

**HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF SEPTEMBER 25, 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
Paul Andruk, Vice Chairman
Sharon LePorte, Member
Absent: William Woodward, Member
Michael DeVeuve, Clerk
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
Rick Servant, P.E., Stenbeck & Taylor, Inc.
Gerald Esposito, Silverado Construction, Site Developer
John Delano, John W. Delano & Assoc., Inc., Commission's Consultant
Steven M. Guard, Esq., Attorney at Law

This hearing was continued from 9/11/18. Mr. Marston reported that Mr. Taylor, Mr. Esposito, Mr. Soper and he met with John Delano last Friday to figure out the best approach to address the concerns from the last public hearing. Mr. Taylor submitted a revised plan called "Dewatering Exhibit" dated 9/24/18 and explained that one of the revisions included erosion control being proposed all the way around the limit of work. Also, because the existing dyke goes through a heavily vegetated foundation, they propose to brush hog and mow it so as to provide a natural sump. The phragmites, although invasive, act as a natural filter. The water will then be pumped into a collection basin to de-silt and then into a check dam before being discharged into the adjacent wetland. After the dewatering operation is complete, a temporary stockpile area is proposed within the walls of an existing foundation.

Mr. Clemons commented that the primary concern has been the control of storm water and wanted to hear Mr. Delano's input. Mr. Delano had not had ample time to review the revisions. He asked if any other of the plan sheets were revised. Mr. Taylor said no, only that the existing contours were made more visible. Mr. Delano agreed that the only way to dewater effluent is to treat it before releasing it. Because Mr. Marston wants to occupy the freezer building, Mr. Delano suggested that the project be phased so as to determine all of the inverts before the project is constructed. Another option would be to issue an Order of Conditions (OOC) with flexibility to make site changes because it's difficult to design the project until the dewatering takes place. The OOC would have to be very fluid to let information come back to

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the Commission on a regular basis. Mr. Delano remarked that the applicant must come into full compliance with Title 5 to protect the ground water and surface waters. The septic system(s) should be inspected by a DEP Title 5 Inspector and a representative from the Commission. Also, because the design doesn't include roof drains, inverts and slopes at this point, the plan is not what the Commission would normally expect.

Mr. Clemons asked about the replication plan. Mr. Delano suggested that the plan include a water feature on the property. A constructed wetland such as an open body of water would treat runoff and remove containments coming from the parking lot or from offsite. An above-ground system of sunlight and wetland plants would, in his opinion, provide far better treatment than an underground system. Mr. Clemons agreed that through complex processes, wetland plants and are recognized as a legitimate way to treat effluent and storm water. He added that the idea is to minimize the impact on the resource area as this is a catchment area to the Burrage Pond Wildlife Management Area and a final chance for treatment.

Mr. Steven Guard, an attorney for the applicants, agreed that the project has to be phased and as such submitted a draft set of conditions based on the special circumstances of the site. He used John Delano's Review Letter dated 9/7/18 to develop the special conditions. The first two addressed performance of test pits in drainage filtration areas and the requisite approvals from DEP and the Board of Health of the existing septic systems prior to use. The conditions would be flexible enough to allow deviations from the currently proposed plan as a result of what is discovered during the dewatering process and that additional details would be provided prior to installation. All changes would be subject to peer consultant review.

Mr. Delano suggested that he have oversight of the project and be onsite for the septic inspections and test pits. Mr. Taylor said that they can add a note to the plan to have Mr. Delano inspect. Mr. Clemons asked about additional mitigation other than the removal of the impervious pavement and the Wood Duck nesting boxes. Mr. Taylor said that they have accomplished a lot of site cleanup. Mr. Clemons said that should be quantified in a project narrative as mitigation has to have balanced equations showing that the existing conditions have been made better.

Motion to approve a variance to work within the 50' Buffer Zone: Sharon LePorte

Second: Paul Andruk

Vote: 3-0-0

Motion to approve the project as planned, including revisions to said plans and issue an Order of Conditions that includes standard and special conditions that protect the wetlands under M.G.L. c. 131, §40 and the Hanson Wetlands By-Law 3-13, §5, and to include extensive involvement of the Commission's peer review consultant,

John Delano: Sharon LePorte

Second: Paul Andruk

Vote: 3-0-0

Minutes

Motion to approve the Minutes of September 11, 2018: Paul Andruk

Second: Sharon LePorte

Vote: 3-0-0

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Discussions

Request for Certificate(s) of Compliance for the Former Litecontrol Facility, 100 Hawks Avenue, Hanson, MA (DEP #SE175-0638, DEP #SE175-0652 & DEP #SE175-0657) - This was tabled until the next meeting as John Delano, the Commission's consultant has not had ample time to review.

Request for an Extension to an Order of Conditions for Lakeside Road, Map 79, Lot 88 (Roadway) (DEP #SE175-0395) – Paul Andruk recused himself. A quorum wasn't achieved, so this was tabled until the next meeting.

48 Leon Court

Mr. Clemons reported that, as agreed at the meeting of 9/11/18, the owner complied to take pictures in approximately 4 locations in 4 different directions that corresponded with a plan of his property. The commission reviewed the photos. There was no evidence of substantial tree cutting, only lawn and the grassed septic area. Photos that were submitted by an abutter showed blurry pictures of someone allegedly cutting trees and stacking it like firewood. Ms. LePorte commented that someone like Phil Benjamin, a Forester or Natural Resource Conservation Services (NRCS) in Wareham can design a forest management plan for little to no cost. Ms. Nehiley suggested writing a letter to the owner and copying his attorney and DEP Circuit Rider, Kim Roth.

Tax Custodian Land Sale Protocol

- Property Sale Review Package

Motion to recommend sending a memo to the Selectmen regarding 5 particular properties on the list that have conservation value: Sharon LePorte

Second: Paul Andruk

Vote: 3-0-0

Old Business/New Business

Solitude Lake Management/Invoice - **signed**

Adjournment

Motion to adjourn at 9:05 PM: Paul Andruk

Second: Sharon LePorte

Vote: 4-0-0