

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Conservation Minutes, February 10, 2015

HANSON CONSERVATION COMMISSION
MINUTES OF THE PUBLIC MEETING OF FEBRUARY 10, 2015
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, Associate Member

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

Minutes

Motion to approve minutes of January 13, 2015: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

Public Hearings

7:00 PM Continued Notice of Intent for repairs to the Factory Pond Dam at 0 Winter Street Rear (behind 901 Winter Street), Map 114 (Hanson), Lot 9A (Hanson) for the Hanover & Hanson Conservation Commissions represented by Amory Engineers, P.C., 25 Depot Street, PO Box 1768, Duxbury, MA (DEP #SE175-0655)

Motion to continue public hearing until 2/24/15 at 7:15 PM: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

Discussions

Review for approval an Enforcement Letter prepared by the agent

Ms. Muncy suggested that the Commission review the letter and perhaps schedule a site walk so as to familiarize themselves with the area. In response to a complaint of conducting work within jurisdiction without a permit, Laurie had inspected 30 W. Washington Street. She said that there appears to be a brook nearby at a higher elevation which may be causing the standing water situation. In addition, she had reviewed old files (1990) which referenced a grassed area. Ms. Muncy was of the opinion that it doesn't look like something that the Commission would permit now. The original owner is deceased and the property is owned by the daughter. Mr. Kemmett commented to hold off sending the letter to call and let the owner know of the complaint and to ask permission for the Commission to make a site walk.

Wampatuck Pond

Mr. Clemons commented that given the public interest in the poor quality of the water, it would be sensible to do something rather than nothing. His suggestion is to look at the problem logically and methodically in the context of the whole Indian Head watershed so as not to overlook anything in the way of cause and effect. If the Commission would be willing to be part of an initiative comprised of interested parties to look at the Pond issues, he would not be opposed to joining that committee.

Whitman-Hanson Express/Invoice – **signed**
Job Estimate for Consultant Review – **signed**

Public Hearings

7:15 PM Notice of Intent for the construction of a single-family dwelling and associated bituminous concrete driveway, utilities, grading and landscaping within the 100' buffer zone to a Bordering Vegetated Wetland at Lot 2 off of West Washington Street, Map 75, Portion of Lots 14 & 15 for W. Washington Development, LLC represented by Morse Engineering, Co., PO Box 92, Scituate, MA (DEP #SE175-065_) (New Hearing)

Mr. Brad Kirlin read the public hearing notice and the abutters were verified. Mr. Jeffrey Hassett, P.E. of Morse Engineering, Co. made the presentation for the construction of a single family house depicted on a Plan dated 1/23/15 (rev. 2/3/15). The property is currently owned by the Borgeson brothers and consists of approximately 36,000 sq. ft. of upland. The land slopes down from the street to the rear of the property towards the Bordering Vegetated Wetland (BVW) which was delineated on 9/12/12 by Marta Nover. No work is proposed within the 50' No-touch zone. The house is situated about 70' from the BVW. Erosion control (straw wattles) is proposed at the limit of work.

The Notice of Intent and the Plan were reviewed by John W. Delano, the consultant for the Commission. In response to his Review Letter dated 2/10/15, Mr. Hassett suggested that he supply the storm water calculations for the roof infiltration system as a condition of approval. He also agreed to add Conservation posts to the Plan and doesn't object to a visual barrier to the 50' No-touch zone. Mr. Kemmett asked if Stormwater Management was applicable to the project. Mr. Hassett answered that including this one, there were only three buildable lots and the Stormwater regulations were clear that a project of 4 houses or less are exempt. Mr. Kemmett requested that that be clarified by the DEP.

Ms. Nehiley mentioned that Mr. Delano had suggested an escrow account be established for monitoring the sedimentation control during construction. Mr. Chris Bethoney, who is a participant in the project, replied that that was reasonable. Mr. Hassett added that the septic had been approved by the Board of Health. No abutters were present.

Motion to continue the hearing until 2/24/15 at 7:30 PM pending revisions to the Plan, storm water calculations for the roof infiltration system and a reply from DEP regarding the applicability of Stormwater Management: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

7:30 PM Notice of Intent for the demolition of existing buildings at 100 Hawks Ave., (former LiteControl), Map 24, Lot 70 and Map 16, Lot 10B for LiteControl Corporation c/o Hubbell Inc., 40 Water View Drive, Shelton, CT 06484 represented by GEI Consultants, Inc., 400 Unicorn Park Drive, Woburn, MA 01801 (DEP #SE175-0657) (New Hearing)

Mr. Kirlin read the Public Hearing Notice and the abutters were verified. Mr. Matt O'Neill, P.E., Senior Engineer for the project began the presentation by giving an overview of the project thus far to the abutters that were present. The soil and groundwater under the property are contaminated with solid waste, petroleum and heavy metals, manufacturing by-products from historic plant operations dating back to the early 1900's. An Immediate Response Action is ongoing at the site for the presence of Light Non-Aqueous Phase Liquid (LNAPL) in the vicinity of a former No. 2 fuel oil underground storage tank for which they received an Order of Conditions dated 11/13/13 (DEP #SE175-0638). A Phase I Initial Site Investigation Report was submitted to MassDEP on 8/15/14, which documented investigation results to date. GEI Consultants submitted supplemental information dated 1/22/15 to the conservation commission describing the revised in-situ approach (including chemical oxidation and bioremediation to reduce concentrations of contaminants in the groundwater) for review and approval prior to implementation. Ms. Nehiley reported that the supplemental information was given to the commission's consultant, John W. Delano for review.

