

# Town of Hanover Conservation Commission

Hanover Town Hall, 550 Hanover St.  
2<sup>nd</sup> Floor Meeting Room



## **MINUTES for Wednesday, November 1, 2017**

Approved 11/16/17

Those Members and Staff present: Chairman Brian McLoone, Vice Chair Lisa Satterwhite, Hearing Officer Frank Brierley, Commissioners Robert Sennett and James Vaille, Associate Member Otis Magoun, Acting Conservation Agent Sandra MacFarlane

### **6:30 PM**

- I. ANNOUNCEMENTS & DATES TO REMEMBER: Vice Chair Satterwhite opened the meeting and made the following announcements:
1. Next Meetings: November 15<sup>1</sup> & December 6<sup>2</sup>, 2017<sup>3</sup>- The Commission rescheduled the 11/15/17 to Thursday, November 16 at 6:00 PM in order to allow Members and staff to attend a public forum on the Fireworks Site.
  2. Welcome to new Associate Member Otis (Duke) Magoun!
  3. One Associate Member position on the Conservation Commission is available. Volunteer applications are available at the Selectmen's Office or online at the link: [http://www.hanover-ma.gov/sites/hanoverma/files/file/file/fy\\_14\\_talent\\_bank\\_application.pdf](http://www.hanover-ma.gov/sites/hanoverma/files/file/file/fy_14_talent_bank_application.pdf)
  4. 2 Members or Member's designees, are needed for the Open Space Committee and Community Preservation Committee

### **6:45 PM**

II. PUBLIC HEARINGS:

1. **National Fireworks Site- SE 31-1163, BL 17-70**- NOI- *for remediation work*

PRESENT: Ronald Marnicio, PE, Project Manager, Tetra Tech, Inc., Peter Dillon, PE, Tetra Tech, Inc., Applicant's Representatives

DISCUSSION: Mr. Marnicio gave a brief history of the site including land uses from 1907 to the present, past monitoring and testing of the site, as well as permitting from various State agencies and the Hanover Conservation Commission. He pointed out that work in the Cold Waste Area (CWA) has been completed and that work will continue in the Former Test Range Berm Area (FTRBA) as they find additional items of concern. Numerous items were found in an area designated as the Open Space Disposal Area (OSDA) which will require additional investigation and remediation. He noted that no work is planned within any inland resource areas at this time.

Mr. Dillon explained how personnel and public safety issues are being addressed in conjunction with the Hanover Police and Fire Dept's, and the Boston Bomb Squad. He added that after completing site walks with Fire and Police, Open Space, and the Conservation Agent, strategic locations were found to install fencing, barbed wire, and warning signs to discourage entry to the work area and that State Police are stationed on site. Mr. Marnicio presented a plan showing approved work areas (OOC SE 31-1149 and DEP's RAM) as well as areas of investigation and remediation approved under a second Emergency Certificate and an IRA Modified Plan with DEP Conditional Approval (9/29/17).

It was noted that Air Quality and ground water testing is ongoing, as well as LiDAR investigation of the berm and OSDA. Regarding Wetland C, it was noted that this depression was initially used as an underwater explosives test area and may have remnants remaining submerged into the soils. The Commission approved an additional

<sup>1</sup> NOI, RDA, ANRAD applications are due no later than NOON on November 1 for November 15 meeting.

All other documents for Commission action are due no later than noon on November 8 for November 15 mtg.

<sup>2</sup> NOI, RDA, ANRAD applications are due no later than noon on November 22 for the December 6 meeting.

All other documents for Commission action are due no later than noon on November 29 for the December 6 mtg.

<sup>3</sup> Future Meeting dates: **December 6 & 20, 2017, January 3 and 17, 2018**

condition to allow investigation and remediation within this small kettle shaped wetland as well as Wetland E, for safety reasons. Mr. Marnicio pointed out that additional land is required to be cleared for the relocation of a winterized office trailer (on upland), that the sifter is to be relocated to allow for soils exploration under its current position, and that a fuel storage tank may be needed as well.

He added that due to the unpredictability of additional findings on site, a time frame for completion of the project is not possible at this time. Also that in order to maintain the health of BVW buffer, temporary cover methods will be used. At such time that Tetra Tech can determine finalization of the removal process, they will submit a full Restoration Plan to the Commission for approval.

