

Hanover Conservation Commission  
550 Hanover St., Hanover MA 2<sup>nd</sup> Floor Meeting Room

**Minutes for SEPTEMBER 29, 2021**

Approved 11/22/21



**6:00 PM**

A Roll Call of Members and Staff present by Chairman McLoone resulted in the following attendance:  
Chairman Brian McLoone, Vice Chair Lisa Satterwhite, Hearing Officer Robert Sennett, Member James Vaille, Associate Members Duke Magoun and David Sawin, Conservation Agent Sandra MacFarlane

Not present: Member Mahendra Patel

Zoom Meeting Host: Stephen Ryerson, Director of Communications

The Chairman noted that there were also participants joining the meeting via Zoom.

**I. GENERAL ANNOUNCEMENTS:**

1. Request for Conservation Representative to the Community Preservation Committee
2. Request for Conservation Representative to the Master Plan Implementation Committee
3. Consideration of Commission's Designee from resident volunteers for above positions
4. Concerning #1 & #2 above- After a brief discussion with Mr. Joseph Polsinello, LSP, Inland Corporation, the Commission accepted his qualifications and offer to be their designee.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to designate Mr. Joseph Polsinello, LSP, Inland Professional, Inc., as the Commission's liaison to both committees.

5. Next Meeting: October 27, 2021 at 6 PM

**II. ACTION ITEMS:**

1. Extension Permit Request- 301 Winter St.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to issue a 3-yr. Extension Permit.

**6:15 PM**

**III. PUBLIC HEARINGS:**

1. CDOA-21-11, 75 Larchmont Ln.- RDA- *for septic upgrade and deck expansion in BVW buffer*

PRESENT: Due to unforeseen circumstances, the Applicant nor her Representative could attend the meeting. However, Chairman McLoone allowed the Conservation Agent to present for the applicant.

DISCUSSION: The Agent presented a plan dated 8/31/21 showing the abandonment of a failed septic system located 10 ft. from an on-site bordering vegetated wetland (BVW) and the installation of a new Title V rated septic disposal system located 50 ft. from the BVW with erosion control materials and limit of work at 40 ft. from the BVW. Also on the plan was a proposed 6 ft. deck extension which required the addition of 2 – 4 sono tubes. Where the work is an improvement over existing conditions within the buffer, the Commission approved the project as presented.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

2. CDOA-21-12, Pleasant St. at Cushing Brook (DPW)- RDA- *for water main and pipe replacement*

PRESENT: Patrick Brennan, PE, Amory Engineers, Applicant's Representative

DISCUSSION: Mr. Brennan presented a plan dated 9/2/21, showing the removal of a 10" cast iron pipe and damaged water main located under the bed of Cushing Brook and the installation of a new main and piping suspended over the brook off the existing concrete headwall, within the roadway and/or sidewalk and associated site work with erosion control materials placed as needed. He explained that for water quality and safety reasons a section of the line was closed off and re-routed to allow for continued flow around the break. He assured all that there with the current method and design, there would be little impact, if any, to aquatic or wildlife and related habitats, and that it would be an improvement to both. As per the Agent's comments, he also discussed bank and aquatic restoration.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of applicability.

3. COOC-21-18, SE 31-1240, 27 Elijah's Path- NOI- *for inground pool in BVW buffer*

PRESENT: Darren Grady, PE, Grady Consulting, LLC, Applicant's Representative, Property Owner/Applicant Kristen Jacobson.

DISCUSSION: Mr. Grady presented a plan dated 8/12/21 showing the installation of an inground swimming pool 66 ft. from an on-site bordering vegetated wetland (BVW) with an associated patio, fencing, and minor site grading and erosion control materials proposed at 35 ft. from the wetland. He pointed out that no work would take place closer than 35 ft. from the BVW and that for seasonal or emergency discharge of pool water, a connection would be installed to the existing dry well.

VOTE: Upon a motion and second made by Members Sennett and Satterwhite, it was voted 4-0-0 to close the hearing and issue an Order of Conditions with standard pool conditions.

4. COOC-21-9, SE 31-1237, #0 King St. rear, Fireworks Site- NOI- *for removal of Hg in Factory Pond & related*

PRESENT: Ronald Marnicio and Peter Dillon, Tetra Tech, Inc., Applicant's Representatives

DISCUSSION: Mr. Marnicio explained that the Applicant requested re-opening the July 28 hearing after it became necessary to make substantial changes to the project within the ensuing weeks. The Agent explained that the request did not meet the deadline to post for an August meeting or for the Commission to have time to review the documents, hence it was scheduled for tonight. Also that the hearing was reposted as such in the Hanover Mariner as required and that the Order of Conditions had not been completed as of the date of the request. Mr. Marnicio reminded all that remediation of the site falls under the MA Contingency Plan (MCP) Release Tracking Number 4-0000090 and that phases of the project were conducted under MA DEP Conditional Approvals for various Immediate Response Action Plans (IRA's) submitted by Tetra Tech for removal and remediation of contaminated soils, groundwater, and sediments. Further that most of the work has been within upland and inland areas, although recent work was permitted for Wetland C and D after a great amount of munitions and materials of explosive concern (MEC's) were detected within these large resource areas. He added that the current NOI and a pending Chapter 91 Waterways License/401 Water Quality Certification application are for sediment excavation associated with the implementation of an IRA to remove contaminated sediments located along with munitions and MEC's from a portion of Factory Pond referred to as the High Density Metal Area (HDMA). He noted that the major concern was from Mercury. The Agent confirmed that the "Do Not Eat the Fish" signs had been posted for several years at Factory Pond and other related waterways.

