

**Hamilton Conservation Commission  
Minutes of Meeting of June 26, 2013  
Meeting held at Hamilton Town Hall**

Commissioners present:

Bob Cronin, Peter Dana, Keith Glidden, Richard Luongo (chair), George Tarr.

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Laura Bugay, CDM Smith

Mary Rimmer, Rimmer Environmental Consulting

Jock Burns, Pingree School

Bruce Comak, Comak Brothers

William Wheaton, 180 Bridge Street

Chuck Johnson, CJ Johnson Engineering

Steven Chamberlain, 64 Goodhue Street

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Richard Luongo opened the meeting at 7:30 p.m. Jim Hankin noted that a site walk is scheduled for this Saturday.

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**Landfill Closure Project**

Laura Bugay, CDM Smith engineering firm, presented information on design and permitting of the landfill closure, and the development of an RFP for installing an anaerobic digester at the landfill site post closure.

Ms. Bugay said there is an approved conceptual design from DEP that is being finalized now. She noted that there are areas on the landfill site with wetlands resource areas to the north and east of site. Ms. Bugay provided background explaining that area 1 is the oldest area operated from 1950s to 1980s when it was closed with a 2' soil cap. The capping has been confirmed with test pits.

Also, the closure design going forward will consist of an asphalt pavement cap in area 1 where DPW currently has material stockpiled including brush disposal. There are three other areas: area 2 that the Town used for waste disposal when area 1 was being capped and it was not available; and 2a and 2b where there are areas of shallow waste.

Ms. Bugay explained that in the closure design no action would be taken in area 1 except in areas where cap is deficient as defined by the test pit results to augment the cap with 3' soil cap as defined by DEP. This does not include impermeable membrane so this would be less expensive for the Town.

She noted that the assessments at the landfill illustrate that groundwater and surface water quality are good. There is no permanent landfill gas migration at this point. She noted that in some areas the edge of waste goes to the wetland edge. The closure design identifies 50' No Disturb Zone,

75' No Build Zone and 100' buffer zone and capping work would occur in those areas. She explained that in order to install a 3' cap on the slope the cap would to be projected out at the base by almost 12'. So the waste would have to be pulled back to put in the soil cap. A 5' buffer area would be created allowing for inspection of cap in the future and access without being in the wetlands. This is the primary impact to the wetland resource jurisdictional area.

Ms. Bugay said when waste is located so close to the wetlands it can potentially be in the wetlands. So work would have to be done in the wetlands to pull the waste out and restore the wetlands.

Ms. Bugay asked the Commission when CDM Smith comes to the Hamilton Conservation Commission with a Notice of Intent for the Commission's August 14<sup>th</sup> meeting, how the Commission would like capping work to be done if waste is encountered in the wetlands.

Discussion ensued about how waste had gone into some of the wetlands and filled it. In response to Keith Glidden, Ms. Bugay said no consideration has been given to pulling waste out of wetland. She explained that the complexity associated with this would include relocating nearly the whole landfill and is costly. She added that the wetland is BVW to the intermittent stream that is fed from the pond area. Ms. Bugay said based on the assessment reports the pond is believed to have been created during landfill operations from mining of soils for daily cover and fill material. She added that the pond is groundwater fed, and the stream in the area is shown on Mass. GIS.

Discussion addressed how the construction equipment (i.e., full size excavator) would work from the landfill rather than the wetland side of the site. Ms. Bugay noted that if waste is encountered at the wetland edge and it appears to be shallow enough hand work could be done. She reiterated that cap would be made of 3' of soil material. Ms. Bugay referred to two alternatives that DEP has approved including 12" low permeability layer of common fill from the waste up followed by 12" of top soil with certain organics content, and alternatively 12" low permeability, 18" common fill and 6" top soil with more organics.

Discussion was about how asphalt pavement would be used where the gate to the landfill is located now. Ms. Bugay said this area has hard packed gravel for the public works operation and storage. She noted that once the landfill is capped this lends itself post closure to have the area available for the public works to have materials stockpile. In addition, if the Town is able to site an anaerobic digester it would be located off waste and the asphalt pavement would serve as entrance and potential parking.

Ms. Bugay has only seen the gate at the site and has not walked the site. She noted that a lot of trees have grown in the landfill footprint which is not allowed so there would be a lot of clearing and brush cutting as part of closure in area 1. This work would be in the buffer zone. So erosion control barriers are proposed around the site. Discussion addressed whether or not the Commission would specify straw waddles should be used versus hay bales since certain seeds can be found in the hay.

