

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Conservation Minutes, October 13, 2015

HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF
OCTOBER 13, 2015 AT 7PM
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
Brad Kirlin, Member
Phil Clemons, Member
Absent: Brenna Audette, Member
Also Present: Laurie Muncy, Agent
Rebecca Nehiley, Administrative Assistant

Minutes

Motion to approve minutes of September 22, 2015: Frank Schellenger

Second: Brad Kirlin

Vote: 4-0-0

Appointments

7:00 PM Appointment with Matt O'Neil of GEI Consultants to discuss a change to the approved Plan for the remediation activities at the Former Lite Control Facility at Hawks Ave., Maps 24 & 16, Lots 70 & 10B (DEP #SE175-0638)

Mr. Matt O'Neill attended the meeting to give the Commission a brief update on the progress of the Lite Control property under the Phase I Remediation presenting a revised Plan dated October 2015. He said that work in the upland area, the demolition of the buildings and the In-situ of petroleum impacts had all been completed. However, during the In-situ remediation, they saw some additional impacts beyond the test pits in the area of the landfill. After consultation during a site visit with representatives from the Department of Fisheries and Wildlife and the Natural Heritage of Endangered Species Program, it was determined that the exposed metal debris left behind would pose a hazard to the wildlife and potential trespassers over the winter months. It was because of this concern that they sought permission to allow for the excavation of fill and debris within the 10' wetland buffer zone during the Phase I Remediation.

Mr. O'Neill added that the material will be sorted and processed with the use of specialized heavy equipment which is already located on site. The soil and stone will be cleaned and segregated from the recyclable metals and construction debris. The remaining soil and stone will be re-used onsite as backfill material to the berm. Doing this work during Phase I would allow them to make adjustments as necessary to the wetland creation design prior to the start of Phase II activities in the Spring. Mr. O'Neill reminded the Commission that a Notice of Intent will be forthcoming for the restoration phase. Mr. John Delano, the Commission's consultant, visited the site on 9/29/15 and reported that the change requested should be approved to "this low risk change in plans."

Mr. Kemmett asked if someone would be onsite during a heavy rainfall event to which Mr. O'Neill answered that the one of the requirements in the Order of Conditions is to conduct a site visit after significant rain events.

Motion to approve a minor modification to the Plan: Frank Schellenger

Second: Phil Clemons

Vote: 4-0-0

7:30 PM Appointment with Stephanie O'Leary to discuss unauthorized clearing at 20 Arlene Street

Ms. Muncy reiterated to the Commission that she had received a complaint that work was being done on town property and in a wetland resource area. She had issued an Enforcement Order on 8/25/15 so as to facilitate a discussion with Ms. O'Leary. After receiving no response, Ms. Muncy conducted another site inspection whereupon she found additional disturbance had occurred. At the previous Conservation meeting on 9/22/15, the Commission issued a \$100.00 fine.

Ms. O'Leary, who was in attendance, explained to the Commission that she had thought it was her land and the excavator was only in there for 2-3 days. Ms. Muncy presented pictures that showed the progression of disturbance from August 2015 to September 2015 which included a lot of tree cutting and clearing. Mr. Schellenger commented that Conservation Commission exists to protect the wetland resource areas and that they have jurisdiction 100' out from the wetland. Mr. Clemons added that "it's our job to say something" when we notice people doing things that will alter the vegetation which is part of the ecosystem around wet areas.

Mr. Kemmett suggested to Ms. O'Leary to remove a rabbit fence, identify the property line and allow everything to grow back in. Mr. Clemons was of the opinion that Ms. O'Leary should be given a couple of months to see what she can do to mark the property bounds and to come up with some level of restoration between now and the end of the year.

Public Hearings

7:45 PM Request for Determination of Applicability for proposed sediment sampling from the Indian Head River downstream of the Factory Pond Dam between Factory Pond Dam and Elm Street, Map 114, Lots 9, 9A, 10, 19-4, Map 119, Lot 9A, Map 120, Lot 114 and Map 122, Lot 1 for Fireworks Joint Defense Group, c/o Pierce Atwood, LLP, 100 Summer St., Boston, MA represented by Tetra Tech, Inc., 160 Federal Street, 3rd Floor, Boston, MA.

