

## **Conservation Commission Public Hearing – November 4, 2015 Minutes**

**Time:** 7:30 PM –8:15 PM

**Location:** Town Hall

**Members Present:** Mark T. Mahoney, Chair; Nelson Kessler; and Toni Bandrowicz

**Members Absent:** Tom Ruskin, Vice Chair; Monica Tamborini; Robert Salter; and Marc Andler

**Others Present:** Aggregate Industries representatives and resident for 30 Danvers Road project (see sign-up sheet)

### **30 Danvers Road - Request for Determination (RDA)**

The Public Hearing was called to order at 7:30 pm and began with a discussion of the RDA for 30 Danvers Road. Ingeborg Hegemann of BSC Group, on behalf of Aggregate Industries, made a presentation on the company's proposed improvements to a holding lagoon on the company's property, specifically the construction of an energy dissipater on the eastern side of the lagoon (located outside the buffer zone) and the addition of a new overflow weir at the outlet control structure to Foster's Pond (located within the Inland Bank and Land Under Water wetland resource area 100 ft. buffer). Ms. Hegemann started by providing a "field trip" of the area through various photos.

The energy dissipater, which will not be in the resource area, is proposed so as to reduce the high rate of flow coming into the lagoon thereby increasing settling. A larger pipe is not proposed.

The proposed weir, which is in the resource area, is intended as a way of having only the top of the water column discharged to the existing drop inlet to Foster's Pond. Also proposed is certain mitigation during the project (i.e., pumping the lagoon down 12 inches, no pumping of the lagoon during the project, and installation of a turbidity curtain).

Based on the project, the company believes that the Conservation Commission can issue a negative determination and so submitted a RDA.

In response to a question from Ms. Kessler, the company confirmed that it was not going to dredge the lagoon.

Mr. Mahoney asked if the holding lagoon was a resource area and the company said it was not, that it is manmade and has been used as such continuously. It was further questioned if it had been a resource area before concrete had been put in the bottom of the lagoon. At that point, Mr. John Picariello, a neighbor and member of the town's Earth Removal Advisory Committee, provided a history of the lagoon, noting that it was once a part of Foster's Pond but then was filled in by Aggregate's predecessors which dumped concrete in the lagoon. In the mid-1960s this dumping was stopped.

In response to a question by Mr. Mahoney, the company said it would like to do the project this fall.

The reason that company wants to do this work is to prevent future noncompliance with its NPDES permit. There had been a recent operational problem that resulted in turbidity issues and a slight exceedance of company's NPDES permit limits. Even though the company resolved that operational problem, it wants to take these measures to further prevent possible noncompliance. It was noted that the operational problems were brought to the company's attention by the neighbors of Foster's Pond who observed a sediment plume throughout the pond.

Though not relevant to the RDA, a discussion then occurred about whether, when the company puts together a closure plan for the quarry in the future, if it would clean up the sediment in the pond

### **30 Danvers Road - Request for Certificate of Compliance**

Aggregate Industries was also requesting that the Commission issue a certificate of compliance for project activities associated with improvements to the existing quarry water holding lagoon discharge to Foster's Pond as that project had been completed as planned.

As there was not a quorum at the meeting, the members present, after review, signed off on the Request for Determination and Request for Certification of Compliance and will be requesting that other members review and sign in absentia.

### **Other Business**

Briefly discussed was the conservation signage for Ewing Woods, the upcoming public noticing of the Ewing Woods maintenance plan, and possible surveying of the Ewing Woods property.

The meeting was adjourned at 8:15 pm.