

**Hamilton Conservation Commission
Minutes of Meeting of July 15, 2015
Meeting held at Hamilton Town Hall**

Commissioners present:

Richard Luongo, Chair, Virginia Cookson, Bob Cronin, George Tarr.

Staff present:

Jim Hankin, Conservation Agent

Others present:

Shawn Farrell, BOS liaison

Anne Gero

Gretel Clark

Emer McCourt

Richard Luongo opened the meeting at 7:00 p.m. and mentioned that the meeting was being recorded for the minutes secretary. Jim Hankin summarized details associated with Commission agenda packet including documents received for NOI for ECGA boardwalk off of Asbury Street, comment documents on Land Acquisition policy, and Open Space Committee candidates.

Notice of Intent

650 Asbury Street (former Patton Property)
CP Berry. LLC and Town of Hamilton Co-Applicants

Mr. Luongo opened the public hearing. Engineer Larry Beals representing the applicant (Alan Berry) spoke to the site walk and observation of resource areas, wetland boundary, 200' riverfront, riparian zones, rare and endangered species habitat. As to the habitat zone, NHESP has stated no "take" will result from proposed project. The goal for the project is to stay out of the HCC jurisdictional zones as much as possible. He summarized issues that were resolved with Planning Board that has approved housing development design.

Drainage and stormwater management is being addressed with drip edges on houses, soil is highly permeable with sand and gravel and good separation from water table, and percolation rates are 10 minutes an inch or less. Stormwater runoff is directed to detention basin and swale for bio-filtration. A common septic system will have wastewater discharged from each dwelling unit into septic tank with effluent run through a small treatment system and discharged into the primary wastewater disposal field, and there will be a reserve area for adequate capacity. From the bottom of the leach field to the groundwater table is almost 30'. All of this work is outside HCC jurisdiction.

The plan to be filed with Planning Board will likely be modified since zoning had previously only allowed single units or triplexes, not duplexes. However, zoning was changed to allow duplexes, so 12 single units and a duplex are being proposed. Another modification is design of stormwater management system will work with natural contours of embankment. Discussion ensued about forebay as a mechanism for filtering sediment that would be located outside of jurisdiction.

A few trees are flagged to be removed at the site as part of the development. Buildings will be located primarily outside of 100' buffer zone, 200' riverfront and priority habitat. Once the road is built, surrounding area disturbed by construction will be seeded and loamed. No brush will be cleared. A path for riverfront access will continue in the open space land that the Town will continue to own and some of this area will be used for public safety access. Mr. Hankin noted that DEP has issued a file number but has not commented on the project. He anticipates that DEP will have no comment and could respond by July 29th. Discussion addressed how the Attorney General has until July 29th to approve change in zoning by-law that allows two-unit dwellings. An updated plan that reflects two units as well as NOI will be submitted to the Planning Board. Mr. Berry and Mr. Beals will work with Conservation Agent to develop a draft Order of Conditions to discuss at July 29th meeting.

With no objection from the Applicant, Virginia Cookson moved to continue the hearing until July 29, 2015 meeting. Bob Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

Brief interviews with Open Space Subcommittee candidates- Anne Gero, Gretel Clark and Emery McCourt

The Commission interviewed Emer McCourt, Anne Gero, and Gretel Clark about their interest in serving on the Open Space Subcommittee. The Commission will vote on the three candidates at its July 29, 2015 meeting.

Notice of Intent (Public Hearing continued from June 10, 2015 and June 24, 2015)

Off Asbury Street, Map 27 Lot 4

Construct boardwalk and observation deck in resource area on Greenbelt land adjacent to 650 Asbury Street, former Patton estate.

Essex County Greenbelt Applicant

The Commission was notified that DEP had no comment on the project, and it received an official letter from the Division of Fisheries and Wildlife indicating that the project would not result in any removal of endangered species.

Mr. Tarr moved to close the public hearing, seconded by Ms. Cookson. The Commission voted unanimously in favor of the motion.

Ms. Cookson moved to issue an Order of Conditions for ECGA to construct a boardwalk on Map 27, Lot 4. The NOI has been filed and all plan designs, and specifications shown at public hearing have been filed. Mr. Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

Discussion Items

Vote to appoint Nancy Baker, Jackie Hodge and Zach Peters to HCC Open Space Subcommittee

Ms. Cookson moved to appoint Nancy Baker, Jackie Hodge and Zach Peters to the Hamilton Conservation Commission's Open Space Subcommittee. Mr. Cronin seconded the motion. The

appointees are all residents of Hamilton. The Commission voted unanimously in favor of the motion.

Land Acquisition Policy–Draft, HCC to vote on comment

Discussion ensued about the Draft Land Acquisition Policy that Board of Selectmen are interested in having in place when issues come up associated with land becoming available for acquisition such as the Pirie property. Mr. Hankin explained absent Commissioner Keith Glidden's position on the matter that the Selectmen already have significant authority in this area and drafting policy may encourage further adversarial intervention.

Discussion addressed how any large property that falls under right of first refusal may be included in the document and whether or not policy would impact outcome of transaction of larger properties in Town (i.e., Pirie property). This policy addresses the Town's right of first refusal for chapter land, and prioritizes how large parcels of land might want to be used for the Town (i.e., playing fields, school building and affordable housing).

Also mentioned was how many large landowners in Town have been in discussion with ECGA and HW Land Trust relative to land preservation. Discussion was on role of Selectmen and Town Manager in policy and potential for future ad hoc Land Acquisition Committee that would help prioritize the properties for the Town. Also mentioned was how prior discussion could occur with property owners about their chapter land before right of first refusal is before the Town since there is a short timeframe in the right of refusal process. In addition, the land use boards would have members on the ad hoc committee and become involved in the process sooner than right of first refusal tight schedule. Mr. Hankin speaking as Conservation Agent and Hamilton resident opined that this action should be managed by Town staff versus an ad hoc committee. He added that the ad hoc committee could focus on properties that come up for acquisition under chapter land. Mr. Hankin will draft an email outlining the Commission's position and comments on the policy so the Commission can discuss and vote on it at the July 29, 2015 meeting.

Vote Minutes of June 10, 2015

Mr. Tarr moved to approve the minutes of June 10, 2015. Mr. Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

Mr. Cronin moved to adjourn. Mr. Tarr seconded the motion. The Commission voted unanimously in favor of the motion. Commission adjourned at 8:05 p.m.

Minutes submitted August 6, 2015 by Jane Dooley