

**Hamilton Conservation Commission  
Minutes of Meeting of June 13, 2013  
Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Virginia Cookson, Peter Dana, Keith Glidden, Richard Luongo (chair),  
George Tarr.

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Chuck Johnson

John Peterson

John Feener certified arborist

---

Richard Luongo opened the meeting at 7:30 p.m. Jim Hankin noted that the meeting was being recorded.

---

**Update on Commission business**

Mr. Hankin noted at the July 3, 2013 meeting the Commission would address a continued Certificate of Compliance after viewing that work on the June 29, 2013 site walk. Also a minimum of three new application filings will be heard on June 26, 2103.

**Notice of Intent** (Public Hearing)

Linden and Howard Streets

Mr. Luongo noted that the public hearing would be continued to July 17, 2013 at 7:30 p.m. at Hamilton Town Hall regarding replacement of culverts at Linden and Howard Streets.

**Notice of Intent** (Public Hearing)

947 Highland Street

Mr. Luongo opened the public hearing for NOI for 947 Highland Street. Mr. Hankin noted that the 947 Highland Street NOI was issued a DEP file number and DEP had no comments

**Notice of Intent** (Public Hearing)

947 Highland Street

Chuck Johnson, CJ Engineering, applicant John Peterson, and John Feener, arborist, (who prepared some of the exhibits filed with NOI). Mr. Johnson provided certified mail cards to Mr. Hankin.

Mr. Johnson showed the Commission the sub-division plan prepared and signed by Planning Board in January 2008. The 40-foot scale plan divides the former George Horne estate property into 2 lots. He noted that Bill Manuell had flagged the wetland at what is now Mr. Peterson's property. The parcel has 5.5 acres and there is an intermittent stream that runs through the property. There are approximately two acres of upland.

Mr. Johnson referred to the plan that was filed with the NOI and mentioned that nearly all of the Commission members were at the site walk last Saturday. He identified the wetland line and noted that wetland flagging was confirmed by Mr. Manuell. Mr. Johnson referred to the 50' No Disturb Zone, 75' No Build and 100' buffer. He spoke to the 27 trees noted in the NOI that are more than 50 feet and less than 100 feet from wetlands that due to disease and other reasons cited in the NOI the applicant would like to have taken down.

Mr. Johnson explained that development for the property includes construction of a new house for the Petersons and the trees are a problem due to shading and solar impact and they are diseased. The arborist spoke to the fact that the transition area from forest zone is having an adverse effect, and he noted what Mr. Manuell addressed regarding how the removal of the trees would make it an ecologically sound area. He added that the trees are diseased and are exotic not invasive or native species (i.e., berry pines and Austrian pines).

Discussion ensued about if hemlocks near wetland could be treated and that permission could be requested of Commission to use treatments. The arborist said it was possible to treat and not affect pollen and bees. He suggested the trees be treated to help maintain them as long as possible as part of naturalization in the area. Discussion commenced on how this is not part of the NOI. Commission agreed that they could add treatment as a Condition if they so chose. The chemical that would be used to treat the trees is imocloprid. Mr. Feener, the arborist, suggested the treatment would be for a three-year period. Mr. Peterson said he was interested in treating his trees. The arborist recommended that the condition specify that the application of insecticide be done by a Mass. certified pesticide applicator. Mr. Hankin said replacement of an exotic area with ecologically appropriate species was advisable in his opinion.

Discussion addressed regulations that were changed in 2007 for an undeveloped lot without a residence that has a 50' NDZ and 75' No Build.

In response to abutter Michael Maginn, 112 Goodhue Street, Mr. Johnson said the Petersons have tagged the 27 diseased trees that are more than 50' but less than 100' and those would be taken down and area re-vegetated with shrubs and plantings.

Mr. Hankin noted that the house and septic system are outside of the Commission's jurisdiction so the only item before the Commission is the trees. Mr. Luongo noted also the re-vegetation of the resource area. The Commission noted that the use of insecticide would be added to the Order of Conditions.

George Tarr moved to close the public hearing. Stacy Carpenter seconded the motion. There was no discussion. The Commission voted unanimously in favor of the motion.

Mr. Glidden moved to issue an Order of Conditions with one special condition that an insecticide called imocloprid that would treat the adelgid infestation in hemlocks on property 50' to 100' from wetlands. Mr. Hankin noted that the certified arborist has said it would be necessary to apply product for three years. The arborist noted that the product is treated in the soil not the foliage. Mr. Hankin specified that the insecticide would only be applied by a Mass. certified pesticide applicator. Mr. Dana seconded the motion. There was no discussion. The Commission voted unanimously in favor of the motion.

**Acceptance of the May 22, 2013 minutes**

Keith Glidden moved to accept the Commission's May 22, 2013 minutes. Peter Dana seconded the motion. The Commission voted unanimously in favor of the motion.

**Discussion on Community Preservation Committee vote re: CPA funds and Pirie Property purchase**

Mr. Glidden noted that as a Community Preservation Committee member he voted in favor of using Community Preservation Act funds towards the Town's purchase of the Pirie Property. He expressed concern about proposal using a large percentage of CPA funds relative to the money being spent appropriately and the need to have funds for improvements at Patton Park for the pool.

Discussion ensued about how the purchase and sale for the Pirie Property would proceed with the original purchase and sale for the property for six house lots. Also, that more public education is needed for the Town to move forward with a proposal to act on right of first refusal and details defined with such a proposal to raise needed revenue for Hamilton. Discussion addressed whether or not development in Hamilton's downtown is a realistic option for the Town given septic issues.

Mr. Glidden moved to adjourn. Ms. Carpenter seconded the motion. There was no discussion. The Commission voted unanimously in favor of the motion. Commission adjourned at 8:19 pm.

Minutes submitted June 21, 2013 by Jane Dooley