

**Hamilton Conservation Commission
Minutes of Meeting of August 13, 2014
Meeting held at Hamilton Town Hall**

Commissioners present:

Richard Luongo, Chair, Virginia Cookson arrived at 7:37 p.m., Bob Cronin, Keith Glidden arrived at 7:31 p.m., George Tarr.

Staff present:

Jim Hankin, Conservation Agent

Others present: Darryl Forgione, Mike Stiller, Rich Sommers, Larry Beals, William Manuell, Tom Ford, Mary Rimmer

Richard Luongo opened the meeting at 7:30 p.m. Jim Hankin suggested that the Enforcement Order for 35 Miles River Road be continued until the September 10 meeting and placed on the September 6 site walk since he will have information from Gordie Rogerson, wetland consultant.

Abbreviated Notice of Resource Area Delineation

(Re-open the Public Hearing that had been continued on July 16, 2014)

650 Asbury Street (Patton Estate)

CP Berry Applicant, wetland delineation by William Manuell

Larry Beals of Beals Associates land planners representing the applicant spoke to William Manuell's map of the wetlands done for the Town relative to the Patton Estate development project. Mr. Beals mentioned that there is a DEP file number and there were no comments on this ANRAD from the Department.

He presented the Commission with drawings that show the wetlands boundary and flags in the field. Mr. Manuell recapped the Commission's site walk where the A, B, C, and D series wetland flags were reviewed as well as riverfront area marked with red flags for the Ipswich River. The Commissioners who were on the site walk stated that they did not see any problems with the wetlands delineation.

Discussion addressed a manmade pond at the site that is wooded with mature vegetation along the bank of the pond, with herbaceous growth such as sedges, golden rods. The pond itself has lily pads and lilies. Mr. Hankin reiterated the information about the DEP file number and no comments.

Keith Glidden moved to close the public hearing. Virginia Cookson seconded the motion. The Commission voted unanimously in favor of the motion.

Mr. Beals mentioned that firm had received a letter from Natural Heritage and Endangered Species (NHESP) indicating that the project could proceed without further review by NHESP.

Mr. Glidden moved to issue an Order of Resource Area Delineation (ORAD) based on the ANARD as presented. George Tarr seconded the motion. The Commission voted unanimously in favor of the motion.

Informal discussion ensued about how a driveway access is not part of a building permit but would be regulated by the NDZ if applicable. Mr. Glidden and Mr. Luongo opined that they, hypothetically, might be in favor of a roadway within the 100' buffer and 75' No Build Zone to foster more usage out of the other land subject to whatever other information may be a part of a Notice of Intent. Mr. Beals mentioned that the current design is out of the Commission's jurisdiction except for encroachment of deck in river zone where the area is mostly grass.

Discussion addressed test pits that have been done for common system water treatment plant, proposed area for leach field, rain garden to collect runoff, detention basin for storm events, and discharge to the road.

Request for Determination

87 Blueberry Lane

William Staubitz Applicant, Dan Johnson septic system designer

All work more than 60' from EOW

Dan Johnson spoke to upgrade to failed septic system and wetlands delineated by Mr. Manuell. A new septic system will be installed with slight mound required due to shallow water table. The location for pump chamber system will be just inside the buffer zone as close as possible to the house within Title 5 regulations. The closest work will occur within 60' of wetlands and the leaching area will be 64' to edge of wetland.

Mr. Hankin summarized that this is a routine project and will have erosion control installed.

Mr. Glidden moved for a Negative Determination under the WPA and bylaw for 87 Blueberry Lane. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion.

Abbreviated Notice of Resource Area Delineation

568,560,540 Bay Road

Tom Ford of Made Pony LLC Applicant, wetland delineation by Mary Rimmer

Mary Rimmer described ANRAD for three parcels that were on the Commission's site walk last Saturday. The largest parcel is 28.7 acres with other parcels being .8 acres and 2.41 acres. The site consists primarily of a large hill that rises 60' above the elevation of Bay Road with house, barn, paddock, and driveway along with a vacant property. There are bordering vegetated wetlands that follow along a trail at the base of main hill on the site. Ms. Rimmer asked the Commission to confirm the boundary of the BVW as part of the ORAD. Mr. Hankin mentioned that there was a DEP file number and the project is currently under review at DEP.

Mr. Glidden moved to close the public hearing. Mr. Tarr seconded the motion. The Commission voted unanimously in favor of the motion.

Mr. Glidden moved to approve the ANRAD. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion.

