

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF FEBRUARY 23<sup>rd</sup>, 2016  
TOWN HALL, 542 LIBERTY STREET, HANSON, MA**

**Called to Order at 7:00 PM** under M.G.L. c 131, §40 and the Hanson By-Law 3-13, §5 and Rules and Regulations by John Kemmett, Chairman, in Meeting Room A at the Town Hall.

**Present:** John Kemmett, Chairman  
Frank Schellenger, Vice Chairman  
Brenna Audette, Member  
Brad Kirlin, Clerk  
Phil Clemons, Member

**Also Present:** Laurie Muncy, Agent  
Rebecca Nehiley, Administrative Assistant

**Appointment**

**7:00 PM Appointment** with Joe Marangiello to discuss the Amended Orders of Conditions for 1101 Rear Main Street, Map 42, Lot 60A (**DEP #SE175-0608**)

Mr. Marangiello was present. Ms. Muncy began with a slide show presentation of site inspection photos to accompany a summary of events. Ms. Muncy explained that the EPA issued a General Permit in October of 2011 to pump, treat and discharge water from the foundation. The work was supposed to have concluded in 2012. Concurrently, an Order of Conditions was issued for the after-the fact demolition of the building and the dewatering of the foundations. Mr. Kemmett asked what chemicals had been filtered. Ms. Muncy said that the information on file. Mr. Kemmett asked when the wetlands depicted on the plan were delineated. Although Mr. Clemons recused himself from the discussion, he answered that Land Planning had hired him to do a wetlands delineation approximately three years ago.

To continue, Ms. Muncy reported that her initial site inspection of the site was in November of 2012 when she observed several large piles of debris. In 2014, because of reported un-authorized activity at a metal building on the site, the Commission requested that she make another site inspection. She observed the same debris piles, a parked trailer and a shed on cinder blocks. That area was dry, but the foundation was still filled with water. At that time, she spoke with Mr. Marangiello who said that the only activity being conducted at the site was the removal of the debris piles and a loading dock that had fallen into disrepair. Mr. Kemmett asked about the condition of the erosion control. Ms. Muncy answered that it was not in good shape.

Ms. Muncy had taken a picture of an MBTA manhole cover that appeared to line up with the water detention area. Mr. Kemmett asked where it went to. Ms. Muncy replied that it's not known, but she had given the town's engineer the prints for the railroad rehabilitation. He was to have contacted the MBTA for information and report back, but nothing further was received in this respect. Ms. Muncy also took a picture of a large hole in the ground between the metal building and the tracks that had water pouring out of it from an unknown source. She is of the opinion that it is possibly an illicit discharge coming from outfalls across Main Street and that an exploration should be done to find out the source.

Mr. Marangiello commented that all the water comes from across the street. He added that there is a very old 8" pipe going into the "swamp" that is clogged with dirt. He has no idea where another pipe is coming from located in the wall of the foundation. Mr. Schellenger asked him if he was working with an engineer. Mr. Marangiello said his plan is to put up the buildings,

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but he doesn't want to put any more money into finding out the source of all the water coming into the site. Presently, he is still cleaning up all the debris.

Mr. Kemmett advised Mr. Marangiello to examine his Order of Conditions and try to come into compliance. Until that time, the Commission would be unable to issue a building permit for any plans for future development. He asked Mr. Marangiello to stay and discuss the matter at greater length, but he declined.

**Public Hearings**

**7:15 PM Continued Notice of Intent** for a proposal to construct commercial condominiums and drainage improvements within 100 feet of a Bordering Vegetated Wetland at 1282 Main Street, Map 44, Lots 61 & 62 for Tracy White, Lockwood, LLC represented by James Engineering, Inc., 125 Great Rock Road, Hanover, MA (DEP #SE175-0666)

This was the initial presentation for the project. The public hearing had previously been opened and the abutters were verified. Mr. Gary James, P.E. commented that a Site Plan (dated 7/9/14) had been approved by the Zoning Board of Appeals. Mr. James submitted new plans dated 11/22/15 to the Commission. He explained that Mr. White is in the process of changing the area over to a commercial venture with buildings that will be sub-divided into 4 units. Buildings 1,2 & 5 are currently occupied and the foundations for buildings 3 and 4 have been installed. Three future buildings will be proposed on the other side of the site. None of the proposed construction activity is to occur within the 50' buffer zone (BZ) to the Bordering Vegetated Wetland. An erosion control barrier is proposed at the limit of work. The site will be brought into conformance with Stormwater Management. The existing outdoor activity which is primarily metal recycling will be brought under cover in a future building and this will eliminate issues associated with NPDES.

Mr. Kemmett commented that there is a 90' Commercial no-disturb buffer zone in the Town's by-law. Mr. James said that the site is previously disturbed and the primary activity inside the limits of the BZ are the two proposed detention basins. One partially exists and will be expanded. An infiltration system associated with building 1 is proposed to handle the roof runoff. The electric and gas utilities are already in as well as two septic systems.

Mr. Kemmett asked if Mr. Delano has reviewed the submittal. Ms. Muncy said that a check for the review was just brought in today and Mr. Delano was notified. Mr. Kemmett suggested having Mr. Delano's concerns addressed prior to the next meeting. No abutters were present.