Brad Kirlin read the Public Hearing Notice and the abutters were verified. Mr. Peter Dillon, P.E. and Mr. Larry Kahrs, LSP of Tetra Tech, Inc. made the presentation. Mr. Dillon said that Tetra Tech has been involved in the Fireworks Site in Hanover since 1999 with the oversight of the Department of Environmental Protection (DEP). The last time they did sampling was in 2008. Since then there have been a series of large storms and the project was stalled. Subsequently, they needed to do some re-baseline sampling the data of which will be used to support the evaluation of remedial alternatives for the Site. The foremost problem is mercury which will be the focus of the next phase of cleanup. The highest concentrations are upstream in Hanover, but DEP has requested additional samples be taken downstream in the Indian Head River.

Mr. Dillon explained that the Fireworks Factory in Hanover was responsible for making ammunition during WWII with 20-30,000 people working at the site at the time. Indeed, most of the Site is located in Hanover, with only a small portion of Hanson being involved in the clean-up. Mr. Schellenger asked if samples were to be taken from the Hanson side of Factory Pond Dam. Mr. Kahrs answered yes, about 122 cores will be taken with a vibracore sampler from a boat that are anywhere from 6" to 5' deep. The plan is to remove only what's necessary and to be precise, they're using GPS. The proposed downstream sediment samples from the Indian Head River will be hand collected while wading from the shoreline or collected from a small boat. Mr. Kemmett asked if abutters had comments. Those present were:

Bob Rothwell, Adams Circle – Asked who was requesting samples and where. Mr. Dillon answered that the DEP required notice to be given to the owners of the properties abutting where activity within a wetland resource area is to be performed.

Irene Kennerdell, Adams Circle – Asked who would be taking the samples. Mr. Dillon said that they could be identified by orange vests that say DEP on them. The sampling will take place from about October 1st to the middle of November.

Mr. Clemons requested that the Commission have access to the sampling protocol and some more technical information as it becomes available. Mr. Kahrs said they will be using standard operating procedure and all the information is public, but would be pleased to provide additional information to the Commission.

Motion to approve a Neg. 2 and a Neg. 3 Determination of Applicability:

Frank Schellenger

Second: Phil Clemons

Vote: 4-0-0

Discussions

Smitty's Bog Action Items

- Katydid Lane Breach
- Relocation of the gate
- Construction of Parking lot

Mr. Clemons suggested that the Commission focus on the highest priority item at Smitty's Bog which he is of the opinion is the

easiest and most visible issue: the Katydid Lane breach. The breach in the dyke was described in the NRCS Plan and paid for by the Town at Town Meeting. He and Ms. Muncy drafted an Invitation to Bid that lists the work to be performed and they are ready to go.

Mr. Kemmett asked if the plan was in conformance with the Town's Stormwater Management Plan or MS4. Mr. Clemons answered that the outflow pipe is 50' to 75' from the end of Katydid Lane into a heavily vegetated area and there is quite a bit of overland flow. Mr. Schellenger suggested that we need an engineered plan and a Notice of Intent. Ms. Nehiley commented that an Order of Conditions for the work at Smitty's Bog was already on file.

Mr. Clemons also reported that the relocation of the gate can be addressed at a later date. It involves using an auger to drill two holes and the installation of two posts. He said the Highway Department has already offered to put blocking materials around the side of the gate. The Commission has commissioned a plan for the parking lot, but again suggested we focus on getting one thing done at a time. Mr. Schellenger asked that a little more research of the file is needed for the breach of the dyke.

Old Business/New Business

Certificate of Compliance for 30 East Washington Street, Map 92, Lot 16, for Patricia Dias
(DEP #SE175-3)

Ms. Nehiley reported that because the Order of Conditions was issued over 40 years ago to another person, Ms. Dias might have a problem recording it at the Registry of Deeds. To that end, Ms. Nehiley drafted a letter to take the place of a Certificate of Compliance to close out the file. The letter stated that Ms. Dias had brought the property into full compliance. Town Counsel reviewed the letter and deemed it was sufficient for all intents and purposes. Mr. Kemmett signed the letter.

MACC/Invoice – **signed**
Plymouth County Sheriff's Dept./Invoice – **signed**
Whitman-Hanson Express/Invoice – **signed**
Mileage/Invoice – **signed**

Adjournment

Motion to adjourn at 8:50 PM: Frank Schellenger
Second: Phil Clemons
Vote: 4-0-0