Water Resources Protection District which includes the Aquifer Protection and Wellhead Protection zones. These provisions prohibit individual septic systems that receive more than 440 gallons of sewage per day per acre.

The local Board of Health serves as the permit/approval authority for on-site subsurface sewage disposal systems for systems serving facilities with a design flow of 10,000 gallons per day (gpd) or less. Systems for design flows over 10,000 gpd must be approved by the State Department of Environmental Protection. Based on Title 5 Section 15.203, Sewage Flow Design Criteria, the sanitary sewage design flow for Elderly Housing is 150 gpd per unit for up to two bedrooms. If the Property were developed with 60 units of two bedrooms or less, the total design flow would be approximately 9,000 gallons per day, most likely divided into three separate subsurface disposal systems of approximately similar size (3000 gpd each).

MGL Chapter 40B

MGL Ch. 40B is a state law that encourages the development of low- and moderate-income housing in Massachusetts communities by allowing such projects to obtain a “Comprehensive Permit” from the local Zoning Board of Appeals through a process that streamlines local permitting and most often results in a density that exceeds that allowed under local zoning and other local land use regulations.

As outlined in Ch. 40B regulations, such projects can only be pursued in communities that have less than 10% of their housing stock available to low and moderate income households. According to the state Subsidized Housing Inventory (SHI), Hanover currently has 375 units (8.4%) of its total housing stock that qualify under this program (see web link <http://www.mass.gov/dhcd/components/SCP/shiinv.htm>).

To assist communities in reaching the 10% affordable housing goals, the State encourages local communities to adopt local Housing Plans. As noted in Chapter 1, the Town of Hanover has recently completed a Housing Plan which was approved by the Department of Housing and Community Development (DHCD) in a letter dated April 25, 2008 with an effective date of February 21, 2008 (see Attachment 2). The Plan includes a planned production strategy the Town will use to try to produce affordable housing on an annual basis. Once affordable units are produced they are added to the state SHI and count toward the 10% requirement. In those instances where the Housing Plan achieves the production of affordable housing at number that represents 0.75% of the total year round

housing² DHCD will “certify” the Plan for one year (in those instances where 1.5% production is achieved, the certification will extend for two years).

Such certification is important in the Chapter 40B process because the state will uphold local Zoning Board of Appeals Comprehensive Permit decisions (whether approval or denial) within the one or two year time period will be upheld by the state as being consistent with local needs under Ch. 40B.

Local communities can request the state to include units on the Subsidized Housing Inventory by submitting a “Requesting New Units Form” with supporting documentation (see web page at <http://www.mass.gov/dhcd/>). For homeownership units, only those units that meet the affordability criteria are eligible for inclusion on the SHI. Importantly, affordable housing projects that involve rental housing can have all of the units included on the SHI provided at least 25% of units are to be occupied by eligible households earning 80% or less of the area median income (or alternatively, if at least 20% of units are to be occupied by households earning 50% or less of area median income). Otherwise, only the affordable units that meet income guidelines in such projects are eligible for inclusion on the SHI.

² In Hanover this is 33 units based on the 4,440 year round units identified in the U.S. 2000 Census.

3.0 DEVELOPMENT OPPORTUNITIES AND CONSTRAINTS

3.1 Community Context

The location of the Property presents favorable opportunities for the development of the identified affordable housing needs for rental senior housing. The 60 unit Senior Housing Complex is located along the southeast boundary of the Property directly on Legion Drive and there is a large residential parcel with significant undeveloped area located to the southwest. The area immediately to the north is vacant land owned by the Archdiocese of Boston associated with Street Mary's church on Hanover Street. There are three, single family residential homes located along the westerly Property line on Spring Street, one single family home along the northeast Property boundary on Hanover Street, and three single family homes located east of the Property on Hanover and Folly Hill Lane (see Figure 4, Project Vicinity Aerial Photo).

Because the Property is heavily wooded there is ample opportunity to maintain a vegetated buffer around the Property to screen the Project from the adjacent single family residential neighbors.

Housing Needs

As discussed in Section 2.1, the Town of Hanover does not have enough affordable housing including rental housing to meet demand especially for seniors. There are long waiting lists for the existing senior housing developments in the community. There is not a wait list for disabled housing.

Also, and as previously noted, the Town's Affordable Housing Plan includes a planned affordable housing production goal is 33 units per year which is expected to increase to 38 units per year after the 2010 census count becomes available.

The Project will address some of the senior rental housing needs by providing at least 60 affordable rental units which, when combined with the 11 units to be provided by the Webster Village Project will increase the Town's inventory of affordable housing as defined under the state Chapter 40B program from 375 to 386 or to 8.69% of the year round housing stock and address an existing housing need in the community.

3.2 Physical and Natural Characteristics

The physical and natural characteristics of the Property can accommodate the development of an affordable housing complex. The Property is fairly level and almost entirely comprised of wooded upland underlain by gravelly sandy loam soils, with no indication of ledge. The upland portion of the Property is primarily forested with white pine and oaks (*Quercus* spp.) as the dominant trees and saplings. Low-bush blueberry (*Vaccinium pallidum*), partridge berry (*Mitchella repens*) and wintergreen (*Gaultheria procumbens*) were also observed. The soil found in the upland areas is Hinckley, a non-hydric excessively well-drained loamy sand.



The soils are adequate to support the required building foundations, septic systems and drainage basins. There is one small area of wetland located along the southwest corner of the Property which will need to be avoided and protected. The isolated, forested freshwater wetland is around 7,118 square feet in size and is dominated in the canopy by red maple (*Acer rubrum*) with white pine (*Pinus strobus*) also present. Highbush blueberry (*Vaccinium corymbosum*) and winterberry (*Ilex verticillata*) are common in the shrub layer. Cinnamon fern (*Onoclea cinnamomea*) is the dominant herbaceous plant. Hydric soils were also observed within this area. The perimeter of the wetland extends to the surrounding forested upland and there are no connections to any other wetlands.

As noted in Section 2.2, the Property is a rectangular shaped lot that has about 430 feet of usable frontage along Legion Drive within the existing 40 foot easement. The configuration poses some limitations in laying out an efficient master plan to accommodate internal roadways, buffer zones and building footprints but an adequate layout can be accomplished.

3.3 Infrastructure

Most of the infrastructure elements necessary to support the development of the subject parcel(s) are in place in, along and including, Legion Drive. Curb openings will be required in Legion Drive for new streets and walkways that will be constructed within the parcel for internal circulation, access and parking areas. Utility services will be fed from Legion Drive with a new on-site utility distribution network within the parcel. The ability for individual existing infrastructure elements to support the development in their existing condition, or constraints imposed upon the development with regard to capacity, and/or conformance to subdivision, zoning and Conservation Commission by-laws and regulations, or if upgrades, variances or waivers would be required, are discussed in this Section.

Streets

Legion Drive is currently a private street that is owned by the Hanover Housing Authority and currently maintained by the Hanover Legion Elderly Housing Corporation. It is the desire of the Town for Legion Drive to become a Town Street. Legion Drive is classified as a “Minor” street as defined in the Subdivision Regulations. As Legion Drive currently exists, it is deficient in conforming to several design standards required of an approved Minor Street as shown on the following table.

Traffic

Impacts to local traffic are expected to be minimal and should pose no constraints to the type and size of the planned development. Typically, senior housing is a low generator of traffic and published studies indicate that the weekday peak hour of traffic generated by senior housing (range: 10:00 am to 12:00 pm and 1:00 pm to 6:00 pm) does not coincide with the typical peak hours of adjacent street traffic (range: 7:00 am to 9:00 am and 4:00 pm to 6:00 pm).

ELEMENT	REQUIRED	EXISTING
R.O.W. Width	50 feet	32 feet (for first 262 ft.)
Curb Radii @ intersection (Spring St.)	40 feet	20 feet
Dead-end street turn-around	R.O.W. O.D. 130 feet Pavement O.D. 106 feet Pavement I.D. 24 feet	None
Wheelchair Ramps	@ intersections (or end of cul-de-sac)	None
Pavement Width	26 feet	20 feet
Vertical Granite Curb	All (except sloped @ cul-de-sacs)	On curb radii @ Spring Street Bituminous Berm (on partial length of roadway) None (on most length of roadway)
Paved Sidewalks	4 feet wide – both sides	On partial length
Grass Strip (between curb & sidewalk)	5 feet wide	None
Catch Basins	Both sides @ 400 feet max.	@ approx. 780 ft, but divided by high point and properly located.

Based on one study of a 67 unit Attached Senior Housing Development, the trip generation rate was 3.48 trips/unit over a 24 hour period. Other limited studies (4 studies of average 177 dwelling units) indicate a range of rates of .02 to .37 trips/unit in the am peak hour and .03 to .25 trips/unit in the pm peak hour, with the directional distribution of entering/exiting approximately 50/50. These numbers relate to a range of approximately 1.3 to 24 trips in the am peak hour and 2 to 16.3 trips in the pm peak hour for an estimated 65 dwelling units. The above information is taken from the Institute of Traffic Engineers (ITE) Trip Generation Handbook and peak hour refers to the peak hour of the generator (senior housing).

The existing Senior Housing on Legion Drive is of similar type and size as the proposed development and was used to obtain actual traffic data to estimate the traffic likely to be generated by the new development. Traffic counts were taken by the Planning Department in March of 2008 between 8:00 am and 10:00 am and between 3:00 pm and 5:00 pm on a Tuesday and Thursday. Traffic entering and exiting in each 2 hour morning period were 20 and 19 vehicles respectively and in the evening 2 hour period were 47 and 34 vehicles respectively.

As stated in Section 2.3, accident data records indicate that over a three year period from January 1, 2005 through April 16, 2008, there were no reported accidents at the intersection of Legion Drive and Spring Street, and only 1 reported accident at Spring Street and Hanover Street (Route 139).