Mr. Dillon pointed out that, looking toward future uses of the site, all large caliber hard wood trees that could be worked around, were and will be left in place. A brief discussion ensued with the Conservation Agent regarding the Fireworks Site Focus Committee (FWSFC). The mission of the committee, use of the site post-remediation, will be a joint project with FWSFC, Conservation, the Open Space Committee, as well as Parks and Recreation Dept.

The Conservation Agent reported on several site inspections she conducted with Mr. Dillon and various Town Officials regarding trail closures, signage, boat and bridge access, wetland and buffer conditions, buffer alteration and remediation, as well as recommendation for special conditions for the current Order of Conditions. She confirmed that no work has been proposed within waterbodies or on the island during this phase of work.

VOTE: Upon a motion and second made by Commissioners Sennett and Vaille, it was voted 5-0-0 to close the hearing and issue an Order of Conditions with the following special conditions:

- Submission of a final BVW and buffer Restoration Plan
- Exploration within Wetland Series C is allowed
- Exploration within Wetland Series E is allowed if required by new findings

### III. ADMINISTRATIVE:

1. Agent's Report- Reviewed without comment.
2. Conservation Finances Report- Reviewed with minimal comment.
3. General Review of Commission's Rules and Regulations- No Action Taken.
4. Minutes- 10/18/17 Upon a motion and second made by Commissioners Brierley and Sennett, it was voted 4-0-1 (Chair McLoone abstained), to approve the minutes.
5. Minor Activities Permits/ General Site Inspections: Reviewed without comment.
  - a. BL 17-67- 139 Myrtle St.- *for septic upgrade*
  - b. BL 17-68- 1236 Hanover St.- *for confirmation of resource areas for possible demo of structures*
  - c. BL 17-69- Fireworks Site- Emergency Certificate
6. Correspondence- Reviewed without comment.
7. Other- *Those items not reasonably anticipated by the Chair within 48 hours of the meeting-*  
The Commission was asked by the property owner at 16 Ellis Ave. to opine on a proposed residential room addition within the 35 ft. no-structure setback to a BVW, resulting in the requirement that the plan be revised to relocated the addition or downsize the addition to meet the standard criteria for the no-structure setback.

**7:50 PM** Upon a motion and second made by Commissioners Brierley and Sennett, it was voted 5-0-0 to adjourn the meeting.

Minutes Respectfully Submitted by Sandra MacFarlane, DMI, Acting Cons. Agent

Documents provided at the meeting: 11/1/17 Agenda; Nat'l FWS NOI application packet; Agent's Report; Conservation Finances Report; 10/18/17 draft minutes; Minor Acts Permit as listed in III.5.a. - c.; 16 Ellis Ave. draft plan.

## AGENT'S REPORT FOR 11/01/17 CONSERVATION MEETING

Prepared by Acting Conservation Agent, Sandra D. MacFarlane

The following are updates for on-going projects and new information for the Commission's review:

- **Fireworks Site Public Forum**- There is a public forum scheduled for November 15 at the High School, final schedule and time TBA by Selectmen's Office.
- **Open Meeting Law seminar**- Monday, 11/06/17, including recent revisions - 5:30 to 7:30 pm @ Town Hall.
- **De-escalation and Code of Civil Conduct Webinar**- The Conservation Agent and several other employees participated in a web based seminar offered through MIIA on 10/19/17. These seminars are additionally beneficial to the Town, as they are counted toward discounts on municipal insurances costs.
- **Fireworks Site Focus Committee**- Member John Barry and George Mallard have been in contact with me regarding the schedule for the next meeting, however, no date has been set as of 11/01/17.
- **Hanover Mall @ Dick's Sporting Goods**- An arborist was on site last week to review the condition and plan for removal of up to 5 diseased 60 ft. to 80 ft. white pines that jeopardize the parking lot and cars parked therein. Work was been permitted under a Minor Acts Permit.
- **212 Brook Circle Violation**- Although it was reported to the Cons. Office that a wetland specialist has been hired, an submission of an NOI application is still pending for violations on this site.
- **1 Saturn Dr., Coastal Volkswagen**- A site inspection took place on 10/19/17 regarding the wetland replication area near the bridge at Route 53, as excavation turned up massive boulders, glass debris, an auto parts dump, and similar just below the surface. The situation has been partially rectified by removing most of the debris and some smaller boulders, however, it was necessary for Environmental Monitor John Zimmer to revise the wetland replication plan to accommodate the decreased depth of soils. The As-Built Plan will reflect the revisions as well.
- **70 River Rd.**- In cooperation with North River Commission staff, and after several site inspections, a Minor Activities Permit was issued for removal of up to 10 mature trees that are diseased, damaged, and a safety issue at the site. The permit will include replacement of the trees with appropriate species BVW and RFA in a number that can be sustained in that area. Further, it was easily observed that several invasive species (multi flora, Japanese Bittersweet, poison ivy, English ivy, etc.) have obliterated natural wetland and buffer species. In order to allow the area to return to a more natural state, the permit includes removal of invasive species in BZ, RFA, and BVW as well. It is more conducive to our goals and the interests of the Act if current property owner Bob Gosselin has professional arborists working at the site, in lieu of a homeowner who may not have the availability of such persons. In addition, Mr. Gosselin has generously offered to remove 2 damaged trees from the adjacent Town-owned canoe launch at no expense to the town. There is a concern that soils may have to be added, as there is evidence that this site was a dumping ground for highway projects and others- many boulders, gravel, concrete debris, and similar has been found on the site. Planting may be limited by the conditions of the soils (which has been prime condition for invasive species unfortunately).
- **DCR Dam Registration Forms**- Completion of Dam Registration Forms for Curtis Crossing Dam, Forge Pond Dam, and Factory Pond Dam is in process by DPW Supt. Victor Diniak pending his inspections.
- **577-579 Washington St.- Dairy Queen**- COC request- Work continues on the largest of 5 bio-retention areas on this site with an expected completion date in time for the November 5, 2017 Conservation meeting. This COC request will be scheduled on the next available meeting.
- **1969 Washington St.- Midas Muffler site**- A site inspection was conducted on this site on 10/25/17 with Arcadis personnel including Project Manager James Luker, PE, resulting in a pass rating for all checklist items for the 1<sup>st</sup> post OOC inspection. Work to remove the oil tank has been completed and disposed of appropriately in compliance with DEP's Immediate Response Action. Demo of the building has been chosen as the best course of action, in lieu of shoring it up, as was proposed as an option in their Notice of Intent Narrative. In preparation of demo work, all hazardous materials and supplies have been boxed as per DEP regulations and removed from the site, the lifts will be removed for salvage, and the demo debris will be removed from the site for disposal at an approved licensed facility.

- **1236 Hanover St.**- A site inspection took place on Thursday, October 19<sup>th</sup> at 9:30 am at this site regarding a pending Notice of Intent. The property has dual zoning, residential in front, commercial in rear. Possible re-zoning of front for new retail business after demo of both structures on site. Wetland lines confirmed, stream in rear was stagnant, showing signs of abandoned beaver dam upstream and beaver damaged trees were found on bank, as well as
- **139 Myrtle St.**- A Minor Activities Permit was issued for this septic system installation 68 ft. from an off-site BVW, as the roadway layout for Myrtle St. creates a significant barrier to any erosion or other impacts that might affect the BVW.
- Confirmation was received from Town Manager Troy Clarkson that Azra Tukic will be performing her 2<sup>nd</sup> semester of internship within the Conservation Office. This is great news for us, as she has been a valued asset to the office during her time with us.
- Public hearings for upcoming meeting: 926 Broadway for additions to house
- The Commission's Annual Report was sent via e-mail to Commissioners on October 23, 2017, with Commissioner Sennett conducting a review of the FY minutes set, stat wrap-up sheet, and draft report at the Conservation Office. The report was submitted to the Selectmen's Office for inclusion in the FY'17 Annual Town Report on October 26<sup>th</sup>.
- Mr. Otis (Duke) Magoun has been appointed and sworn in as an Associate Member of the Cons. Commission.
- Hunting dates- Deer Hunting with Bow only- October 16 through November 25 for 2017.