**Motion to continue the hearing until March 22, 2016 at 7 PM:** Frank Schellenger

**Second:** Phil Clemons

**Vote:** 5-0-0

**Discussions**

**Jay Patukonis -127 Carriage Road**

Mr. Patukonis came to the meeting for guidance. He explained to the Commission that wanted to construct a number of things in the backyard. Recently he consulted a landscaper because he wanted bring fill in and install hydroponic gardens. Mr. Patukonis also planned to

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take a number of trees down, plant fruit trees and install a play yard. The landscaper advised him to come in to the town hall. After looking at previous files, it was determined that there are wetlands to the side and rear of his property.

Mr. Clemons commented that it's important to have the resource areas (RA) re-delineated because the wetland line is no longer valid after three years. Mr. Kemmett said that if he was to plant trees elsewhere on the site, he has no problem with it, but he was concerned about the location of the play area because mosquitoes carry the West Nile virus. He advised Mr. Patukonis to talk to a wetland scientist to develop a plan and to file a Notice of Intent. Mr. Clemons suggested that a site inspection would be beneficial.

**Smitty's Bog**

Mr. Clemons reported that he, Ms. Muncy and the Town Administrator, Rich LaCamera had had a meeting with USDA-NRCS Soil Conservationist Steve Beaulieu to discuss the Wetlands Reserve Program (WRP). The purpose of the meeting was to discuss the current status of the easement and on implementing three Request for Proposals (RFP) to remove the water control structures, the phragmite control and the American White Cedar restoration.

Ms. Muncy discussed the constraints of the current contract estimates with NRCS. Recently eight Invitations to Bid were sent out for the AWC planting and deer fencing. One response was received and it was cost-prohibitive compared to what was allowed in the WRP contract. Ms. Muncy reported that Mr. Beaulieu was going to take the contract back to look at the numbers. He suggested sending out the RFP for the phragmite removal with a threshold so as to guide the responses. Mr. Beaulieu wanted to meet again after taking the information to his supervisor to see if they have to tweak the specs or change the schedule. Mr. Clemons added that regardless, Mr. Beaulieu was pleased with the progress at Smitty's Bog so far.

Mr. Clemons commented that the parking area for Smitty's Bog was designed and the first step is to remove about 7 or 8 trees that are depicted on the plan. He proposed to send out Invitations to Bid for the tree removal so as to come up with a budget to plan accordingly.

**Motion to send out Invitations to bid for tree removal:** Phil Clemons

**Second:** Frank Schellenger

**Vote:** 5-0-0

**Appointment**

**7:30 PM Appointment with Mr. Stephen Webby of Dunham Farms, LLC to discuss renewed construction and site conditions at Dunham Farms**

Ms. Muncy had asked Mr. Webby to come in and give an over-view of the current state of the project. Mr. Kemmett asked if this was permitted previously as a Chapter 40B project to which Mr. Webby answered yes. Mr. Kemmett asked if he staying within the original scope of services. Mr. Webby replied that they're staying on the existing foundation and there were no changes. Mr. Kemmett thanked him for coming in.

**LiteControl**

Ms. Muncy reported that recently she had met with Mr. LaCamera, TA, Selectmen Ken Mitchell and Bill Scott, and Matt O'Neill of GEI Consultants to discuss the LiteControl property, specifically a pending Notice of Intent to remove trees prior to bat roosting season (April). She

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reported that the transfer of the LiteControl property to the Town had been delayed until 2017 because of additional cleanup.

**Article for Smith Nawalzelski Conservation Area**

Mr. Clemons commented that the Town bought the site from Mrs. Ellen Stillman in 1989. However, because it was never legally placed into the care and custody of the Conservation Commission, it does not fall under the management of any specific Board. The State bought a Conservation Restriction on the property for \$250,000 and recently, Mass Wildlife hired Aaron Best as the SE District Stewardship Biologist to annually monitor the state's conservation easements. It would be the sensible to have the conservation department work with him to accommodate their recommendations.

**Motion to approve Article to turn over the Smith–Nawalzelski Conservation Area to the care and custody of the Conservation Commission:** Phil Clemons  
**Second:** Frank Schellenger  
**Vote:** 5-0-0

**Conservation Fund Article**

Ms. Muncy reported that she had inquired about using the Conservation By-Law Fund to purchase office equipment. The Town Accountant advised that the language in the warrant would have to be changed and the Selectmen need to approve it.

**Motion to add “Administrative Use” to the Article language:** Brad Kirlin  
**Second:** Frank Schellenger  
**Vote:** 5-0-0

**Minutes**

**Motion to approve minutes of December 15, 2015:** Frank Schellenger  
**Second:** Phil Clemons                      **Vote:** 4-0-1 (Brad Kirlin abstained)

**Motion to approve minutes of January 26, 2016:** Phil Clemons  
**Second:** Frank Schellenger              **Vote:** 4-0-1 (Brenna Audette abstained)

**Old Business/New Business**

Massachusetts Land Conservation Conference/Invoice – **signed**  
Unibind book covers/Invoice – **signed**  
Agent Meetings/Mileage/Invoice – **signed**

**Adjournment**

**Motion to adjourn at 8:55 PM:** Phil Clemons  
**Second:** Brenna Audette  
**Vote:** 5-0-0