

Hanover Conservation Commission  
550 Hanover St., Hanover MA 2<sup>nd</sup> Floor Meeting Room  
**MINUTES for July 28, 2021**

Approved 8/25/21

**6:00 PM**

Chairman McLoone welcomed those present and opened the meeting.

A Roll Call of Members present resulted in the following:

Present in person: Chairman Brian McLoone, Vice Chair Satterwhite, Associate Member Duke Magoun (*stepped in as full member until 6:38 PM*), Hearing Officer Robert Sennett (*arrived at 6:38 PM*), Associate Member David Sawin

Not present: Members James Vaille and Mahendra Patel

Staff present: Conservation Agent Sandra MacFarlane

Host for remote session: Stephen Ryerson, Dir. of Communications

**I. PUBLIC HEARINGS:**

1. COOC-21-9, SE 31-\_\_\_\_<sup>1</sup>, #0 King St. rear, Fireworks Site- NOI- *for removal of Hg in Factory Pond*

PRESENT: Ron Marnicio, Simi Harrison, Stephanie Goyette, Tetra Tech, Inc., Applicant's Representatives

DISCUSSION: Mr. Marnicio presented plans showing the location of sediment dredging associated with an Immediate Response Action (IRA) to remove contaminated sediments from an area of Middle and Lower Factory Pond. This area, containing munitions of explosive concern (MEC's) and mercury (Hg) contamination, has been designated as the High Metal Density Area (HMDA). He noted that under the IRA, the work will reduce the amounts of Hg in the local fish population and aquatic species that, although warning signs are posted, may be consumed by people. It was also explained that areas were detected that have a high density of electromagnetic survey anomalies in the sediments, which are potentially MEC's or materials of potentially presenting an explosive hazard (MPPEH). Also that the installation of sheet pilings will prohibit contaminated sediments from leaving the work area and that a floating platform will be used during this portion of the project. A brief discussion ensued regarding the status of warning signs and buoys demarcating closed areas of the Fireworks Site. The Agent noted the she and the Health Agent are currently working to replace the "Don't eat the Fish" signs. It was agreed that the work under the IRA will reduce the threats to public safety. In response to questions from Commission Members, Ms. Goyette explained that under the Mass Contingency Plan (MCP) for overall site cleanup, response actions to address hazardous material contamination in soils, groundwater, and sediment have been conducted for many years and that a Remedial Action Plan (RAP) for Phase III under the MCP or "Final Remedy" (FR) was recently approved by MA DEP. Further that the current work will eliminate imminent hazards from fires and explosions from the MEC and MPPEH.

Regarding the metals removed from the sediments, Mr. Marnicio noted that once dewatered, tested, and removed from the site, if it is possible, non-contaminated and non-explosive metals will be recycled at an appropriate facility. Also, in regard to wet sediment, it was noted that due to the presence of MEC's and MPPEH, it must be tested on site as well, before going off site.

In response to further questions, including those from Exec. Director of NSRWA, concerns for aquatic species, migration of sediments, Quality Assurance Plans, and equipment used, were discussed.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 3-0-0 to close the hearing. Upon a motion and second made by Members McLoone and Sennett, it was voted 3-0-0 to issue an Order of Conditions contingent upon the issuance of a DEP File #.

2. COOC-21-8, SE 31-1236, 164 Laurie Ln.- NOI- *for inground swimming pool in bz to BVW & adjacent to on-site stream*

PRESENT: Scott Fanara, PE, Grady Consulting, LLC, Applicant's Representative

DISCUSSION: Mr. Fanara presented a plan dated 6/29/21 for the installation of a 14' x 28' inground swimming pool, drywell, and fence, and associated grading and landscaping. He pointed out that the

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<sup>1</sup> DEP File number pending.

parcel currently contains a single-family dwelling with attached garage, patio, deck, and septic system, that all are located out of the 35 ft. no-structure setbacks to an on-site bordering vegetated wetland (BVW) and intermittent stream, and located +200 ft. from an off-site perennial stream. He noted that a utility shed is located +35 ft. from the BVW and intermittent stream, and within outer riparian, but is not a size that required a building permit and is sitting on blocks. He presented a revised plan dated 7/27/21 showing the conversion of lawn to a 14 ft. x 28 ft. inground swimming pool located 182.2 ft. from the perennial stream, 75.1 ft. from the intermittent stream, and 67.1 ft. from the BVW. Associated site work includes the installation of a drywell and pool related utilities, paved patio, fence, and landscaping with erosion control materials located at 169.8 ft. from the perennial stream, 44.6 ft. the intermittent stream, and 59.1 ft. from the BVW. Mitigation includes the installation of 1,080 sq. ft. of buffer restoration from 18 ft. to 60 ft. from the BVW, and the installation of 4 conservation setback markers. The Agent noted that DEP comments included a prohibition of additional work within the mitigation and restoration areas. The Chair noted that no abutters were present.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 3-0-0 to close the hearing and issue an Order of Conditions with Special Conditions as per DEP's comments.