Utilities

Water

According to discussion with the Hanover Public Works Department, the 8 inch water main currently existing in Legion Drive is looped by connection to a 10 inch water main in Spring Street and an 8 inch main in Folly Hill Lane. While it could not be definitively determined without a defined number of units and layout of the development, it is likely that this main would be adequate to serve the proposed development and pose no constraints.

Fire Hydrants

The hydrant that exists in Legion Drive approximately 500 feet east of Spring Street would meet the requirement of a hydrant within 500 feet of any building. Based on final layout of roadways, parking areas, open common areas and buildings, it would be likely that additional hydrants within the development should be placed for practical safety.

Natural Gas

According to discussion with Bay State Gas, the 2 inch intermediate pressure gas line which currently exists in Legion Drive should be adequate to serve the proposed development and pose no constraints. Responsibility for installation costs is based on a calculation model which considers estimated revenue versus installation costs and tax payments over a designated period (depending on development type). Based on the results installation cost may be borne by entirely by Bay State Gas or partially by BSG and the developer/owner.

Electric

According to discussion with National Grid, the primary electrical service carried overhead on utility poles located along the south side of Legion Drive should be adequate to serve the proposed development and pose no constraints. All services (equipment, poles, etc.) would be furnished and installed by National Grid if overhead. If underground services are desired, it would be the responsibility of the customer (developer/owner) to bear the cost of equipment and installation.

Sanitary Sewer

New on-site subsurface sewage disposal systems are required for the sanitary sewer effluent of the proposed development. The size, location and number of systems will be dependent upon the number of units/bedroom, type of housing (senior, standard residential) and layout of the buildings and amenities. The size and design requirements for septic systems are based on the design flow to be handled. As the design flow reaches certain thresholds (i.e.: 5,000 gpd, 10,000 gpd), the requirements, complexity and size of the systems increase, such as requiring special treatment systems, pumps, etc. It is expected that there will be separate smaller subsurface disposal systems, each serving a number of units or building clusters rather than one large system in order to keep the systems a manageable size and within the lesser requirements. This is similar to how the existing Senior Housing complex subsurface disposal systems were designed and installed. New systems are not allowed within 100 feet from the wetland resource area. Septic systems are allowed within the Aquifer Protection Area, but would be subject to strict requirements and it would be prudent to avoid placing systems within this area if possible.

Based on preliminary study of the Property conditions and applicable regulations, there is nothing evident that would constrain the ability to achieve the necessary design and layout of subsurface sanitary disposal systems that would conform to any and all requirements/regulations for the number and type of expected development units.

Property Drainage

Any development on the Property would transform a currently undeveloped, wooded site thus increasing stormwater runoff. Drainage in Legion Drive consists of leaching basins and the closest piped drain systems are in Spring Street and Route 139, making it impractical to consider conveying the site drainage to an existing closed drainage system. Therefore, careful planning and design of the Property layout, grading, and stormwater management systems would be required to handle stormwater runoff on-site, with particular consideration of Low Impact Development (LID) practices. Specific constraints and regulations of the State Wetland Protection Act and Hanover Conservation Commission By-Laws will apply to work in, or affecting the Wetland Buffer zone on the southwest portion of the Property and the Aquifer Protection Zone on the western portion of the Site. There are no conditions evident that would indicate that any and all requirements/regulations for stormwater management cannot be met.

3.4 Regulatory Issues

Zoning

The Property is located in the R-A Residential District which restricts uses to single family residential and accessory uses. The easterly portion of the Property is located in the Aquifer Protection Overlay District which imposes further restrictions on density and uses and the placement of septic systems.

The Town's zoning by-law contains fairly stringent use and dimensional requirements for the R-A Residential District. The only zoning option for developing housing other than single family residential on the Property is to utilize the Planned Senior Development (PSD) provisions of the zoning by-law. However the Property could not take advantage of these provisions without a variance as the regulations require a minimum lot area of 20 acres as well as the provision of 11,000 sf per unit excluding paved areas and wetlands. The Property is only 6.59 acres and if 60 units are constructed, this would equate to 4,785 sf per unit including wetlands and paved areas.

The options for achieving zoning compliance therefore, include the following:

- change the zoning of the parcel;
- acquire variances from the minimum lot area and area per unit provisions of the PSD and other dimensional requirements of the underlying R-A zoning district such as height.
- invite proposals from developers or nonprofit organizations to petition the Zoning Board of Appeals for a friendly 40B development that complies to the greatest extent possible with local land use regulations.

Of the three options, the third option is the preferred. The first option would require a 2/3 vote a Town Meeting and could be considered "spot zoning". The second option would require variances from the zoning by-law and could therefore be precedent-setting. The third alternative could result in a design that complies

to the greatest extent possible with the zoning by-law and other density and design goals of the community and achieve the Town's housing production goal for the Site

Subdivision Regulations

Legion Drive is not a public street, but exists on an easement on the subject parcel to serve the existing Senior Housing Complex. Because of this, Legion Drive will either need to become a public street, or a legally binding agreement to define and clarify the maintenance responsibilities (snow removal, street sweeping, etc.) must be made between the Authority and the owners of the Senior Housing Complex who will still require the use of the easement.

Typically when properties are subdivided, the streets and utilities must be designed and constructed in compliance with the Hanover Rules and Regulations Governing the Subdivision of Land. Legion Drive, as it currently exists does not meet all of standards outlined in these regulations (as described in Section 3.3) and would need to be improved, or waivers granted by the Planning Board in order for the Town to accept it as a public street. The Planning Board has indicated to the Town Planner a willingness to work with the Authority to allow appropriate waivers from the street design criteria.

Title 5

The design, construction, operation and maintenance of the subsurface sewage disposal systems are regulated by, and must conform to the stringent requirements of Massachusetts Regulations 310 CMR 15.00 state Environmental Code Title 5. Depending on the size of the required system(s), these regulations will be administered by either the DEP or the Town Board of Health. As noted in Section 2, the soils characteristics on the Property are suitable to support the installation of septic systems to treat sanitary sewage in compliance with the state and local Board of Health Title 5 design requirements. Based on the zoning map however, the eastern portion of the Property is located in an Aquifer Protection Zone. Additional soil and hydrologic testing will be required to determine if such conditions can support the placement of septic systems and if "... the permeability, saturated thickness and direction of surface or ground water flow indicate a direct supply of water to the Town of Hanover wells."³

Wetlands

As noted, the Property contains an isolated freshwater wetland which may contain a potential vernal pool. The delineated isolated freshwater wetland is too small and shallow to fall under the definition of Isolated Land Subject to Flooding under the Massachusetts Wetlands Protection Act. In addition, under the Massachusetts Wetlands Protection Act (the Act), a vernal pool must fall within a jurisdictional resource area. Because this particular potential vernal pool does not lie within a jurisdictional resource area under the Act, it too is not jurisdictional under the Act. Therefore, the delineated isolated freshwater wetland and potential vernal pool are jurisdictional under the Hanover Wetlands By-law, only, and not under the Massachusetts Wetlands Protection Act.

The boundaries of the wetland resource areas were flagged in the field and An Abbreviated Notice of Resource Area Delineation was prepared and submitted to the Hanover Conservation Commission. Based

³ See section 6.810 paragraph D of the Hanover Zoning by-law.

on a site visit with the Town Conservation Agent, the delineation of the potential isolated pool was changed slightly. The Commission approved the delineation at its April 2, 2008 meeting (see Figure 5 for location of delineated wetland resource areas and Attachment 3 for a copy of the Order of Resource Area Delineation). The wetlands are located on the southwestern portion of the Property and can be avoided as part of the Project design.

MEPA

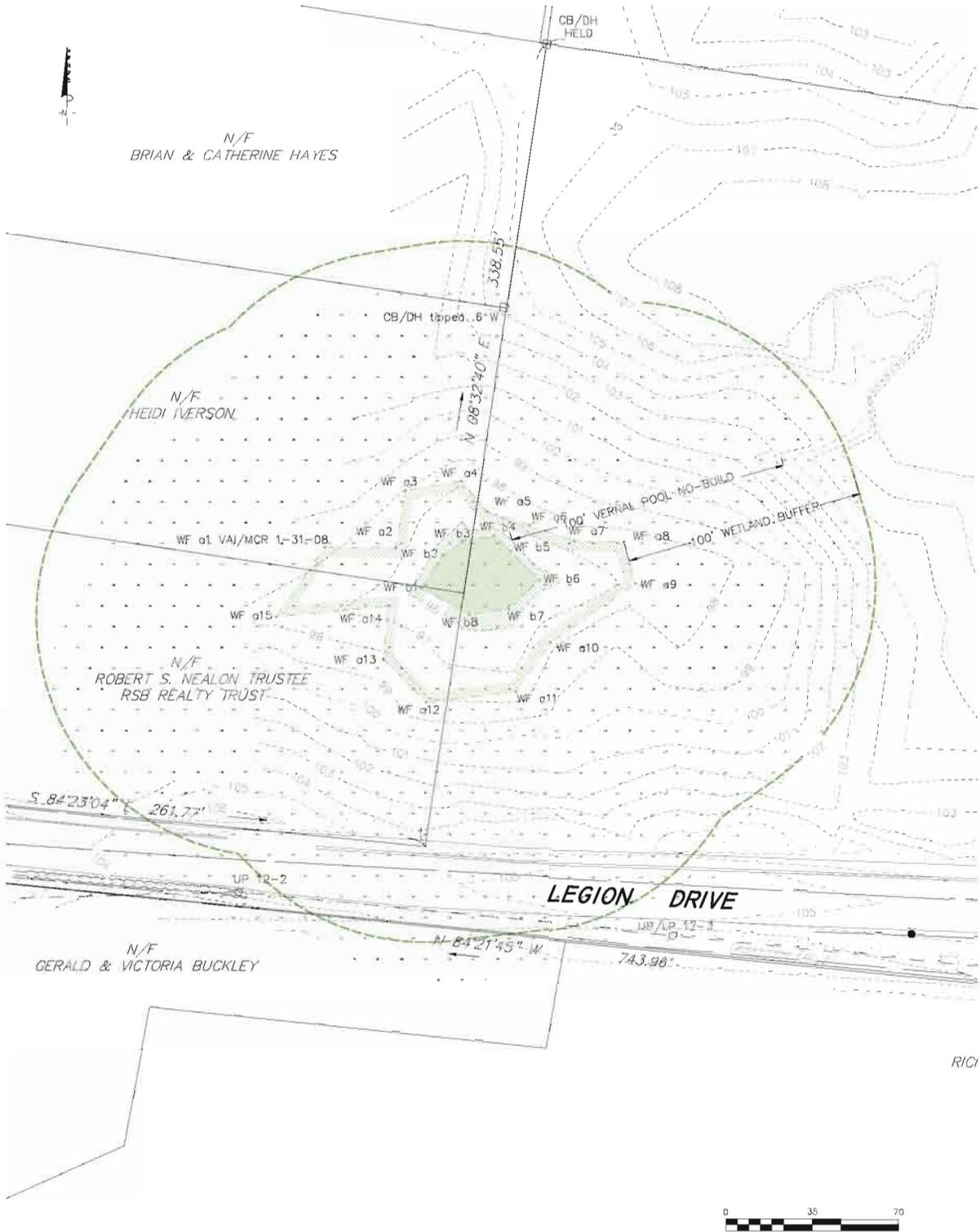
The state MEPA regulations require projects that exceed certain thresholds to file environmental documents with the state before state permits can be issued. MEPA review is required when projects utilize state funding and/or require state permits. Based on the alternative layouts included in this report, there does not appear to be any MEPA thresholds that would not be exceeded and therefore no MEPA filing should be required.