Discussion addressed how there are buildings at the site near the pond for the Marsh Rats Club and Hamilton Rod and Gun Club. An access road for the club would remain at the site. Ms. Bugay mentioned that the Town is looking for a second post closure use to do photovoltaic solar farm on top of another area of closed landfill.

Jim Hankin explained that any wetlands map that the Commission has reviewed in the past for the landfill were the presented informally. He noted that none of the informal delineations came to

the Commission officially for a finding of the wetland line.

Discussion addressed vegetation that would be planted along the NDZ and NBZ that will be disturbed over the cap area. It would be a grass mixture, no woody growth that would permeate the cap so stormwater could get through. The mixture of grasses consists of standard landfill mix with some deep rooted so it would not burn out in the summer and holds. It will be used everywhere the cap is located.

Ms. Bugay said approximately five acres would be capped and noted that area 1 is seven acres that is already capped and one acre would be augmented with additional soils in area 1. She added that area 2 is three acres and another area is one-half to one acre.

Ms. Bugay referred to the solar proposal and noted that a flatter area across area 1 would be beneficial to increase the amount of solar panels and electrical generation. She noted that there is an opportunity for the Town to get some clean soils to use for the cap but there are more soils available that could be used to level the valley on the landfill footprint and mound within tree line off of waste with clean fill. This would help the area for a solar project in the future out of the buffer zone. Richard Luongo said the Commission would have no jurisdiction for any work whose impacts stayed 100 feet or more away from wetlands, and suggested the hill could help the solar panels. Ms. Bugay said if the valley were filled then there would be benefit from the height to be out of the tree line and she mentioned the area down the slope.

Ms. Bugay noted that the capping and anaerobic digester are two projects running parallel but are on separate timelines. She explained that there would be a NOI filing for landfill capping. However, for the anaerobic digester, the Town has to go through the RFP process first, select and award a preferred vendor, work out the contract, and then the vendor comes to the Commission for permitting.

Ms. Bugay said CDM Smith's job is landfill closure. The final closure design will be submitted to DEP in the next week or two. Then the NOI will be submitted and ANRAD for confirmation of wetland delineation done by the engineering firm for the Commission's August meeting. She estimated that the cost of the project, with the potential savings of the soils that can be brought in, for the cap at \$800,000, equal a savings of \$300,000 to \$400,000.

Discussion addressed how there is no federal monies available at this point to fund the landfill capping. Ms. Bugay said for the anaerobic digester there would be revenues back to the Town; this is part of the RFP process and selecting a vendor that would realize the benefits from the digester. There are no benefit numbers available at this point.

Ms. Bugay explained that there are a handful of vendors that would bid on the closure project from Massachusetts. She said the expectation is for three or four bids and quick turnaround from DEP so the Town can receive the soils in the fall and waste relocation would occur in the winter.

Discussion ensued about poor shape of landfill access road in Hamilton for truck traffic and whether or not there would be an issue with Manchester allowing the vehicles to use its end of the road that is in better condition. Ms. Bugay said there would be discussions with Manchester and that the landfill closure is state mandated. She said the trucks that would be necessary to complete landfill closure are difficult to oppose and discussions are occurring about improvements to the road as part of the closure contract.

Ms. Bugay then addressed the proposal for anaerobic digester at the landfill site once the landfill

is closed. She noted the anaerobic digester at Deer Island managed by MWRA although this type of waste stream would not come to the Hamilton site. She explained that new regulations to be implemented next year in Massachusetts promulgate banning of commercial food waste from MSW stream so this affects hospitals, schools, and restaurants. These organizations will have to separate food waste from general MSW. Ms. Bugay said there are no site locations for the segregated material to be processed on a large scale so this is why Hamilton is looking into creating an RFP and reusing the landfill site after it is closed to capture North Shore market to process food waste (i.e., organics not sludge).

Discussion ensued about how the two by-products that result from anaerobic digestion include gas that would be burned and generate electricity to run the plant and send back to the grid, and the digestate that can be applied to land, dried and used as fertilizer. The processing of digestate would not occur at the landfill site since there is not enough space it would be managed and trucked offsite. All of the buildings are enclosed and odor controls are implemented related to permitting. She explained that light studies are likely to be done. Also, that DEP grant funds are being used by sites in the state to analyze co-digestion possibilities. Ms. Bugay noted that Lexington is also investigating anaerobic digestion but being located in a different region would not present competition for food waste sources.

