

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 11, 2018  
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 Phil Clemons, Chairman, in Meeting Room A at the Town Hall.

**Present:** Phil Clemons, Chairman  
Sharon LePorte, Member  
William Woodward, Member  
Michael DeVeuve, Clerk  
**Absent:** Paul Andruk, Vice Chairman  
**Also Present:** Rebecca Nehiley, Administrative Assistant

**Public Hearings**

**7:00 PM Continued Notice of Intent** for a proposed redevelopment of an abandoned commercial site to include construction of buildings, septic and storm water management for Ken Marston, Bowmar Realty Trust and Joe Marangiello, J & M Realty Trust represented by Stenbeck & Taylor (DEP #SE175-0702)

**Present:** Amanda Marston, Vice President, Bowmar Realty Trust  
Brian Taylor, P.E. Stenbeck & Taylor, Inc.  
Kenneth Marston, Trustee, Bowmar Realty Trust, Applicant  
Joseph Marangiello, Owner of Record  
David Soper, Gov't Liaison & Project Manager for Kenneth Marston  
Cameron Larson, Environmental Consulting & Restoration  
Gerald Esposito, Silverado Construction, Site Developer  
John Delano, John W. Delano & Assoc., Inc., Commission's Consultant

This hearing had been continued from August 28, 2018. Mr. Marston introduced the team and reiterated that since the last meeting, the Site Redevelopment Plan (dated 8/13/18) had been reviewed by the Commission's consultant. Mr. Delano had submitted a Report dated 9/7/18, the comments of which were addressed by members of Stenbeck and Taylor. Mr. Marston turned it over to Brian Taylor, P.E. who said that first and foremost, they're trying to address the drainage. The design for storm water management controls was discussed at length. Mr. Taylor said there will be additional permitting requirements with the Board of Health. Because of the proximity to the wetlands, Best Management Practices include Low-Impact Design strategies such as rain gardens and swales.

The Site Redevelopment Plan is an amalgamation of both Ken Marston's and Joe Marangiello's plans for reuse and new construction. Mr. Taylor said the redevelopment of the site includes parking design, handicapped parking, pedestrian access, and a park at the entrance. The landscape plan lists a number of proposed plantings and a silt sock is proposed around the entire perimeter to control erosion into the adjacent resource area. Mr. Larson of ECR who was responsible for the delineation said that the site has plenty of potential for improvement. Mr. Clemons asked for Mr. Delano to comment.

Mr. Delano said that certain things will need to be provided for the Commission to make an informed decision. Most importantly, a dewatering plan, test pits to be witnessed by a soil evaluator and an investigation of the existing drainage infrastructure to the site. He suggested in

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 11, 2018  
TOWN HALL, 542 LIBERTY STREET, HANSON, MA**

his report the use and consultation of MA DEP's Bureau of Resource Protection guidelines which are published online. Mr. Delano said that there should be a representative from the town to witness the test pits.

Mr. Clemons suggested that the goal of the Commission is to be efficient and to allow the engineers to work together. Mr. Delano said that he would be agreeable to working directly with their engineers and as ideas are developed, they can be discussed. He would specifically like to work with Mr. Esposito on a more comprehensive dewatering plan. Mr. Taylor commented that they will work on the conditions for the project as a team and present a draft to Mr. Delano before coming back to the next meeting.

**Motion to continue the hearing to 9/25/18 at 7:00 PM:** Sharon LePorte

**Second:** William Woodward

**Vote:** 4-0-0

**Appointments**

**7:15 PM Phase IV Final Inspection Report and Phase V Status Report** for the Former Lite Control Facility, 100 Hawks Avenue, Hanson, MA

**Present:** Matt O'Neil, P.E., Project Manager, GEI Consultants & Sean Fallon, Esq.,  
Fallon Associates, P.C.

Mr. O'Neil reported to the Commission that they're in the final homestretch now and are hoping to close out the three (3) Orders of Conditions (OOC) that are associated with the clean-up of contamination at the former Lite Control facility. GEI Consultants had performed a Phase IV Comprehensive Remedial Action (dated 5/3/18) to reduce contaminants in soil and groundwater which has been completed. He explained that the 1<sup>st</sup> OOC (DEP #SE175-0638) was issued in response to an emergency fuel oil tank spill, after which time LiteControl sold the business to Hubbell Corporation who took over for the releases of the property. The 2<sup>nd</sup> OOC (DEP #SE175-0657) was issued for the demolition of the buildings and to address some of the upland issues. The 3<sup>rd</sup> OOC (DEP #SE175-0668) was for the wetlands remediation and restoration conducted in the former fill area at the LiteControl property and in the adjacent Burrage Pond Wildlife Management Area. They are requesting relief from a condition to monitor the restoration for the full five years because the wetland is thriving.

