

**Hamilton Conservation Commission
Minutes of Meeting of Feb. 15, 2012
Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Virginia Cookson (7:55), Peter Dana (7:35), Keith Glidden, Richard Luongo (chair), George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Greg Hochmuth, consultant
Darryl Forgione, Mass. Department of Conservation & Recreation
Michael Stiller, consultant

The Commission is scheduled to meet at 7:30 p.m. on Feb. 29, March 14 and March 28, 2012 at Hamilton Town Hall. Site walks are scheduled for Sat. March 10.

Richard Luongo opened the meeting at 7:30 p.m.

Notice of Intent (Public hearing continued to Feb. 29, 2012)

Howard to Highland Streets

Hamilton Department of Public Works, applicant

Clean stream from Howard to Highland, work in bordering vegetated wetlands and in bank

By general consent, the Commission continued this public hearing to Feb. 29, 2012 at the applicant's request.

Notice of Intent

31 Highland Street

John Thissell, applicant; Greg Hochmuth, Hancock Engineering, representative

Demolish and replace on same footprint an existing single-family dwelling

The applicant's consultant Greg Hochmuth displayed a site plan and responded to questions that commissioners asked during their site visit to the property on Feb. 11. The owners wish to demolish an existing 1-story 3-bedroom house with deck, and build a 2-story 3-bedroom house with deck on the same footprint. The foundation would be 1' higher than the existing one to provide more crawlspace, which would house utilities. The owners propose packing potholes in the driveway with gravel prior to work commencing, and might later propose more extensive improvements to the driveway. Commissioners discussed the driveway, which passes through wetlands and which Mr. Hochmuth said may itself constitute wetland where hydric soils may be present to the surface. He suggested placement of trenched silt fencing along the low section of the driveway, for erosion control. The Commission requested a letter detailing the intended construction sequence, and agreed to Mr. Hochmuth's offer to measure and photograph the existing driveway prior to construction to safeguard against expansion of the driveway when the rutted areas are stabilized.

Mr. Hochmuth said the roof pitch would be unchanged. The owners want to prune and trim some hemlocks on their parcel, and may seek a neighbor's permission to remove a pine tree on the adjacent lot because that tree overhangs their house. Conservation Coordinator Jim Hankin noted that the pine may be outside Commission jurisdiction.

Commissioners and Mr. Hankin agreed he would inspect the construction site several times. Mr. Hochmuth proposed that Hancock, not the contractor, stake the foundation to ensure it is built at the precise location shown on the site plan. Mr. Hochmuth agreed to a continuation.

Keith Glidden made a motion for the Commission to continue this matter to the meeting of Feb. 29. Peter Dana seconded the motion. VOTE: Unanimous.

Request for Determination of Applicability

Bradley Palmer State Park

Massachusetts Department of Conservation and Recreation (DCR), applicant; URS Corporation, representative

Remove solid waste from an area within the park

DCR's consultant Michael Stiller of URS described a half-acre area near a paved parking lot in Bradley Palmer State Park in which solid waste was dumped in the past, which DCR proposes to remove. Waste items include empty drums, an old fuel storage tank, and other smaller debris. Mr. Stiller said examination of soil revealed no staining or other sign of oil or other hazardous waste. The waste lies in a depression that appears to be a gravel pit or old glacial kettle hole, and was covered with what appears to be organic material that fell naturally; DCR does not suspect intentional concealment. Mr. Stiller said the materials appear to have been deposited well before DCR took ownership of the parklands. A berm separates the depression from wetlands to one side, and a small hill lies between the depression and wetlands on the other side. Some of the waste is situated within 100' of the wetlands, but much of the waste is positioned more than 100' from the wetland line. The area is accessible by a gravel trail from the paved parking lot. DCR proposes to have its staff remove approximately 2,000 cubic yards of material by hand, transport it to the parking lot in an off-road truck that can travel on the trail, and then transfer it to DOT-approved containers in the parking lot, and haul it out of the park. Erosion control would be installed along low points in the trail in case it becomes rutted. DCR Northeast Regional Engineer Darryl Forgione said he wants to commence work very soon, so the project can take place while the ground is hard. He estimated it would take 10 work days. Mr. Stiller said after the waste is removed, soil below would be examined to determine whether they are natural to the site; if they are not, or if staining is observed, soil testing would take place.

Virginia Cookson joined the meeting during this discussion.

Keith Glidden made a motion for the Commission to grant a negative determination. Stacy Carpenter seconded the motion. VOTE: 5-0-1 (Ms. Cookson abstained).

Keith Glidden made a motion for the Commission to approve the minutes of the meeting of Jan. 11, 2012 as presented. George Tarr seconded the motion. VOTE: Unanimous.

Request for waiver of filing fee

Conservation Coordinator Jim Hankin said the Massachusetts Audubon Society wants to remove debris such as tires from the base of a slope near wetlands on parcels off Lake Drive that the Town recently deeded to Audubon. Audubon requests a waiver of the filing fee for a permit to perform the work, based on its non-profit status. Mr. Hankin noted that the Commission waives fees for the non-profit Essex County Trails Association. He said the Commission would be required to collect a state fee, but this work only triggers a fee under the Hamilton Conservation By Law.

Virginia Cookson made a motion for the Commission to waive the fee for the Mass Audubon to file for a Request for Determination for cleaning land they swapped with the Town. Keith Glidden seconded the motion. VOTE: Unanimous.

Commissioners rescheduled a July meeting from Thurs. July 11 to Thurs. July 18, 2012, because the Conservation Coordinator will be away on July 11.

George Tarr informed commissioners of a salt spill he observed from a municipal maintenance vehicle, which he cleaned up. Commissioners discussed policies regarding salting roads near wetlands. Mr. Hankin said he would speak with the Superintendent of Public Works about it.

Keith Glidden reported on the work of the Community Preservation Commission, on which he represents the Commission. He said the proposal most actively discussed at present calls for \$700,000 from the CPC to build a sidewalk trail along Route 22 from the Wenham to Essex town lines; commissioners discussed this idea. Mr. Glidden and Stacy Carpenter reported on ongoing study of whether the Town should accept the gift of a house and land off Asbury St. offered by Joanne Patton, which includes riverfront.

Mr. Glidden made a motion for the Commission to adjourn at 8:30 p.m. Virginia Cookson seconded the motion. VOTE: Unanimous.

Minutes submitted Feb. 17, 2012 by Ann Sierks Smith