She addressed the fact that the landfill is located in the Town's groundwater overlay district that was implemented after the landfill was put at the site. Ms. Bugay added that all of the buildings to be used for anaerobic digestion are enclosed as is the processes. Enclosed trucks would be used to bring material to the facility; there would not be any open stock piling. She referred to the components of an anaerobic system with a receiving building where waste comes in, is mixed and is fed into equalizing tank and into digestion tank to degrade and produce gas. Ms. Bugay noted information provided in a handout to the Commission that illustrated potential layout for system relative to street, property line and 100' wetland buffer line.

She added that discharge outside of the building if there was a failure probably would not occur. Ms. Bugay said she was not familiar with specific technologies but said there would be safeguards in place for secondary containment. Ms. Bugay offered to send a digital copy of the draft RFP to Mr. Hankin so it could be distributed to the Commission. Ms. Bugay responded to Bob Cronin about consideration given relative to Hamilton Rod and Gun Club and future for Marsh Rats Club.

**Notice of Intent** (Public Hearing)  
Pingree School, 537 Highland Street

Mr. Luongo opened the public hearing for NOI for 537 Highland Street.

Mary Rimmer, Rimmer Environmental Consulting, presented the NOI to improve the irrigation system at the Pingree School. She explained how the irrigation for eight athletic fields at the site was from surface sprinklers and two gas-fired pumps that pull water from two ponds on the property. Ms. Rimmer said this is a very inefficient system because it requires a person to move the giant sprinklers across the fields during the day, and potential hazard of gas leak.

The proposal is install, underground, 4" mains to 1 ½" to 2" mains lateralized to irrigate all eight fields. She described location of school driveway and Highland Street relative to first field, a large wetland where no-mow zone was monumented, and series of three fields heading off to the northeast. Ms. Rimmer explained that the irrigation system would be separated into zones so watering could occur at night to reduce evaporation, and rain sensors would be installed to

manage use, and coverage would be more uniform and directed to areas that dry out more (i.e., in front of goals).

She noted that the work would occur in the buffer zone and NDZ with temporary impact due to 15” trenches for lateral lines and additional 24” trenches for mains. She said there is a request for a waiver from NDZ and some of the work is within the riverfront of Black Brook, this is an existing system and there should be a reduction in pumping and net improvement due to the project.

In response to Mr. Hankin, Ms. Rimmer said no work would occur directly in the resource area; with the exception of the electric pumps located on sleds sitting in the ponds. Discussion ensued about how the electric lines could be located in the same trenches as the water lines and that handwork would be done for annual pump maintenance.

Mr. Hankin reminded Ms. Rimmer about the need for her to get a NHESP letter. He noted that the stormwater exemption is because this is temporary alteration and not impervious alteration at all. Discussion ensued about the school running the pumps during the Town’s water ban. The Pingree School representative said the pumps have been run during the water ban in the past. Also addressed was if there are any controls for drawing water from the ponds in drought conditions when the pumps draw 6,000 gallons an hour or 100 gallons a minute. Ms. Rimmer said the state requires a water withdrawal permit if usage exceeds 100,000 gallons per day for consumptive use and she noted that this irrigation is sending the water back into the ground recharging the same watershed. The new system will draw less water than the current system.

Mr. Hankin described how he had a letter from years ago where the Commission discussed Pingree School’s use of water on site for irrigation noting that the water goes back into the groundwater. It was noted that one of the ponds was built for irrigation.

Discussion ensued about how Ms. Rimmer had not yet received a file number from DEP. Mr. Hankin noted that the two pond locations are on the Commission’s upcoming site walk on Saturday which Mr. Comak will attend.

Keith Glidden moved to continue the hearing until July 3. Bob Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

**Request for Determination**

321 Sagamore Street

William Wheaton, 180 Bridge Street, spoke to former Sagamore Hill that has been divided into three lots with one house allowed on each lot and 29 acres kept in conservation use through Chapter 61B. He referred to house that burned down that had electric system and driveway that was constructed in 1992 and the Commission had approved at that time. Mr. Wheaton is building a house on one of these lots. He referred to an electric service line that serviced the house that burned down and goes along the driveway. The utility wants to supplement or repair the line.

Mr. Wheaton referred to a seasonal pond and stream as well as a pipe located below the driveway bordered with grassland and bordered vegetation that goes up to the house. He explained that his house site has a new septic system and well. Mr. Hankin had visited the site and photographed a pipe. Discussion ensued about how this pipe is not the one in question and Mr. Hankin noted that the photographs illustrate the grassy area where conduit would be located on the right hand side. He added that the Commission had approved the Fire Department burning down the old house as

a training exercise.

Mr. Wheaton described how the high voltage cable would be replaced with secondary service conduit cable that would not be buried as deep. Discussion ensued about how existing pipe is 30” below the surface of the driveway and that the secondary service conduit would not go under the water or disturb the stream. Also mentioned is that water service is from well and there is an irrigation system. Discussion addressed how the trench would be cut, covered and reseeded.