MGL 40B

While viewed by some members of the public as a program that developers use to side step local zoning and subdivision regulations, Massachusetts General Law Chapter 40B can also be used by local municipalities as a vehicle to work with developers/nonprofits to produce affordable housing units through a “friendly” 40B permit process. There are specific procedures and legal requirements that must be adhered to.

3.5 Ownership

While there is a need in the community to provide affordable housing for a variety of households, the confirmatory deed that transferred the property to the Hanover Housing Authority stipulates that the use is restricted to housing for the elderly and disabled persons. As a result, the options for developing affordable housing at the Property are limited to these two housing types and, as noted in Section 3.1, while there is little to no demand for housing for the disabled, there is a large demand for senior rental housing.



4.0 DEVELOPMENT OPTIONS AND CONCEPTUAL MASTER PLAN

4.1 Housing Mix

Based on the existing housing needs in Hanover, the Site's development capacity, neighborhood context, and regulatory and legal restrictions, the Housing Authority has concluded that the optimal housing mix for the Property is rental housing for seniors. There are many options for developing the Property and Section 4.2 below describes two optional site layouts that include one bedroom units ranging from 60 to 68 units. The inclusion of up to 75% (and no less than 25%) of market rate units into the Project should be considered by the Authority to create a more vibrant community and to help offset development costs. These units would be counted toward the SHI as the entire Project would be rental (provided that 25% of the units are affordable to households earning 80% less area median income or 20% of the units are for households with income 50% or less of median income).

Should the Archdiocese parcel become available, that site could be used to provide additional affordable senior rental units or possibly home ownership opportunities which would meet another housing need in the community identified in the 2008 Housing Plan.

4.2 Optional Site Layouts

Two diagrammatic housing layouts were developed for the Property which include public amenities such as open spaces, landscaped areas and perimeter buffers as well as green design elements such as walking paths comprised of pervious pavement (see Figure 6 and 7 and Section 4.2.1 below). Architectural design standards compatible with the neighborhood should be established by the Authority and included in the bid documents for developer solicitations.

The layouts also include areas of commonality such as primary access via Legion Drive and redundant, common septic systems that provide twice the required capacity. To the extent possible, the septic systems were located within landscaped areas or under pavement. No activities are proposed within the 100 foot buffer zone to the isolated wetland. Where possible, a 50 foot buffer was established where no above ground structures (including paving) would be placed on the north, east and west sides of the development. All of the options include a turn around at the end of Legion Drive which is located within the 50 foot buffer zone.

To the extent possible, all the optional site layouts were designed to conform to the extent possible with the provisions of Section 6.040 (A) of the Planned Senior Housing Development zoning by-law. While the minimum site size and area per unit provisions⁴ cannot be met, other requirements can be met as outlined below.

⁴ Minimum lot size of 20 acres of which at least 10 acres must be clear of wetlands, other resources and/or easements that restrict use; at least 5 acres must be devoted to common open space (also exclusive of wetlands and/or restrictive easements); minimum of 11,000 sf must be provided for each dwelling unit exclusive of wetlands and easements and all paved surfaces such as roads, drives and parking areas.

Compliance with Planned Senior Housing Development Zoning		
Provision	Requirement	Compliance
Height	Same as underlying zoning (35'/3 stories maximum)	Complies
Frontage	Same as underlying zoning (150 feet per lot)	Does not comply
Setbacks between buildings	Minimum of 40 feet	Complies
Setback from property line	Minimum 75 feet	Complies east/west and north Setback from Legions Way is less
Landscaped buffer around site excluding access road or drives not internal to project	50 feet	No buildings within 50 feet, some options have portions of roadways
Access Road	Minimum of two unless otherwise approved by Planning Board	Options 1, 2 and 3 comply, option 4 has only one access drive
Age Restricted	55 years or older	TDB
Maximum # of dwelling units	No > than 4% of total dwelling units based on data from Assessors Office	Complies

Two additional site layouts were developed that incorporate a 3 acre portion of the Archdiocese Parcel (see Figures 8 and 9 and Section 4.2.2 below). By adding the Archdiocese land to the Property, greater flexibility is provided in laying out the streets and units.

4.2.1 Authority Property

A description of each of the optional site layouts for the Authority Property is provided below.

Option 1

Figure 6 illustrates Schematic Design Option 1. Option 1 includes six structures housing a total of 60 units. This scheme includes three 12 unit structures and four 8 unit structures. The units are two story walkups similar to the Senior Housing Complex across the street. The individual units are 750 square feet (sf) in size.

Vehicular access to the development is provided via two interior, one way roadways off of Legion Drive. A total of 60 parking spaces/unit are provided. Parallel parking is provided along one side of the interior streets as well as along Legion Drive. The buildings are 30 feet deep, two stories in height with units on both floors.

The buildings occupy 22,500 sf or 8% of the total parcel and a 50 foot wide buffer is established on the east, north and west portions of the Property. The roadway and parking occupy 35,354 sf or an additional 12.3% of the parcel.

Option 2

Figure 7 illustrates Schematic Design Option 2. Option 2 includes seven structures housing a total of 68 units. This scheme includes three 12 unit structures and four 8 unit structures. The units are two story structures with the upper floors accessed via one common elevator. The upper floors would be designed with a double loaded corridor. The individual units are 750 sf in size.

Vehicular access to the Property is provided via a one way internal roadway with two curb cuts off Legions Drive. A total of 94 parking spaces are provided at a ratio of 1:1.25 spaces per unit. Angled parking is provided along both sides of the interior road as well as along Legion Drive. The buildings are 45 feet deep (to accommodate the double wide elevator access corridor), two stories in height with units on both floors.

The buildings occupy 37,530 sf or 13% of the total parcel and a 50 foot wide buffer is established on the east, north and west portions of the Property. The roadway and parking occupy 41,914 sf or and additional 14.6% of the parcel.

4.2.2 Authority and Archdiocese Properties

The consultant that prepared the Hanover Housing Plan developed a schematic drawing that illustrates an affordable housing concept utilizing the Property and an adjacent 3 acre site owned by the Archdiocese. As shown on the following page, the addition of the Archdiocese parcel significantly improves the development potential of the Housing Authority parcel by increasing the parcel depth allowing a more flexible and clustered building arrangement and street layout. Under this scenario, the buildings are designed as attached clusters with a majority of the Property reserved as undeveloped open space which is in keeping with the typical development patterns in Hanover. On street parking is proposed with additional visitor parking provided on Legion Drive.

The additional area also allows for the creation of a large linear “parkways” between the building rows that provide residents with easily accessible passive recreation opportunities and contribute to the attractiveness and open feel to the development. The building designs are residentially scaled with two stories and front porches which encourage a sense of community and are compatible with adjacent land uses.

8.1



Site: Wooded property owned or available to the Hanover Housing Authority adjacent to an existing senior development off Legion Road. 9 acres.

Program: Senior housing
8 apartments per acre, 72 affordable apartments total
86 parking spaces

Goals: Making affordable housing development and open space preservation compatible goals.

Cluster Development



As part of this feasibility study, two additional layouts were developed for the combined properties.

Option 1

Figure 8 illustrates Schematic Design Option 1 for the combined sites. Option 1 includes 8 structures housing a total of 80 units. This scheme includes four 12 unit structures and four 8 unit structures. The units are two story structures with the upper floors accessed via one common elevator. The upper floors are designed with a double loaded corridor. The individual units are 750 square feet in size.

Vehicular access to the Property is provided via a one way internal roadway with two curb cuts off Legion Drive. A total of 85 parking spaces are provided at a 1:1 ratio per unit. Angled parking is provided along both sides of the interior road as well as off Legion Drive. The buildings are 45 feet deep, two stories in height with units on both floors.