Mr. O'Neil said that he had just met with Jason Zimmer, District Supervisor and Joan Pierce, Land Acquisition Agent for the Division of Fisheries and Wildlife today to review the wetland restoration who he said recommended approval of the project. The Natural Heritage of Endangered Species Program (NHESP) assisted with the design of turtle nesting areas for three endangered species that had been identified at the Site. He said they are also ready to close out Section 401 Individual Water Quality Certification with Mass DEP and the US Army Corp of Engineers Section 404 Permit.

The last piece of the project is the post-monitoring of the ground water wells which is addressed in the Phase V Report. They will also continue to monitor surface water runoff to determine whether contamination detected in samples were indicative of post-remediation site

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 11, 2018  
TOWN HALL, 542 LIBERTY STREET, HANSON, MA**

conditions, or the result of storm water runoff from Hawks Avenue. Mr. Clemons commented that the Report contains a lot of data. It is a "very complex project and the stakes are high in terms of visibility and conveyance of the property to the Town." He suggested that because the Requests were just received yesterday, the Commission was thinking of asking for outside help so as to review them in a timely manner and end up with the proper perspective. Ms. Nehiley mentioned that there was money left in Escrow for review. Mr. Delano, who stayed on for this discussion, was very familiar with the project as he was the Commission's consultant at the time. Mr. O'Neill offered to meet with him to review the project.

Mr. Clemons asked if natural attenuation of the site isn't achieved, will there be a plan for Activity and Use Limitation. Mr. O'Neill replied that Hubbell's intention is, after all the permits have been closed out, to transfer the entire property both the Town and the Dept. of Fisheries and Wildlife to become an additional access point to Burrage Pond Wildlife Management Area. There is a line of rocks that designates the property line to prevent dumping and ATV use. The line also demarcates an area that has residual metals that don't pose an ecological threat and with a Use Limitation on the property, it would never be excavated again.

**Discussions**

**Unauthorized Activity at 48 Leon Court**

**Present:** Mr. Daniel Barbone, Bruce Barbone and Patrick M. Culhane, Attorney at Law

Mr. Clemons reported that the office had received a call from MA DEP requesting that someone look into tree clearing activity at 48 Leon Court. Mr. Woodward and Bob Curran, Bldg. Inspector went by, but were unable to ascertain anything. As the Commission doesn't want to make any assumptions, the Barbone's were invited to a meeting.

Mr. Culhane commented that Mr. Barbone hasn't cut a tree in two years and has no project planned that would alter wetlands. Mr. Clemons said that hazardous trees have to be dealt with and sometimes the 50' buffer zone is hard to recognize. He added that the Commission wants to be fair and asked if it was possible to come and inspect with the owner's permission. Mr. Daniel Barbone, apologizing to Mr. Woodward, said no, he doesn't feel comfortable letting anyone from the town onto his property. He commented that the town has failed him in the past and that there was no evidence of tree cutting. Mr. Clemons said that the Commission is obligated to fulfill a response to the State and asked if Mr. Barbone could bring us pictures. Mr. Daniel Barbone answered "absolutely." Mr. Culhane agreed.

Mr. Clemons asked them to provide photos of the property that is used and show where any debris/trees were removed. Ms. LePorte suggested putting the information on a plan with boundaries and corresponding photos. Ms. Nehiley will put together a letter summarizing what has been discussed and continue the discussion to the next agenda.

**Minutes**

**Motion to approve Minutes of August 28, 2018:** Michael DeVeuve

**Second:** Sharon LePorte

**Vote:** 4-0-0

**HANSON CONSERVATION COMMISSION  
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 11, 2018  
TOWN HALL, 542 LIBERTY STREET, HANSON, MA**

Tax Custodian Land Sale Protocol - Tabled until next meeting

- Property Sale Review Package

**Old Business/New Business**

Liddell Brothers/Invoice – **signed**

**Orders of Conditions** for the construction of a new single family house, septic system and at 0 County Road, Map 74, Lot 2 for Kathleen Nee (DEP #SE175-0701) - **signed**

**Adjournment**

**Motion to adjourn at 9:00 PM:** Sharon LePorte

**Second:** Bill Woodward

**Vote:** 4-0-0