George Tarr moved to make a Negative #2 Determination for 321 Sagamore Street. Mr. Cronin seconded the motion. The Commission voted 4-0-1 with Mr. Dana abstaining.

**Notice of Intent** (Public Hearing)

64 Goodhue Street

Mr. Luongo opened the public hearing for NOI for 64 Goodhue Street.

Chuck Johnson, civil engineer for CJ Johnson Engineering, explained that the property owned by the 877 Highland Street trust is under agreement with Steven and Carol Chamberlin. He mentioned that a reduced version of the plan was provided to abutters as part of NOI notification. Mr. Johnson noted that the plan was endorsed by the Planning Board last October.

He explained that the project concerns the remaining open lot on Goodhue Street that the Chamberlins’ would like to purchase and build a single family home. Mr. Johnson referred to an isolated wetland with 50’ NDZ, 75’ No Build Zone and 100’ buffer zone. He noted that NOI was to get water service from the closest available Town water supply to the proposed home location. There are two options to get water from water main on Highland Street: one over an existing gravel path resulting from former site for gravel excavation operation with some work done in buffer zone, the other option would place the water line along a utility easement at 881 Highland Street.

Mr. Johnson recommended the Commission do a site walk and explained how the second option would not work well due to area being heavily wooded. Discussion ensued about how a 4’ trench is required to provide water service and that a small excavator will be used and straw waddle installed at 50’ NDZ. Mr. Johnson said the area is gravel and grass and the drainage was good for septic system. He suggested the Commission meet for the site walk on Waldingfield Road and head back to Highland Street. It was noted that abutters or prospective owners of property could attend site walk

An abutter at 877 Highland Street questioned the lot line and existing well on proposed house lot. Steven Chamberlin said he had no knowledge about the state, functionality and quality of well water and that he would prefer to go with Town water. Also discussed was catch basin at the back of the property and how water flows out from wetland into the catch basin. Mr. Johnson noted that Bill Manuell from Wetlands Land Management did the wetlands flagging. He added that the catch basin is at the lowest point and plenty of water remains in the wetlands.

Jerry Fallon, abutter, asked if steep slope in area would create an issue. Mr. Johnson said this is outside of the Commission’s jurisdiction but noted that the contractor would crab the steep slope up to the house. The abutters at 877 Highland Street offered use of their driveway for the Commission site walk.

In response to Nancy Baker, Mr. Johnson said there were no other issues that would fall under the

Commission's jurisdiction. Discussion ensued about how the vegetation and soils define wetlands and the Commission's jurisdictional authority relative to 877 Highland Street. Also addressed was how a wetland is defined by vegetation, hydric soils, hydrology of water, and animals. Mr. Hankin said there is a process to do work in the jurisdictional zone.

Mr. Glidden moved to continue the hearing until July 3. Mr. Dana seconded the motion. The Commission voted unanimously in favor of the motion.

### **Certificate of Compliance**

6 Don Byrne Way

Mr. Hankin explained that the homeowner had received approval for a retaining wall. He visited the site and photographed the wall for the Commission. Mr. Hankin said the plants are well established and number correctly in the area of compensation with more than required plants added for aesthetics. He recommended that issuing Certificate of Compliance is appropriate.

Mr. Glidden moved for the Commission to issue the Certificate of Compliance for 6 Don Byrne Way. Mr. Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

### **Update on Commission business**

Mr. Hankin noted that the Board of Selectmen had reappointed Virginia Cookson and Bob Cronin to the Conservation Commission for three-year terms until June 30, 2016.

Discussion ensued about a Certificate of Compliance request for 920 Highland Street. A chain link fence that is not on the approved plan is present on site. Also, a required compensation planting area has not been installed. This planting area would be reviewed in spring 2013. Mr. Hankin said the fence may be a barrier to wildlife movement. The Commission discussed how this would be observed during upcoming site walk and discussed at the Commission's meeting on July 3. Mr. Hankin said the permit is still good for the project due to the extension in case the Commission decides the fence has to be altered or removed after the site walk.

### **Acceptance of the, 2013 minutes**

Mr. Glidden moved to accept the Commission's June 14, 2013 minutes. Mr. Dana seconded the motion. The Commission voted unanimously in favor of the motion. Mr. Cronin moved to adjourn. Mr. Glidden seconded the motion. There was no discussion. The Commission voted unanimously in favor of the motion. Commission adjourned at 8:58 pm.

Minutes submitted July 10, 2013 by Jane Dooley