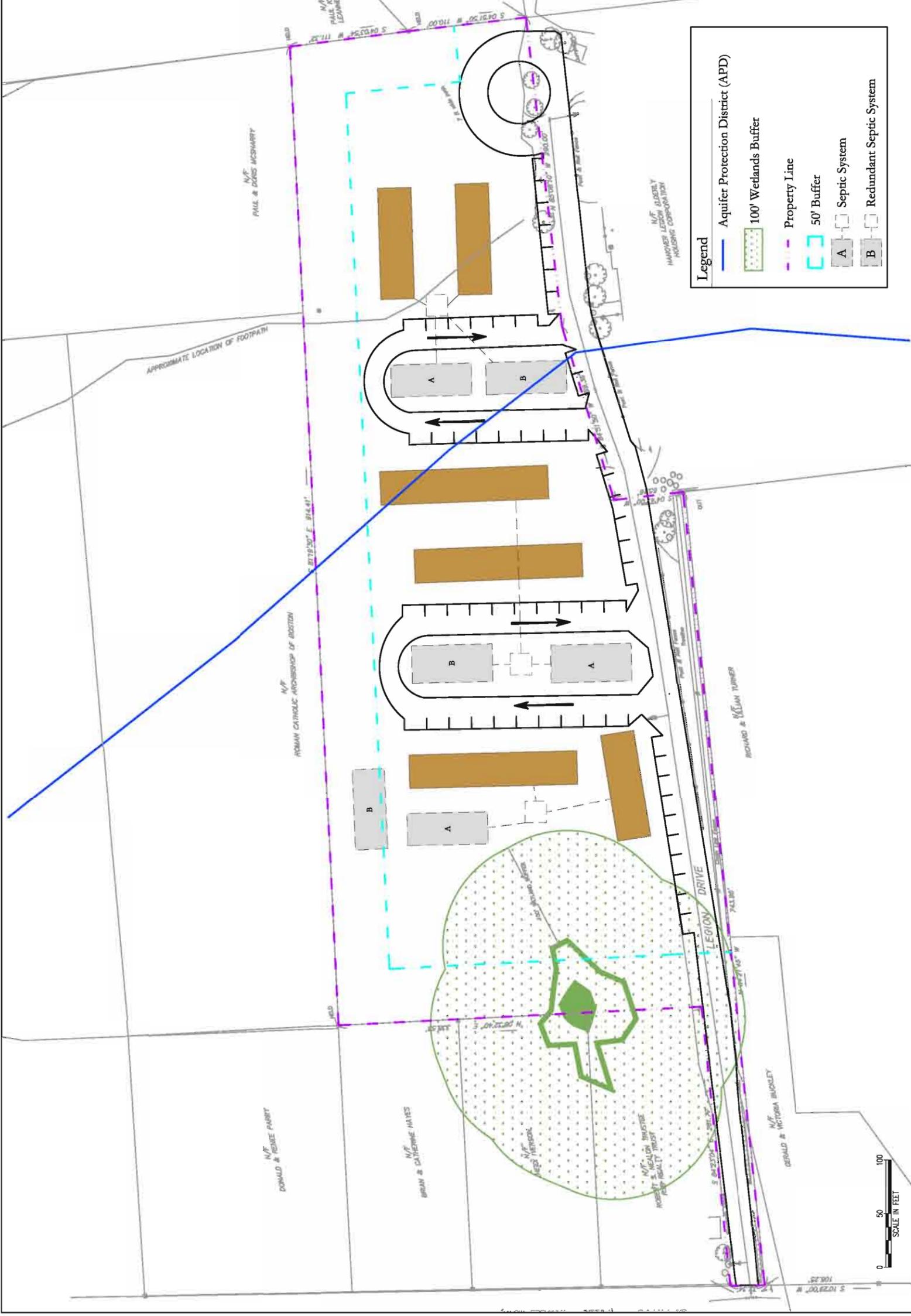
The buildings occupy 44,530 sf or 10.6% of the combined sites and a 50 foot wide buffer is established on the east, north and west portions of the development. The roadway and parking occupy 48,088 sf or an additional 11.5% of the combined sites.

Option 2

Figure 9 illustrates Schematic Design Option 2 for the combined sites. Option 2 includes 10 structures housing a total of 92 units. This scheme includes three 12 unit structures and seven 8 unit structures. The units are two story walkups.

Vehicular access to the Property is provided via two interior one-way roadways off Legion Drive. A total of 73 parking spaces are provided at a 1:0.82 ratio per unit. Parallel parking is provided along one side of each of the interior roads as well as off of Legion Drive. The buildings are 30 feet deep, two stories in height with units on both floors.

The buildings occupy 34,500 sf or 8.2% of the combined sites and a 50 foot wide buffer is established on the east, north and west portions of the development. The roadway and parking occupy 75,683 sf or an additional 18% of the combined sites.



Buildings
 # Units: 60
 # Buildings: 6
 3/12 Unit
 3/8 Unit

Building Size (2 Story)
 12 Unit: 30' x 150' (4500 sf)
 8 Unit: 30' x 100' (3000 sf)

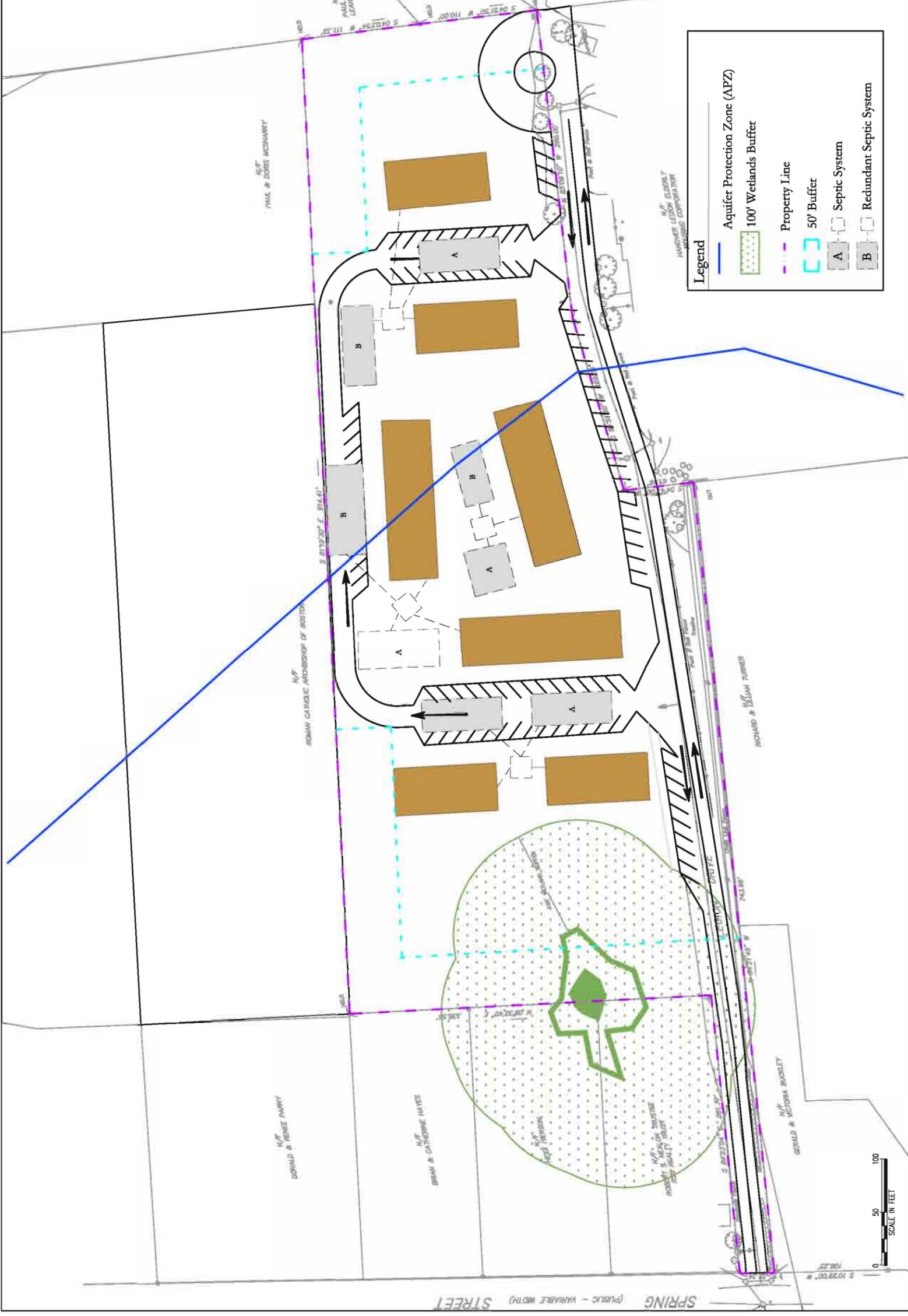
Building Set Backs
 20' Street
 50' Remaining Property Lines
 40' Between Buildings
 20' From Septic Field

Site Design
 Roadway: 18' Paved
 Parking Spaces: 10' x 20'
 # Spaces: 60
 Parking Ratio: 1:1
 Septic Field Ratio: 1,265 cf/Unit
 (Twice the Required Area)

Density
 Parcel size: 287,055 s.f. (6.58 Acres)
 Building Footprint: 22,500 s.f.
 Lot Cover: 8%
 Paved Area: 35,354 s.f.
 Lot Cover: 12.3%
 Net Open Space: 79.7%

Legend

- Aquifer Protection District (APD)
- 100' Wetlands Buffer
- Property Line
- 50' Buffer
- A - Septic System
- B - Redundant Septic System



Buildings
 # Units: 68
 # Buildings: 7
 3/12 Unit
 4/8 Unit

Building Size (2 Story)
 12 Unit: 45' x 150' (6750 s.f.)
 8 Unit: 45' x 96' (4320 s.f.)

