

**Hamilton Conservation Commission
Minutes of Meeting of October 23, 2013
Meeting held at Hamilton Town Hall**

Commissioners present:

Virginia Cookson, Bob Cronin, Richard Luongo (chair), George Tarr, Peter Dana.

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Bill Manuell, Wetlands and Land Management

Hugh Collins, Landscape Designer

Richard Luongo opened the meeting at 7:30 p.m. Jim Hankin noted that the Certificate of Compliance for 90 Moulton Street would be put on hold since grass seed on the slope behind the pool needs to become established first. The HCC's next meeting is on November 6.

Notice of Intent

400 Bridge Street

Bill Manuell and Hugh Collins representing the applicant

Mr. Luongo opened the public hearing. Bill Manuell described how the fence location had changed on the plan from the original filed plan. He noted the intention to put the pool in the lawn area behind the house. Mr. Manuell had flagged the wetlands and said the wetland boundary comes through the grass and he identified the 25' No Disturb Zone, 50' No Build line, and 100' buffer zone based on location of hydric soils.

Mr. Manuell mentioned the perennial stream that is a tributary to the Miles River and described how pool would be outside of 100' from that stream. He summarized that the pool would be in the 200' riverfront and 100' buffer zone all in lawn area behind house. Mr. Manuell noted that there are two planted sugar maple trees impacted by this with one looking stressed which would be lost and the other healthy which would be transplanted. For the lost tree, two, three-inch caliper trees would be planted.

Mr. Manuell added that the revised plan shows the pool fence is upslope by 40' to 50' and a post and rail fence will be installed with weld wire tacked to it. He said the hope is to get the project started before the winter season. The Commission reviewed photographs of the pool site. Mr. Manuell said Hugh Collins had designed the pool so there is minimal grading that works well with the landscape. He reiterated that there is zero loss of indigenous vegetation and spoke to the expected loss of one tree if it is transplanted, transplanting of one tree and addition of two new trees.

Mr. Manuell said all of the soil excavated would be used at the site. Discussion ensued about elevations, as well as how the area had been mowed for a long time, and that the fence will be raised a couple of inches to comply with state code

Ms. Cookson spoke to the wetland area being grass and suggested that the wetland line could now mark a no mow zone. There was no consensus on this suggestion. Discussion ensued about how the area has been mowed possibly for as long as 20 years and it has been maintained but no further disturbance has occurred to wetland. Mr. Hankin said this application has recently received a DEP file number but is still under review at DEP. He stated that this is a likely a benign project from DEP's point of view since it is a conversion of lawn to pool within riverfront and back enough from the stream that he does not expect comment from DEP.

Bob Cronin moved to close the public hearing. George Tarr seconded the motion. The Commission voted 4-0-1 with Peter Dana abstaining.

Ms. Cookson moved that the Commission issue an Order of Conditions. Mr. Cronin seconded the motion. The Commission voted 4-0-1 with Mr. Dana abstaining.

Acceptance of Minutes – September 25 and October 9, 2013

Mr. Dana moved that the Commission accept the minutes for September 25 and October 9, 2013. Ms. Cookson seconded the motion. The Commission voted 5-0.

Discussion: Special Town Meeting – November 4, 2013

Mr. Hankin noted that the pool project would come before the Commission since it is 100 feet of pond if the warrant article passes. Also, the river walk project on the Patton property would come before the Commission and be funded from Community Preservation Act funds. Some of the money would be used for a plan for the project that includes posts and narrow plank. Mr. Hankin noted that HCC member Stacy Carpenter is on the Patton Property Advisory Committee and she is aware of Wetlands Protection Act but this would be a complicated application and needs to comply with ADA. Mr. Hankin explained that the Commission could do a site walk on the project once a Notice of Intent application is filed which he estimates could cost as much as \$10,000 for all permitting and a bid would be done to hire a consultant.

Discussion ensued about funding for proposed Patton Park pool project and how Wenham had not agreed to assist with funding.

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

Minutes submitted November 5, 2013 by Jane Dooley