Request to Modify Order of Conditions

Bradley Palmer Wading Pool

Change in Projects specifications no net increase in impervious surface

OOC #172-0558; issued 8/22/2012

Darryl Forgione of DCR, and Michael Stiller of URS Corporation, designer, described modifications to the improvement project at the wading pool at Bradley Palmer. Stiller mentioned that the existing pool shell and play feature would be removed and a new pool foundation installed. He referred to the 25' NDZ with wetlands coming up to the road, the 50' line and 100' buffer zone where work is taking place.

Mr. Stiller explained that between 50' and 100' zones there is a net decrease in impervious surface with the new pool and spray deck. The existing grass parking area will stay the same. The stormwater drainage improvements will remain as previously approved. He noted grading and filling within the buffer zone 100' and some within the No Build Zone where there is existing lawn that will not impact stormwater runoff.

Mr. Hankin noted that there is no change to the culvert project on the access road. Mr. Stiller mentioned that a change from the original plan is proposal for straw waddles and silt fence versus hay bales and silt fence inside 25' NDZ line to protect resource from construction activity. There is a secondary line of erosion control along road during water line replacement. Existing power supply will be used for filtration system, some trenching might be required but this would be a temporary disturbance. Work is expected to get underway soon on this project.

Ms. Cookson moved to accept the modification as presented. Bob Cronin seconded the motion. The Commission voted unanimously in favor of the motion.

Request to Modify Order of Conditions

16 Chebacco Road

DEP file number 172-0570, Rich Sommers

(1) Install aerator in pond, (2) excavation of trench for power supply, (3) request to remove by hand invasive around pond.

Rich Sommers provided details on bottom aerator system that would improve overall health of $\frac{3}{4}$ of an acre pond relative to infiltration of duck weed and other invasives. He seeks permission, under his current permit, to dig a trench for the electrical wiring to bring power to the aerator. In addition, he wants to remove invasive species (i.e., duck weed) around the pond on an annual basis. Mr. Sommers is interested in removing by hand cat o' nine tails when they are mature since they grow out into the water in the small pond that has decreased in depth over the years.

Mr. Cronin moved to allow the modification to the Order of Conditions for 16 Chebacco Road. Ms. Cookson seconded the motion. She stated that this is a connected modification to the original OOC. The Commission voted unanimously in favor of the motion.

Certificate of Compliance

4 Partridgeberry Lane

DEP #172-0055, recorded Bk 6990 Page 630, issued Oct. 1982

Requested by Attorney Matt Kavanagh for closing

Mr. Hankin reported that the homeowner has paid the \$50 Certificate of Compliance late fee. The original Order of Conditions was issued to construct a house and install septic system. Mr. Hankin visited the site and provided photographs to the Commission.

Mr. Cronin moved to issue a Certificate of Compliance for 4 Partridgeberry Lane. Mr. Glidden seconded the motion. The Commission voted unanimously in favor of the motion.

Request for Bylaw Extension

Hamilton Landfill Capping Project DEP # 172-0566

Bylaw extension requested to run contemporaneously with state OOC until 10/10/2016

Mr. Hankin explained that the local permit should run concurrently with the state OOC due to the fact that the project will clearly be ongoing for more than one year.

Mr. Glidden moved to approve the bylaw extension requested to run contemporaneously with state OOC until 10/10/2016. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion.

Acceptance of minutes of July 16, 2014

Mr. Cronin moved that the Commission accept the July 16, 2014 minutes as written. Mr. Tarr seconded the motion. The Commission voted 4-0-1 in favor of the motion with Ms. Cookson abstaining since she did not have a chance to read them.

Discussion Items

Items for inclusion on September 10 agenda will include 35 Miles River Road Enforcement Order, and the meeting will start at 7:00 p.m.

Coordinator's Report

Mr. Hankin reported on how Finance Director Deborah Nippes-Mena and CPC Coordinator Christine Berry are leaving Town employment, and that Hamilton has a new DPW director. Also, that Linden Street culvert project is finished and Howard Street culvert project is nearly completed. In addition, the Mosquito Control District was going to dredge sediment at the low end of Highland Street but this will occur likely in the winter versus the summer.

The Commission's next meeting is on September 10, 2014. Mr. Cronin moved to adjourn. Mr. Tarr seconded the motion. The Commission voted unanimously in favor of the motion. Commission adjourned at 8:43 p.m.

Minutes submitted August 21, 2014 by Jane Dooley