Building Set Backs
 20' street
 50' Remaining Property Lines
 40' Between Buildings
 20' From Septic Field

Site Design
 Roadway: 18' Paved
 Parking Spaces: 13' x 20'
 # Spaces: 94
 Parking Ratio: 1:1.4
 Septic Field Ratio :1265 c.f./Unit
 (Twice the Required Area)

Density
 Parcel Size: 287,055 S.F. (6.58 Acres)
 Building Footprint: 37,530 s.f.
 Lot Cover: 13.0%
 Paved Area: 41,914 s.f.
 Lot Cover: 14.6%
 Net Open Space : 72.4%





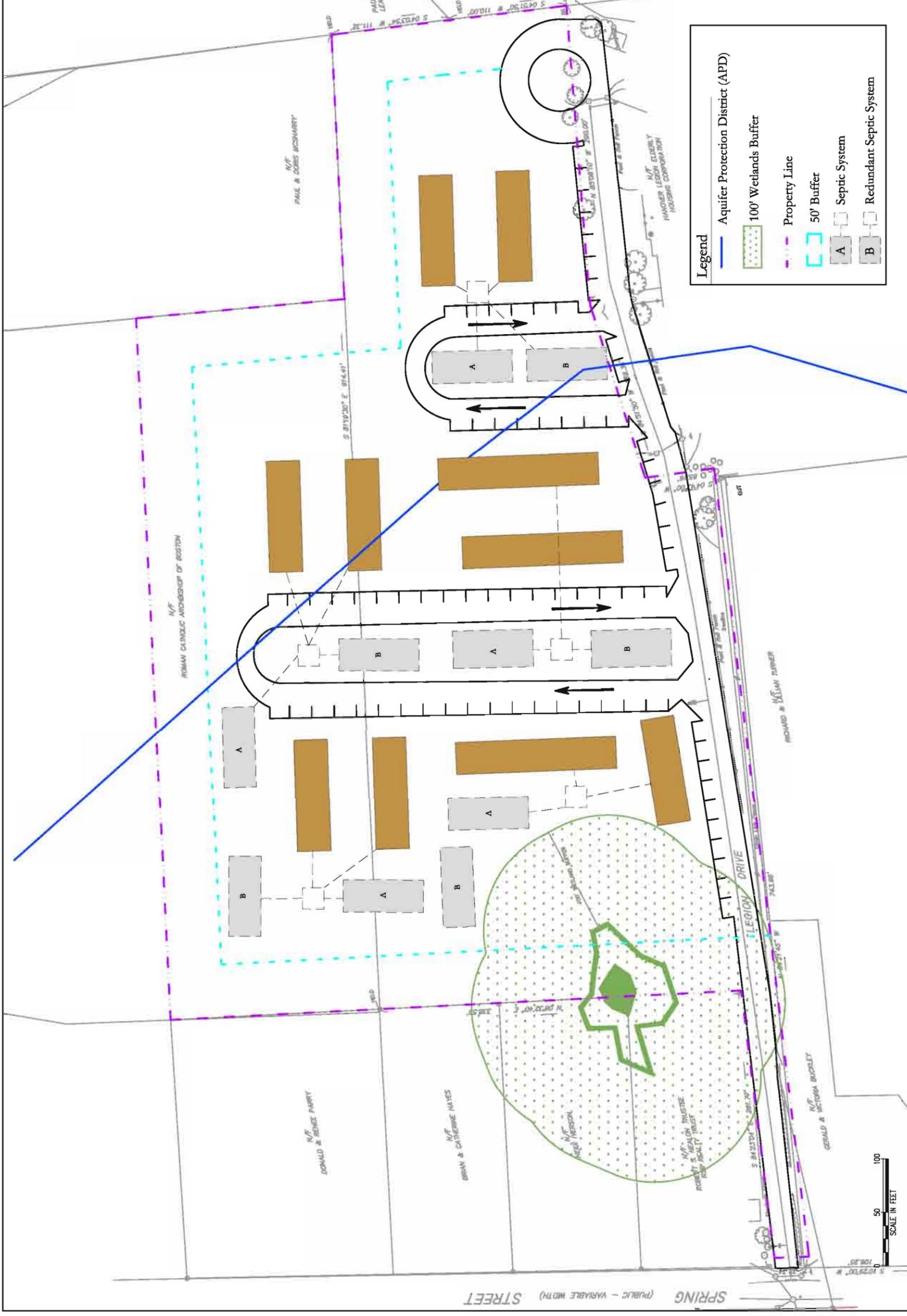
BUILDINGS:
 Total Units= 92
 Total Buildings= 10
 3/12 Units
 7/8 Units

Building Size (2 Story):
 12 Unit= 30'x150' (4500 s.f.)
 2 Story
 8 Unit= 30'x100' (3000 s.f.)
 2 Story

Site Design:
 Roadway= 18' Paved
 On Street Parallel Parking= 10'x20'
 Total Parking=73
 Parking Ratio= 1:0.82
 Septic Field Ratio = 1,265 cf / Unit
 (Twice the Required Area)

Set Backs
 20' Street
 50' Remaining Property Lines
 40' Between Buildings
 20' from Septic Field

Density:
 Total site= 417,735 s.f. (9.58 Acres)
 Total Building Footprint= 34,500 s.f.
 Lot Cover= 8.2%
 Paved Area= 75,683 S.F.
 Lot Cover= 18%
 Net Open Space = 73.8%



5.0 IMPLEMENTATION

5.1 Site Design and Layout

The development of the Property should strive to preserve open space, create public walkways and landscaped areas for the residents to enjoy and employ Low Impact Development (LID) techniques. Sidewalks should be wide enough to accommodate wheelchairs and walkers. The Property is wooded and site clearing should be minimized to the greatest extent possible. One method to minimize the amount of clearing is to place utilities and septic systems in areas that will be cleared for other purposes such as roadways, sidewalks, and parkways.

Clustering of the units will reduce the amount of paving required for internal circulation and reserve a majority of the Property as open space. Other techniques that can be included in the design are alternative paving materials for the sidewalks that allow rainwater to infiltrate through the pavement thereby reducing site runoff and increasing ground water re-charge.

Rain gardens planted with native materials can be incorporated in to the site design which will help reduce runoff by collecting stormwater and provide wildlife habitat and a visual amenity.

The Property has an existing, informal walkway that extends to and through the Archdiocese parcel. This path should be retained and/or relocated and opportunities for creating other pedestrian network connections to adjacent areas should be pursued.



Photo Source: http://www.lid-stormwater.net/general_residential.htm

Single family residential units about the Property to the east and west and adequately sized buffers should be established to minimize the visual impact of the development on these uses. Storm drainage runoff generated from the site should be retained on site to avoid impacts to adjacent properties. To the extent possible, septic systems should be located outside of the Aquifer Protection Zone.

LID goals should be made part of the contractual requirements in the solicitation of development proposals.

5.2 Building Design and Layout

Similar to the requirements for Village Planning Unit Development of the Hanover Zoning by-law, the buildings should be designed in a style and scale that is reminiscent sloped roof New England residential buildings with front porches found in the community.

For the purpose of this study, the buildings are assumed to be two stories in height with units on the first and 2nd floors. Some of the buildings include 8 units and others include 12 units. The units are one bedroom and average 750 square feet in size. Incorporating several units in single structures minimizes the number of buildings and reducing setbacks between buildings will allow the buildings to be clustered thereby increasing

open space on the Property. A 20 foot building setback should be maintained along Legion Drive while setbacks from the internal street could be reduced to allow residents easy access to their units. Common elevators accessing the second floors are desirable although the existing Legion Drive Senior Housing development has walk up second floor units. Ground floor units should have individual doors to access each unit and a single ground floor door can provide common access to the upper units.

The design of the units should take into consideration accessibility requirements. Entry sidewalks should extend from the street sidewalk to the front doors of the buildings. The units should include accessible features including accessible bathroom fixtures, as well as adequate clearance and turning areas for wheelchairs.

Low Impact Design and energy saving features should be incorporated into the building design and layout. If possible the building should be oriented to maximize solar exposure and high efficiency heat and hot water systems and other energy saving devices should be included in the building construction. The incorporation of rain barrels is another LID technique that collects water from downspouts which can be used to water lawns and gardens.



Photo Source: http://www.lid-stormwater.net/general_residential.htm

Goals for green building design certification commonly known as LEED⁵ should be made part of the contractual requirements in the solicitation of development proposals.

5.3 Infrastructure Improvements

The following paragraphs describe the known or estimated implementation requirements for the various infrastructure elements necessary to complete the development of the parcel(s).

Streets

As described in Section 3.3, Legion Drive is deficient in conforming to several design standards required for streets approved under the subdivision regulations, and would require upgrades in order to do so. In lieu of meeting all requirements, the Town would need to waive some or all of the requirements to accept Legion Drive as an approved Town street.

The common factor restricting conformance to most requirements is the limited Right of Way (ROW) width. The existing ROW of 32 feet does not provide the width needed to allow the full required widths of pavement, sidewalks and grass buffer strips.

The recommendations for implementation are as follows:

- *Waive the requirement for a 50 foot ROW width and maintain the existing right of way width.* Increasing the ROW will require acquiring a portion of one or both of the adjacent properties on each side of

⁵ Leadership in Energy and Environmental Design.

Legion Drive approximately 300 feet from Spring Street. This would also require the removal of established trees, shrubs and fencing, thus changing the rural, wooded character of the roadway.