3. COOC-21-7, SE 31-1234, 1004 Washington St.- NOI- *for commercial site septic upgrade in bz to BVW*

PRESENT: Robert Crowell, PE, Crowell Engineering, Inc., Applicant's Representative; John Bertone, Applicant/Property Owner

DISCUSSION: Mr. Crowell presented a plan dated 6/28/21 showing the abandonment (pump, crush, fill with clean sand) of a failed septic disposal system and the installation of a new Title V rated commercial septic disposal system at the front of the lot due to a rear bordering vegetated wetland. Mr. Bertone added that the work was being done prior to a pending sale of the property. Mr. Crowell explained that due to groundwater level, a special system was proposed that reduced the required distance to groundwater, and that he had submitted a response letter to the Board of Health consultant, Jim Donovan. It was noted that currently, there is no stormwater management on the site. Member Sennett, being familiar with the site as a fellow business owner, added to the history of the site given by Mr. Bertone, noting that the previous enforcement conditions noted by the Conservation Agent, were installed, but were not maintained. The Agent added that posts of the required fence still remained, but the fallen cross pieces currently lay within the wetland. Other concerns voiced by the Agent included the overall condition of the site, a truck trailer and piles of debris that exist within the 35' no-touch buffer, the deteriorated condition of the wetland, the outside vehicle lift and lack of tight tanks within the building used for automotive repair, and the 2 monitoring wells on site. Mr. Bertone stated that there was little if any documentation regarding the monitoring wells, that they were basically abandoned, that the fence can be replaced, that the trailer body will be removed, and that he was concerned with the current building and wetland restrictions, as all this may effect the sale of the property. The Chair explained that there are outstanding issues on the site, and reiterated that DEP has comments concerning the lack of stormwater management. Mr. Crowell noted that the NOI was for the septic system only, and that the rest shouldn't impact this upgrade project. The Chair noted that the project must meet DEP as well as Hanover regulations, and assured Mr. Bertone that the regulations were the reason the Commission is recommending that they request a continuation to the Sept. 29 meeting.

VOTE: Upon a motion and second made by Members Satterwhite and Sennett, it was voted 3-0-0 to continue the hearing to August 25, 2021 at 6:15 PM.

## II. GENERAL ANNOUNCEMENTS: The Chairman made the following announcements:

1. Welcome David Sawin to his first meeting as a Conservation Commission Associate Member.
2. Welcome Steve Louko as the Selectboard's Liaison to the Conservation Commission.
3. Request for Conservation Representative to the Community Preservation Committee
4. Request for Conservation Representative to the Master Plan Implementation Committee
5. Next Meeting: August 25, 2021
6. Future Conservation Meetings- In-house and remote while possible.- The Commission agreed to the hybrid meetings for the foreseeable future.

### III. ADMINISTRATIVE:

1. Minutes- 6/30/21- VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 3-0-0 to approve the minutes.
2. Agent's Report- Reviewed without comment.
  - a. Fireworks Site- The Amended OOC for SE 31-1182 for additional work within Wetland D and B using mechanical devices, removal of contaminated organic soils, and wetland restoration issued on 7/21/21. The Determination of Applicability for geotechnical borings within Factory Pond, and an Extension Request for SE 31-1182, were also issued on 7/21/21. Work is scheduled for August 2021 for the geotechnical borings and time-of-year restrictions for work within the wetlands/vernal pools will be coordinated with dry conditions to avoid damage to hatching amphibians, etc. The application for work within the pond for removal of mercury (Hg) and other materials of concern was received and is scheduled for a public hearing on July 28, 2021. MA DEP continues its sediment sampling evaluation within the Indian Head River Corridor from Factory Pond Dam to, and downstream of, the Luddam's Ford Dam.
  - b. Hanover Crossing- Work continues for the Mall portion of the site, the waste water treatment plant has been decommissioned, and one of the main buildings is under construction. Several discussions regarding the residential portion took place as pre-construction and site prep activities continue near the Mill St. entrance. A request to amend the Order of Conditions is still pending to add new owner information for the residential portion and other related information that has changed due to the sale for a portion of the site.
  - c. Factory Pond Dam- A 7/15/21 notice from DCR/ODS lists this dam as "Significant" for hazard potential.
  - d. Natural Resource Damages Grants (NRD)- Recent meetings with the Town Manager, CDMI Director, and Conservation Agent resulted in letters of support from the Town, DPW, and Conservation Commission being submitted last week to the Executive Director of NSRWA to move forward with this grant opportunity.
  - e. Cumberland Farms- A request for Certificate of Compliance is still pending for this project.
  - f. The following Minor Activities and Event Permits were issued:
    - CMA-21-9- Minor Acts Permit- *for installation of irrigation well +95' from Torrey Brook*
    - CHPD-21-10 & 11- Scheduled Event- *for July 15 & 26, 28, 30 training events at Clark Bog Firing Range*
3. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting*

Minutes Respectfully submitted by  
Sandra D. MacFarlane, Conservation Agent, CDMI  
Conservation Office

#### Documents provided for the meeting:

- NOI application packet for Fireworks Site
- NOI application packet for 164 Laurie Ln.
- NOI application packet for 1004 Washington St.
- 6/30/21 draft Minutes
- 7/28/21 Agent's Report
- Minor Acts and Scheduled Event Permits as listed in Section 2.f.