Mr. Marnicio stated that the following proposed activities within the NOI were unchanged:

- Dewatering
- Sheet Pile Wall Installation
- Upland Sediment Dewatering and Processing
- Unexploded Ordinance (UXO) Support
- Waste Disposal
- Water Treatment
- Confirmatory and Waste Characterization Sampling
- Backfill and Restoration

with the following being modified:

- HDMA "Dredging in the Dry"- method of contaminated sediment removal- preferred over original "Dredging in the Wet" to use the same general methods and equipment that have been used for the upland excavation, which also has already been optimized to minimize risks to the health and safety of the workers and the environment.
- Portadam Installation- UXO divers clear a 34' x length of HDMA and install Portadam for dewatering of the area.
- Mechanical Dredging- slight adjustment- due to the fact that contamination is co-mingled with munitions, metallic debris, and organic matter, armored equipment is

preferred- this method results in higher solids loadings in the dredged materials and the equipment is less impacted.

He added that the Factory Pond Dam will not be breached, nor will the water be lowered. In response to questions from abutters, Mr. Marnicio added that the current NOI will concentrate on removal of contamination within the HDMA area, not the entire pond.

VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to close the hearing. Upon a motion and second made by Members Sennett and Satterwhite it was voted 4-0-0 to issue an Order of Conditions.

5. BL 20-64, 110 Industrial Way, SE 31-1215, - NOI- *for building construction in RFA- cont'd from 8/25/21 meeting*

PRESENT: none

DISCUSSION: none

VOTE: Upon a motion and second made by Members Sennett and Vaille, it was voted 4-0-0 to continue the hearing to the 10/27/21 meeting, with notice to the Applicant that attendance at the next meeting is imperative. Otherwise the Commission may vote to deny the NOI based on lack of information and similar.

#### IV. ADMINISTRATIVE:

1. Capital Plan (CP)- Items for FY'23 CP Budget - The Conservation Commission has no items for addition to the draft Capital Plan at this time.

2. Minutes- 8/25/21 VOTE: Upon a motion and second made by Members Sennett and Vaille it was voted 4-0-0 to approve the minutes.

3. Agent's Report – Reviewed without comment.

a. Fireworks Site- A 9/1/21 Conditional Approval was received from MA DEP for Revised Scope of Work [v.2.] for the Immediate Response Action Plan Modification Relative to Munitions Response Activities at the site and referring to Change Order 10. In it, DEP conditioned coordination with DEP for 72 hours' notice of said work, additional reporting, cost limitations, procurement items, rental costs, submission of 3H2-MUA Sediment Area and SRA West Wetland Assessments and Restoration Plans, access to the Factory Pond Range Corridor Metallic Anomaly Investigation, diving requirements, and sheet piling design. Also received was an 8-23-21 email from Tetra Tech with updates to MEC/MPPEH items that have been destroyed, munitions debris, and fuel log.

b. Hanover Crossing- Due to the sale of +13 acres of the site to the Hanover Company, Inc., owner information, as well as other pertinent Assessor's information needs to be updated for this project. In order to avoid project delays, in lieu of an amended OOC hearing for a modification to administrative information, said information can be submitted with the Request for Certificate of Compliance and the As-Built Plan will contain the updated information as well.

c. The following Minor Activities and Event Permits were issued:

- CHPD-21-12- Scheduled Events- *for 9/25, 27, 29, & 10/1, 5, 7, 12, 14, 16, 20, 22, 2021 training events*
- CSI-21-18 thru 21- Site Inspections (not related to application or permit)- *for wetland review on Union St. and Larchmont Ln.*

4. Other - *Those items not reasonably anticipated by the Chair within 48 hours of the meeting-* None

**7:10 PM** Upon a motion and second made by Members Vaille and Sennett it was voted 4-0-0 to adjourn the meeting.

Minutes Respectively Submitted by Sandra D. MacFarlane, Conservation Agent, CDMI, Conservation

+++++ Documents Provided at Meeting: ++++++

- 9/29/21 Agenda
- Request for Extension application- 301 Winter St.
- RDA application packets for 75 Larchmont and Pleasant St. at Cushing Brook
- NOI application packets as listed above in Section III.3. thru 5.
- draft 8/25/21 Minutes
- 9/29/21 Agent's Report