- *Waive the requirement for 40 foot radii at the intersection with Spring Street.* Considering the usage, adequate sight distance, and no record of safety issues, increasing the radii would provide little benefit for the cost and impact associated. Large vehicles, such as delivery/moving trucks or fire apparatus may have to swing a little wide to enter/exit Legion drive, but the infrequency of such occurrences would not warrant the negative impacts of increasing the corner radii.
- *Provide means for dead-end street turn around on Legion Drive to the greatest extent practicable.* This would apply to the East end of Legion Drive near the existing Senior Housing Development. Since no turn-around exists, this would be an opportunity to consider the construction of such means. Determination should be made based on the cost/benefit and impacts, specifically: severity of need, clearing of trees/wooded area, earthwork, impact to Aquifer Protection Area and overall cost. With proper design for the specific conditions, a means of turn-around that requires less area than the full required dimensions of the regulations may be attained. Dead end turn-around would be provided as part of the site design within the new development if necessary. The improvement to Legion Drive should be part of the construction and cost of the developer.
- *Waive the requirement for 26 foot pavement width (300 feet from Spring Street).* Considering the fact that Legion Drive would serve only the existing and proposed senior housing parcels and has no through-traffic, increasing the pavement width would provide little or no improvement to function or safety (also see ROW discussion above). For the length of Legion Drive beyond the 300 feet from Spring Street, there is ample opportunity to provide the pavement width, parking and sidewalks necessary in the area fronting and serving the development. This should be part of the construction and cost of the developer.
- *Waive the requirement for 4 foot sidewalks with grass buffer strips on each side of the street.* Again, due to limited ROW, there would be significant impact to attain this standard. Considering that there are no sidewalks continuing on Spring Street and with the exception of the church, no close walking destinations to create or encourage (particularly senior) pedestrian travel, the cost and impact to fully meet this standard is not warranted. Improvement of the existing sidewalk area on the north side of Legion Drive near Spring Street to a 5 foot paved (bituminous or cement concrete) sidewalk is recommended which should be extended easterly towards and along the new development, connecting with the walkways into and through the new development. As previously discussed in this report, consideration should be made to provide an internal walkway from the development towards the church and Hanover Street (Route 139). Sidewalk improvements should be part of the construction and cost of the developer.
- *Waive the requirement for vertical granite curb for most of the existing street.* Vertical granite curbs should be installed where new sidewalks are installed (recommended: north side of Legion Drive from Spring Street to the new development). The south side of Legion Drive should remain as is. If curbing is required for containment or channelization of drainage, then bituminous berm (as exists in some

areas) would be sufficient at less cost. Curbing improvements should be part of the construction and cost of the developer.

- *Require wheelchair ramps at corners and other required locations where sidewalk/curbing exist or is constructed. All pedestrian paths must be constructed to fully meet ADA requirements.*

The above recommendations for implementation are based on best judgment of value for cost versus benefits attained. In general, based on the use of Legion Drive solely as access to the two (existing and proposed) Senior Housing Developments, there would be little tangible improvement to function or safety of Legion Drive attained from substantial investment in, and impacts associated with upgrading the existing layout and amenities.

Although costs of improvements could be made the responsibility of the developer at no cost to the Town, keeping the off-site improvement costs low will make the development more attractive for developers, allow better use of their investment towards the quality and amenities of the development itself, and help towards the affordability of the residences.

New streets constructed within the development, while technically not a subdivision, should conform as much as practicable to the Town's subdivision rules and regulations for streets, particularly those which would affect public safety/emergency vehicle access.

Traffic

Since there is expected to be minimal impact to traffic, there is very little needed to be implemented in this regard. Signs could be installed on each approach to Legion Drive along Spring Street to advise drivers of the intersection entrance to senior housing, and possibly improved lighting for visibility and awareness.

Utilities

Water

Water service for the Property would be brought in by connection to the existing 8" main in Legion Drive. The domestic and fire demand flow and layout of the water distribution system for the new development would be determined by the site and plumbing engineers during the design process. The flow requirements and layout shall be coordinated with the Town Water and Public Works departments for definitive determination of the adequacy of existing water main in Legion Drive to serve the development.

Connection to the existing main and the distribution system for the development shall conform to all water department and subdivision regulations and requirements, subject to the review and approval of the Town Water and Public Works departments.

Fire Hydrants

New hydrants will be appropriately located within the development in conformance with the subdivision regulations and with direct coordination, review and approval of the Hanover Fire Department.

Natural Gas

Natural Gas service for the Property would be brought in by connection to the existing 2 inch gas main in Legion Drive. The natural gas system demand and layout for the new development would be determined by the site and plumbing engineers during the design process. The system requirements and establishment of new service, as well as facility installation shall be coordinated with Bay State Gas and also subject to review and approval of the Town Public Works Department.

Electric / Lighting

Electric service for the Property would be brought in by connection to the existing primary power distribution system in Legion Drive. The electrical demand and layout of the distribution and lighting system for the new development would be determined by the site and electrical engineers during the design process. The system requirements and establishment of new service, as well as facility installation shall be coordinated with National Grid and also subject to review and approval of the Town Public Works Department.

Sanitary Sewer

New on-site subsurface sewage disposal systems for the sanitary sewer effluent of the proposed development will be designed and constructed in conformance with the strict regulations of Title V. The system(s) will be designed for the specific flows and layout of the development units and must be approved by the Board of Health and MassDEP, if necessary. It would be preferable to avoid placing septic systems in the portion of the Property designated as Aquifer Protection Area.

Site Drainage

Stormwater management on the Property shall comply with state stormwater standards. Runoff quantity and quality should be controlled on-site by careful planning and design of the site layout, grading, and stormwater management systems utilizing Best Management Practices (BMP's) and Low Impact Development elements to provide low maintenance environmentally sensitive means to collect and cleanse runoff, and recharge the groundwater similar to the pre-development conditions.

Specific constraints and regulations of the State Wetland Protection Act and Hanover Conservation Commission By-Laws will apply to work in, or affecting the Wetland Buffer zone on the southwest portion of the Property and the Aquifer Protection Zone on the eastern portion of the Property.

5.4 Developer Solicitation Process

The Hanover Housing Authority intends requesting bids for development of the affordable housing project on the Property with technical assistance from the state. The bid document should include and building design standards and impose maximum density requirements.

5.5 Ch. 40B Process

As noted, Chapter 40B allows developers to request and Zoning Board of Appeals to grant waivers from local bylaws under a Comprehensive Permit. Many aspects of development projects are considered “negotiable” under 40B such as number of units; density; site layout and design; housing design, height, and type; amount and location of open space and/or recreational facilities; and infrastructure including roadways,

sidewalks, storm drainage and wastewater systems. Many communities require financial contributions for affordable housing programs.

The Project would be submitted to the Town for approval by the Zoning Board of Appeals as a “friendly” Ch. 40B Project. The Ch. 40B approval process is outlined in the Hanover Housing Plan and involves several steps including but not limited to the following:

- state review and approval of the Development Proposal under a state or federal housing program (includes 30 day review by Board of Selectmen).
- issuance of a Project Eligibility letter (site approval letter) from the state that the site is suitable for the envisioned housing program and project is eligible for a public subsidy program need to quality for comprehensive permit and project appears financially feasible.
- submission of Comprehensive Permit application to the Zoning Board of Appeals which is empowered to grant all local approvals necessary for the project after consulting with other relevant boards, such as the Planning Board, and the Board of Health.
- Public Hearing held by the Zoning Board of Appeals within 30 days of the application.
- Zoning Board of Appeals solicits written comments from fall relevant local boards; performs a completeness review of application and requests additional information if needed.
- Outside technical review by consultants hired by Zoning Board of Appeals and paid by the developer.
- Zoning Board of Appeals and a developer agree on plan and Zoning Board of Appeals grants required waivers and issues permit.

Attachment 1
Property Deed and Plan

P16790

45 L74
13

CONFIRMATORY DEED

I, RALPH D. TEDESCHI, of Norwell, Plymouth County, Massachusetts for consideration paid, and in full consideration of \$1.00 grants to HANOVER HOUSING AUTHORITY, a body politic duly organized and existing under the laws of the Commonwealth of Massachusetts pursuant to General Laws Ch. 121B, Section 11. of Hanover, Plymouth County, Massachusetts, with quitclaim covenants, the land in Hanover, Plymouth County, Massachusetts, located off the easterly side of Spring Street shown as parcels 1 and 2 on a plan entitled: Plan of Land in Hanover, Massachusetts, Scale 1" = 40', July 30, 1980, Loring H. Jacobs Co., a Division of Boston Survey Consultants, Inc., 690 Main Street, Norwell, Massachusetts, Prepared for Hanover Legion Elderly Housing, said plan recorded in Plan Book 22, Page 63.

Containing 519,393 square feet, according to said plan.

For grantors title, see deed from Joseph J. Howe and Verna J. Howe, dated August 12, 1955 and recorded with Plymouth Deeds in Book 2440, Page 467.

This conveyance is made subject to the restriction that the premises be used for the construction of elderly or handicapped housing only.

This deed is given in confirmation of deed dated December 30, 1980, recorded in Book 4944, Page 407, where by mistake or inadvertence the above restriction was omitted.

WITNESS my hand and seal this 27th day of July, 1992

Ralph D. Tedeschi
Ralph D. Tedeschi

The grantee herein hereby assents to the above recited restrictions being placed on the within premises.

Hanover Housing Authority

date: October 5, 1992

James P. Dwyer
Bernie Campbell
Robert A. Smalley



CANCELLED
COMMONWEALTH OF MASSACHUSETTS
XPT \$.60
CASH \$.10
1133 SEP 14 1992
EXHIBIT

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
07 OCT 1992 12:47PM
JOHN D. RIORDAN
REGISTER

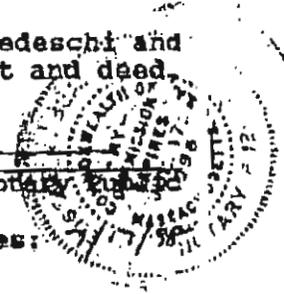
COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

JULY 27 1992

Then personally appeared the above named Ralph D. Tedeschi and acknowledged the foregoing instrument to be his free act and deed before me,

[Signature]
EUGENE V. SHERIDAN Notary Public
My commission expires: 7/17/98



COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

October 5, 1992

Then personally appeared the above named James P. McDonough and acknowledged the foregoing assent to be the free act and deed of the Hanover Housing Authority, before me

[Signature]
KEVIN R. DONOHUE Notary Public
My commission expires:
November 13, 1992

← END OF INSTRUMENT →

see
Pg. 11321
Pg. 145

Property Address: Spring St., Hanover, Ma.

