

Hamilton Conservation Commission
Minutes of Meeting of January 13, 2010
Meeting held at Hamilton Town Hall

Commissioners present when meeting convened at 7:32 p.m.:

Nancy Baker (co-chair), Robert Cronin, Peter Dana, Richard Luongo, Camilla Rich

Staff present: Jim Hankin, Conservation Coordinator

Others present: John Feener, consultant

The Commission is scheduled to meet on Wed., Jan 27, Feb 10, and Feb. 24, 2010 at 7:30 p.m. at Town Hall. Site walk is scheduled for Saturday, Feb. 6, 2010.

Nancy Baker opened the meeting at 7:32 p.m.

Request for Determination

76 Bridge Street

Peter Durney, applicant; John Feener, representative

Removal of two ash trees and limbing of one elm within riverfront area

Arborist John Feener of Bartlett Tree Service described tree work that his client Peter Durney proposes within the riverfront area of his property at 76 Bridge St. Mr. Feener said that two ash trees in the lawn behind the house, 20' to 25' from the bank of the Miles River, have ash yellow blight; the trees are dying, and there is no known way to treat the blight. Mr. Durney wants to remove them. The blight causes root decay, so trees cannot draw nourishment; this makes them hazardous because dead limbs fall from the trees. Mr. Feener said the two ashes do not shade wetlands, and no stumps would be ground, so there is no potential for erosion into wetlands. Mr. Durney also wants to prune an elm tree located just behind the house, to remove several dead branches and some limbs that touch the roof, which would constitute removal of less than 25% of the tree. Mr. Feener said that after filing the Request for Determination (RFD), Mr. Durney decided he also would like to remove an additional ash tree, which is farther from the resource area but still within the statutory riverfront area. This tree is in front of the house, leaning into a clump of pine trees at the front boundary of the parcel. Mr. Feener asked the Commission to allow removal of this tree along with those specified in the RFD.

Conservation Coordinator Jim Hankin showed commissioners photos he took at the property two days prior to this meeting, which show the three trees specified in the filing and their location relative to the house and the river system. Mr. Hankin said that if the trees were healthy, the proposal might require a Notice of Intent (NOI); however, because a certified arborist says they are diseased and dying, he feels an RFD is appropriate.

Peter Dana and Nancy Baker said the landowner should plant something to replace the trees. Mr. Feener noted that riverfront regulations call for mitigation planting: two-to-one trees, or four-to-one understory planting. Ms. Baker said it is a reasonable compromise for the applicant to replant, given that an RFD decision could involve requiring an NOI and resulting fees.

Virginia Cookson joined the meeting at 7:46 p.m.

Mr. Feener said he had not yet discussed with his client the specific species and number of trees and shrubs that would be planted to replace the three ashes. Robert Cronin suggested the Commission could let work go forward prior to receipt of a planting plan, but Mr. Feener volunteered to provide a planting proposal in writing prior to doing the tree work. He said planting would take place in summer 2010. He requested permission to plant new trees near a willow that grows within the lawn, but is closer to the water than are the dying ash trees. He said planting new trees at the exact location of the dying ones would likely damage the root systems of healthy existing trees nearby. Commissioners did not object.

Ms. Baker made a motion for the Commission to approve removal of three ash trees and the pruning of an elm, pending receipt of a planting plan. Richard Luongo seconded the motion. Ms. Baker noted that Mr. Hankin would review the proposed planting plan, decide whether it was acceptable, and report back to the Commission about it. VOTE: Unanimous.

Mr. Keener requested input about the types and size of trees that the Commission would find acceptable.

Discussion

Massachusetts Association of Conservation Commissions

Mr. Hankin reported that the Finance Committee has committed to pay for commissioners to attend the 2011 meeting of the Massachusetts Association of Conservation Commissions (MACC), but FinCom members are not sure the Town can afford to pay the fees for the 2010 MACC conference. Mr. Hankin asked commissioners to register and pay \$105 each for the conference on their own, and submit receipts, with the understanding that they may or may not be reimbursed. Mr. Dana asked whether the fee is tax deductible; Mr. Hankin said he would find out. Commissioners chose workshops.

Mr. Cronin made a motion for the Commission to accept the minutes of Oct. 28 and Nov. 18, 2009, as presented. Mr. Dana seconded the motion. VOTE: Unanimous.

Richard Luongo made a motion for the Commission to accept the minutes of Dec. 9, 2009, as presented. Mr. Cronin seconded the motion. VOTE: 4 yes, 1 abstention (Ms. Cookson abstained because she had not yet read the draft minutes of this meeting).

Mr. Cronin made a motion for the Commission to adjourn at 8:10 p.m. Mr. Luongo seconded the motion. VOTE: Unanimous.

Minutes submitted Jan. 21, 2010 by Ann Sierks Smith