A Phase II Comprehensive Site Assessment is currently being performed at the Site to perform additional subsurface investigations. Additional areas of contamination from the petroleum release were identified at the Burrage Pond Wildlife Management Area which triggered a Massachusetts Environmental Protection Agency (MEPA) review and the preparation of a Mandatory Environmental Investigation Report. GEI Consultants is working with the Mass. Department of Fish and Wildlife, the Army Corp of Engineers, Natural Heritage of Endangered Species (NHESP) and MEPA to clean and restore the contaminated wetlands. A separate Notice of Intent will be submitted later this year for future remediation and restoration once a remedy for the wetland has been selected.

Mr. O'Neill went on to say that the Notice of Intent before the commission tonight deals exclusively with the demolition of the existing buildings at the Site that are within the buffer zone to a Bordering Vegetated Wetland. The plan is to demolish the buildings to 1' below grade and restore the property to commercial standards. The next step would be to restore the landfill area and finally address the wetlands under a separate NOI. GEI has received permission from MEPA to do this work before the remediation and they are working with MassDEP to get a Beneficial Reuse Determination to reuse crushed concrete to fill the basement areas to approximately the existing grade. The idea, Mr. O'Neill added, is to reduce the amount of trucks on and off the Site. The Town has expressed interest in two of the buildings (#32 & #35) and a feasibility study group has been established. These will also be demolished if the Town decides not to acquire the buildings.

Mr. Schellenger asked if erosion control will be installed. Mr. O'Neill replied that it already exists at the Site now. Mr. Schellenger also asked how they propose to impede the noise and dust from the project. Mr. O'Neill explained that they will start working at the back of the property and the buildings themselves will act a buffer. Also, they are adhering to the Town's regulations in regards to work hours. The disconnection of the interior workings of the building is already in progress and is being

recycled accordingly. Mr. Kemmett commented that the work will require a variance and asked if any abutters were present and would like to comment:

Ms. Kristen McDonald, Pleasant Street - Asked if there was an estimation of a time frame for the project. Mr. Brandon J. Fagan, LSP, PG, the Construction Manager for the project answered that preparation work has already begun and they would like to start in March, weather permitting. He added that they were waiting for approval letters from the Army Corp. of Engineers and the NHESP. The demolition should take 4-5 weeks to complete from that point on.

Ms. Laura Kemmett, Bay State Circle – Asked about the longevity of the material used for the in-situ remediation and the impact of that versus removing the contaminated soil. Mr. O’Neill responded that the EPA considers it a permanent remedy. He explained that the in-situ method involves mixing soil with grout to solidify the soil into a solid mass to prohibit further leaching into the groundwater. The technology itself is 15-20 years old. He was of the opinion that it should last forever.

Motion to continue the hearing until 2/24/15 at 7:45 PM pending a review by the Commission’s consultant, John W.

Delano: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

Old Business/New Business

Mr. Kemmett realized that he will not be available on February 24th, so the Commission voted to change the meeting date to the first Wednesday in March which was amenable to everyone.

Motion to move the meeting night to Wednesday, March 4th, 2015 and reschedule all hearings accordingly: Brad Kirlin

Second: Frank Schellenger

Vote: 3-0-0

Request for a Certificate of Compliance for 175 Gray Lane, Map 83, Lot 12 for Cynthia Reardon (**DEP #SE175-274**)

Motion to approve and issue a Certificate of Compliance: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

Request for a Certificate of Compliance for 120 Elm Street, Map 36, Lot 8H for Joyce D. Jordan (**DEP #SE175-640**)

Motion to approve and issue a Certificate of Compliance: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0

Negative 3 Determination of Applicability for test holes in preparation to design a septic upgrade plan at 95 Beckett Street, Map 88, Lot 53 for Dorothea Rist – **signed**

Positive 5 Determination of Applicability (Denial) for an After-the-Fact installation of a concrete pad and hot tub and a proposal to take down existing shed and replace with new shed at 39 Ocean Ave., Map 2, Lot 1509 & 1510 for Brenna Audette – **signed**

Adjournment

Motion to adjourn at 8:45 PM: Frank Schellenger

Second: Brad Kirlin

Vote: 3-0-0