I, RALPH D. TEDESCHI, of Fort Lauderdale, Broward County, Florida

~~of~~ ~~my~~ ~~sole~~ ~~and~~ ~~separate~~ ~~property~~ ~~of~~ ~~the~~ ~~State~~ ~~of~~ ~~Florida~~

~~do hereby convey~~ for consideration paid, and in full consideration of \$35,000.00

grant to Hanover Housing Authority, a body politic duly organized and existing under the laws of the Commonwealth of Massachusetts pursuant to General Laws Ch.121B, Section 11 of with quitclaim covenants

the land in Hanover, Plymouth County, Massachusetts, located off the easterly side of Spring Street shown as parcels 1 and 2 on a plan entitled:
(Describing and covenants, if any)

Plan of Land in Hanover, Massachusetts, Scale 1"=40', July 30, 1980, Loring H. Jacobs Co., a Division of Boston Survey Consultants, Inc., 690 Main Street, Norwell, Massachusetts, Prepared for Hanover Legion Elderly Housing, said plan to be recorded herewith.

Containing 519,393 square feet, according to said plan.

For grantors title, see deed from Joseph J. Howe and Verna J. Howe, dated August 12, 1955 and recorded with Plymouth Deeds Book 2440, Page 467.

See Plan
Book 22
Page 63

Witness my hand and seal this 30th day of December 1980

Ralph D. Tedeschi
Ralph D. Tedeschi

The Commonwealth of Massachusetts

Plymouth

December 30 1980

Then personally appeared the above named Ralph D. Tedeschi

and acknowledged the foregoing instrument to be his free act and deed, before me:

Fred O. [Signature]
Notary Public - [Signature]

My commission expires JUNE 1982



(*Individual — Joint Tenants — Tenants in Common — Tenants by the Entirety.)

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantor and a recital of the amount of the full consideration thereof in dollars and cents or the value of the other consideration on which it is delivered and the date of the recording of the deed. The full consideration shall be in full payment for the conveyance with a balance for any part of

REC'D JAN 22 1981 AT 1-12 PM AND RECORDED

Property Address: Parcel 2, Off Spring St., Hanover, Ma.

Hanover Housing Authority, a body politic duly organized and existing under the laws of the Commonwealth of Massachusetts pursuant to General Laws, Chapter 121B, Section 11, a corporation duly established under the laws of Massachusetts and having its usual place of business at Hanover, Plymouth County, Massachusetts for consideration paid, and in full consideration of Seventy-Five Thousand Dollars (\$75,000.00) grants to Hanover Legion Elderly Housing Corporation of 99 Pine Street, Hanover, Massachusetts with quitclaim covenants the land in Hanover, Plymouth County, Massachusetts, located off the easterly side of Spring Street shown as parcel 2, on a plan entitled:

Plan of Land in Hanover, Massachusetts, Scale 1" = 40', July 30, 1980, Loring H. Jacobs Co., a Division of Boston Survey Consultants, Inc., 690 Main Street, Norwell, Massachusetts, prepared for Hanover Legion Elderly Housing, said plan to be recorded prior hereto, further described as follows:

Beginning at a bench mark with an elevation of 105.00 at the South-westerly corner of the premises, running Easterly S85-46-10E a distance of 457.16 feet along land of the Town of Hanover to another bench mark with an elevation of 90.26; running Northerly N04-51-50E a distance of 511.75 feet along land now or formerly of Thomas K. Tindale and Harriet Tindale; thence Westerly in two (2) courses, the first being N85-08-10W, a distance of 290.00 feet, and further Westerly S84-51-50W, a distance of 169.36 feet, both courses running along line of land now or formerly of Ralph D. Tedeschi; thence turning and running Southerly in two (2) courses, the first being S04-47-00W, a distance of 403.34 feet; the second course being further Southerly, S05-29-10W, a distance of 84.06 feet, the two (2) courses running along land now or formerly of Ralph D. Tedeschi, Richard L. and Lillian F. Turner, and Robert M. and Roberta E. Bowen to the point of beginning.

Containing 232,337 square feet of land, more or less.

There is appurtenant thereto a 40 foot wide easement as shown on said plan, described as follows:

Beginning at a point on the Easterly side line of Spring Street; thence Easterly S84-21-45E, a distance of 743.96 feet, bounded on the South by land now or formerly of Richard L. Turner et ux, to a point on the Westerly side line of property to be conveyed by Hanover Housing Authority to Hanover Legion Elderly Housing Corporation; thence turning and running Northerly N04-47-00E, a distance of 65.16 feet, bounded on the Easterly by property to be conveyed by the grantor to the grantee; thence turning Westerly in two (2) courses, the first being S84-51-50W for a distance of 134.55 feet, and further Westerly N84-21-45W, a distance of 345.92 feet to a point bounded on the West by property now or formerly of Roberta S. Nealon; thence turning and running Southerly S08-32-40W for a distance of 7.67 feet; thence turning and running Westerly N84-23-04W, a distance of 261.77 feet, bounded on the North by property of aforementioned Nealon to a concrete bound on the Easterly sideline of Spring Street; thence turning and running Southerly S10-29-00W a distance of 32.34 feet to the point of beginning.

For grantor's title, see deed from Ralph D. Tedeschi, recorded prior hereto on this same date.

Said easement is granted for the purposes of a right of way from the granted premises to Spring Street for use for all purposes for which public ways are commonly used in the Town of Hanover to be used in common with all others who may be lawfully entitled thereto and specifically reserving to the owners of Parcel 1, on said plan, a like right of way over said easement.

~~of the Grantee to construct and maintain paved road, water and
 maintain utilities both above and below ground at Grantee's expense
 Notwithstanding any provision to the contrary, any construction
 or maintenance of the premises hereunder, shall be subject to final
 approval of the Grantor; such approval shall not be unreasonably
 withheld, failure on the part of the Grantee to indicate dis-
 approval or approval within 21 days after notice by the Grantee
 of any construction or maintenance of the premises shall be
 deemed to be an approval by the Grantor of such construction
 or maintenance.
 There is no restriction on the use of the premises hereunder for
 the purposes of the use of the premises hereunder for
 multiple housing.~~

IN WITNESS WHEREOF, the said Hanover Housing Authority, by these
 presents, has signed, sealed, acknowledged and delivered in its
 name and behalf this 7th day of JANUARY
 in the year one thousand nine hundred and eighty-one.

Signed and sealed in presence of
David H. Nagle, Jr.

Hanover Housing Authority
Robert Basiliere - Chairman
Karen F. Chanton Secretary
Richard N. Bentley
Mr. Charles Higgins, Vice Chairman

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. January 7, 1981

Then personally appeared the above named Robert Basiliere, Chairman
 Hanover Housing Authority

and acknowledged the foregoing instrument to be the free act and deed
 of the Hanover Housing Authority, before me,

David H. Nagle, Jr.
 David G. Nagle, Jr. Notary Public

My commission expires:
December 14, 1984

CERTIFICATE OF VOTE

I, Karen Cranton, Clerk of the Hanover Housing Authority certify that at a duly posted open public meeting of the Hanover Housing Authority held on Wednesday, January 7, 1981 at the Town Hall, Hanover, Massachusetts, the Hanover Housing Authority of those members present and voting unanimously:

VOTED: to purchase from Ralph D. Tedeschi, for the sum of \$35,000.00 a certain parcel of land containing 11.92 acres of land located off the easterly side of Spring Street shown as Parcels 1 and 2 on a plan entitled:
Plan of Land in Hanover, Massachusetts, Scale 1" = 40', July 30, 1980, Loring H. Jacobs Co., a Division of Boston Survey Consultants, Inc., 690 Main Street, Norwell, Massachusetts, prepared for Hanover Legion Elderly Housing.

Upon motion duly made and seconded the Hanover Housing Authority

VOTED: to convey to the Hanover Legion Elderly Housing Corporation parcel 2 of said plan herein referred to containing 5.33 acres of land together with an easement as shown on said plan and to authorize a majority of its members to execute a deed necessary to effectuate such conveyance. Consideration for such transfer shall be \$75,000.00.

I further certify that such Authority is empowered to act by virtue of Chapter 121B, Section 11 of the Massachusetts General Laws and that such authority may act by majority vote of its members.

I further certify that such Authority consists of five (5) members, four of whom were present voted and executed such deed to wit; Robert Basiliere, Karen F. Cranton, Richard N. Bentley and Michael Pizzifieri

Signed this twentieth day of January, 1981.

Karen F. Cranton, Secretary
Karen Cranton, Clerk
Hanover Housing Authority

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

January 20, 1981

Then personally appeared the above named Karen Cranton, Clerk, Hanover Housing Authority and acknowledged the foregoing to be true and accurate vote of the Hanover Housing Authority.

David G. Nagle, Jr.

David G. Nagle, Jr., Notary Public

My commission expires 12/14/84



OFFICE OF TOWN CLERK
TOWN HALL
HANOVER, MASSACHUSETTS 02330
TELEPHONE 826-2881

To Whom-So-Ever It May Concern:

The following list are the current members of the Hanover Housing Authority with expiration date included.

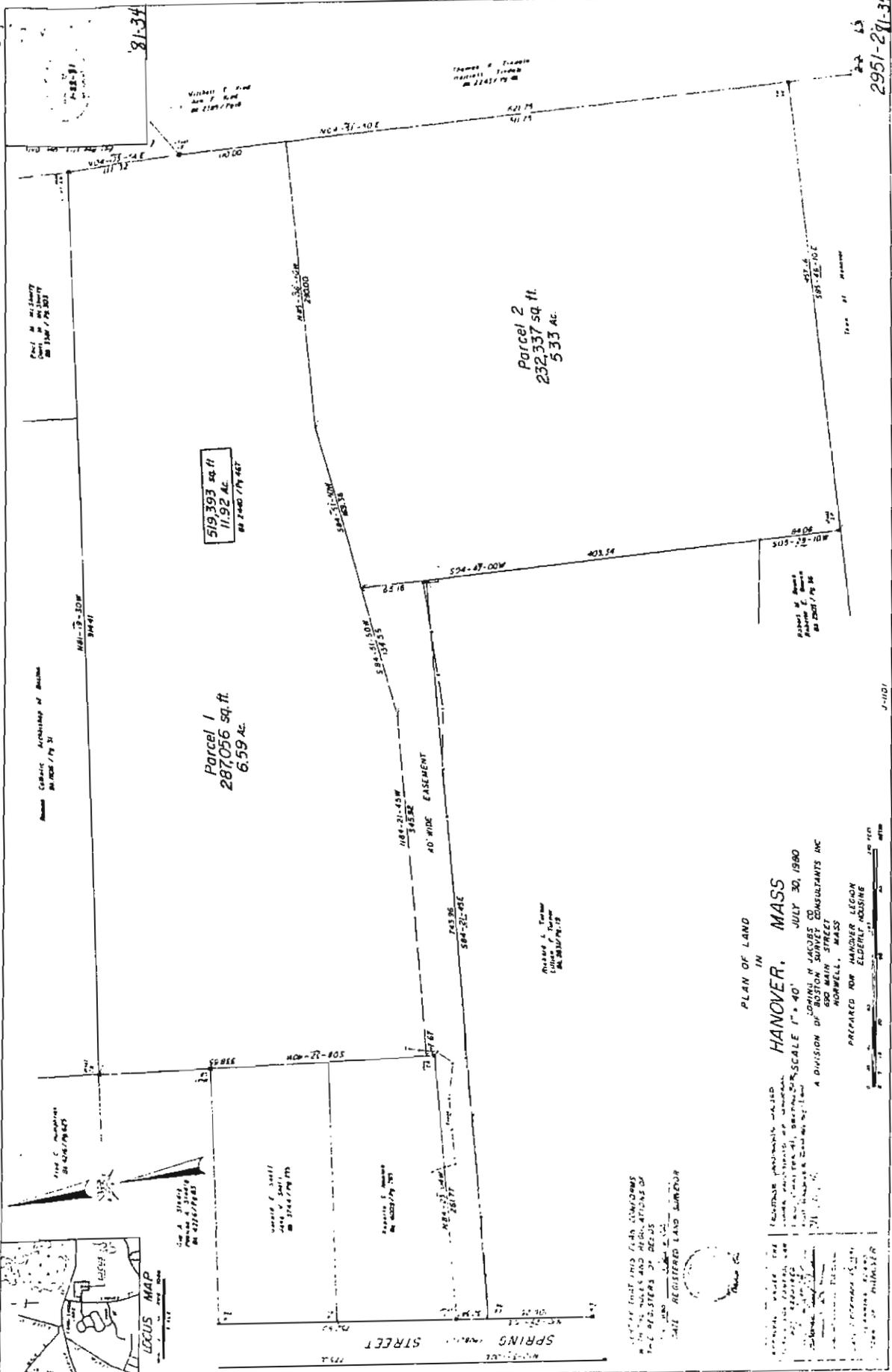
- Robert P. Basiliere, Chairman 1982
- Michael R. Pizziferri, V. Chairman 1985
- Karen Cranton, Secretary 1983
- Richard Bentley 1981
- John F. Ferry, State Member 1983

A TRUE COPY. ATTEST:

John W. Murphy



REC'D JAN 22 1981 AT 1-12 PM AND RECORDED



519,393 sq. ft.
11.92 AC.
88 2400 / 74 467

Parcel 1
287,056 sq. ft.
6.59 AC.

Parcel 2
232,337 sq. ft.
5.33 AC.

PLAN OF LAND

IN
HANOVER, MASS.

JULY 30, 1990
A DIVISION OF BOSTON ADVISE CONSULTANTS INC
680 MAIN STREET
NORWELL, MASS.

PREPARED FOR HANOVER LEGION
ELDERLY HOUSE

NOTICE THAT THIS PLAN CONFORMS
WITH THE REQUIREMENTS OF
THE REGISTERS OF DEEDS OF
THE STATE OF MASSACHUSETTS
AND IS A REGISTERED LAND SURVEY



APPROVED UNDER THE
PROVISIONS OF THE
REGISTERED LAND SURVEYING
ACT OF 1986
AND THE REGULATIONS
THEREUNDER
JULY 30, 1990
BY THE REGISTER OF DEEDS
OF THE STATE OF MASSACHUSETTS

J-1101

2951-291-34

81-34

Attachment 2
State Approval of 2008 Housing Plan



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Tina Brooks, Undersecretary

April 25, 2008

David G. Flynn, Chairman
Board of Selectmen
Town Hall
550 Hanover Street, Suite 29
Hanover, MA 02339

RE: Housing Plan - Approved

Dear Mr. Flynn:

The Department of Housing and Community Development (the Department) has reviewed the Town's Housing Plan (Plan) pursuant to 760 CMR 31.07, "Planned Production." Based on the review of the Plan, the Department has determined that Hanover's Plan meets the standards of the Planned Production regulation. This letter serves to approve the Town's Plan. For the purposes of the Planned Production regulation, plans are considered to be in effect on the date the Department receives a complete plan submission. The effective date of Hanover's Plan is February 21, 2008. The Plan will expire on February 20, 2013. Following approval of its Housing Plan, the Town of Hanover may request that the Department certify that the Town has met its housing goals as outlined in the Plan ("certification of compliance").

Please note that the year your Housing Plan is approved is treated as the first year of Plan participation. Since the approved Plan is based on a pre-existing locally approved plan (Hanover's Local Comprehensive Plan), units created prior to the Affordable Housing Plan's effective date, but on or after January 1 of the current year may be counted. If the Town has units which meet these criteria and are consistent with the Plan, the Department will certify that the Town is in compliance with its Plan within 30 days of receiving it.

I applaud the Town of Hanover's continuing efforts to respond to its housing needs and to produce affordable housing. Should you need assistance as you implement the Town's Plan, or have any questions regarding the transition rules for the Housing Production Program (HPP) pursuant to 760 CMR 56.03(4), that were promulgated on February 22, 2008, please contact Phillip DeMartino, Technical Assistance Program Coordinator, at 617-573-1357 or at Phillip.DeMartino@state.ma.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra L. Hawes".

Sandra L. Hawes
Associate Director

cc: Senator Robert S. Creedon, Jr..
Representative Robert J. Nyman
Stephen S. Rollins, Town Administrator, Hanover/
Andrew R. Port, AICP, Town Planner, Hanover!
Stephen Carroll, Chairman, Hanover Housing Authority

Attachment 3

**Order of Resource Area Delineation Issued by
the Hanover Conservation Commission**



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

DEP File Number

WPA Form 4B – Order of Resource Area Delineation

SE 31-971

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Hanover Wetlands Protection By-Law #6-14

Provided by DEP

BL 08-11

Provided by Town

off LEGION DR.

A. General Information:

ORIGINAL

From:

HANOVER
 Conservation Commission

This Issuance is for (check one):

- Order of Resource Area Delineation
- Amended Order of Resource Area Delineation

To: Applicant:

Stephen Carroll, Hanover Housing Authority
 Name
550 Hanover Street
 Mailing Address
Hanover, MA 02339
 City/State/Zip

Property Owners (if different from applicant):

Town of Hanover
 Name
550 Hanover Street
 Mailing Address
Hanover, MA
 City/State/Zip

Representative:

Martha C. Rheinhardt, Vine Associates, Inc.
 Name
P.O. Box 555
 Mailing Address
Monument Beach, MA 02553
 City/State/Zip

Representative:

Name
 Mailing Address
 City/State/Zip

1. Project Location:

off Legion Drive
 Street Address
55
 Assessors Map and Lot Number

Hanover
 City/Town
7
 Assessor's Map and Lot Number

2. Title and Date of Final Plans and Other Documents:

Existing Conditions Plan- Legion Drive **3/14/08, TO BE REVISED**
 Title Final Date (or Revised Date, if applicable)

Title Final Date (or Revised Date, if applicable)

Title Final Date (or Revised Date, if applicable)

3. Dates:

3/19/08 **4/02/08** **4/23/08**
 Date NRAD Filed Date Public Hearing Closed Date ORAD Issued



WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Hanover Wetlands Protection By-Law #6-14

off LEGION DR.

B. Order of Delineation:

The Conservation Commission has determined the following (check whichever is applicable):

Accurate: The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

.....
.....

Modified: The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

o ISOLATED VEGETATED WETLAND (IVW) and

o POTENTIAL VERNAL POOL (PVP)

The applicant shall submit a revised plan showing modification to the location of the PVP boundary.

Inaccurate: The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

Bordering Vegetated Wetlands

Other Resource Area(s), specifically:

.....
.....

The boundaries were determined to be inaccurate because:

.....
.....
.....



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

DEP File Number

WPA Form 4B – Order of Resource Area Delineation

SE 31-_____
 Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
 Hanover Wetlands Protection By-Law #6-14

BL 08-11
 Provided by Town

off LEGION DR.

B. Order of Delineation (cont.):

This Order of Resource Area Delineation determines the boundaries of those resource areas noted above and is binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00) regarding such boundaries. This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see Appendix A)

Signatures:

 Neal Merritt, Chairman

 William Woodward, Vice Chairman

 Lisa Satterwhite, Commissioner

 Amy McElroy, Commissioner

 Gary Young, Commissioner

On this 2nd day of April, 2008 before me, the undersigned Notary Public, personally appeared the above, William Woodward proved to me through personal knowledge, to be the person whose name is signed on this document.

OFFICIAL SEAL
 SANDRA D. MACFARLANE
 NOTARY PUBLIC - MASSACHUSETTS
 PLYMOUTH COUNTY
 My Comm. Expires November 2, 2012

 Sandra D. MacFarlane
 Official Signature and Seal of Notary Public.

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows:

by hand delivery on: 4/23/08

by certified mail on: _____
 return receipt requested

C. Appeals:

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office (see Appendix A) to issue a Superseding Order of Resource Area Delineation. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Appendix E: Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal By-Law or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

The By-Law portion of this Order of Conditions shall not be construed as approval under any other statute, regulation, or By-Law. The conditions issued under the Town of Hanover Wetlands Protection By-Laws are not appealable to DEP, but can be appealed to the Trial Court of the Commonwealth of Massachusetts, Superior Division.