

**Hamilton Conservation Commission
Minutes of Meeting of Oct. 5, 2011
Meeting held at Hamilton Town Hall**

Commissioners present:

Robert Cronin, Peter Dana, Richard Luongo (chair), George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for all or a portion of the meeting included:

John Tomasz, Hamilton Superintendent of Public Works

Cecelia Ragusa of 204 Forest St.

John O'Toole of 211 Forest St.

Tim Ingraham, Gordon-Conwell Theological Seminary

John Gaudette, consultant

Jacob Murray, consultant

The Commission is scheduled to meet at 7:30 p.m. on Oct. 19, 2011 at Hamilton Town Hall. Site walk is scheduled for Sat. Oct. 29.

Richard Luongo opened the meeting at 7:37 p.m.

Conservation Coordinator Jim Hankin listed the documents in the packet provided to commissioners prior to this meeting along with the agenda: a corrected version of the Ipswich River Wildlife Sanctuary's project proposal for the regional school district's 2011-12 environmental education program (2 pages); a photocopy of regulations pursuant to the Wetland Protection Act, which pertain to the proposed repaving of Gregory Island Rd; and a 1-page informational memo about ongoing management plans.

Presentation of Proposal for 2011-2012 Environmental Education Program

Massachusetts Audubon Society and Hamilton-Wenham Regional School District (HWRSD)

Conservation Coordinator Jim Hankin noted that the dates are now corrected in the updated version of the Environmental Education Program proposal for the current school year, which the Commission discussed at its prior meeting.

Peter Dana made a motion for the Commission to accept responsibility for funding Hamilton's share of the Environmental Education Program presented at the last meeting. Robert Cronin seconded the motion. VOTE: Unanimous.

Notice of Intent (Public Hearing continued from Sept. 14 and Sept. 28, 2011)

Gregory Island Road

Town of Hamilton Department of Public Works, applicant; World Tech Engineering, representative

Re-pave Gregory Island Road

Richard Luongo reopened the public hearing.

John Gaudette of World Tech Engineering related that the state Department of Environmental Protection (DEP) has commented on the proposed project to repave Gregory Island Road and do related drainage work, and wants the Town to substantially change an existing culvert, rather than just repair it as the Town proposes. DEP wants the culvert shortened, and proposes the creation of headwalls and a guardrail. Conservation Coordinator Jim Hankin said the original proposal appears to qualify for limited project status under regulation 310CMR10.53(3)(f). This regulation appears to be crafted so that the type of project being proposed would not necessarily be required to adhere to strict performance standards applicable in other situations. The regulation cited authorizes limited project status for "maintenance and improvement of existing public roadways, but limited to widening less than a single lane, adding shoulders, correcting substandard intersections, and improving inadequate drainage systems." Mr. Gaudette said the culvert is in wetlands, so to change it as DEP suggests would require work in wetlands. Mr. Hankin said the Town's proposal to straighten out and re-connect a dislocated section of the existing culvert pipe, and add rip rap at the outlets, seems like a reasonable engineering solution, and would cost less than what DEP proposes. He said that if the Commission approves the repair as proposed by the Town, DEP could stop the project, but he considers it unlikely that DEP would do so.

Cecelia Ragusa and John O'Toole, whose Forest St. homes are at the intersection of Forest and Gregory Island Rd., inquired about how drainage structures that are part of the repaving proposal might change the volume of water that flows into their yards. Ms. Ragusa noted that she spoke earlier with World Tech and that the firm has shifted the location of two proposed catch basins close to the intersection of Forest St. and Gregory Island Rd., because their originally proposed location adjacent to her backyard might have flooded her septic system. Mr. Gaudette said the two catch basins would capture some road run-off and cleanse the water of silt and sediment before it flows out of the basin and infiltrates into the ground. The catch basins would not be connected to other catch basins on Gregory Island Rd. or Forest St. Mr. O'Toole said he runs two sump pumps to keep his basement dry; he expressed concern that more water would seep into his basement if the catch basins are installed. Richard Luongo said if anything, drainage problems on Mr. O'Toole's lot might decline a bit, because some of the water in the catch basins would perk straight down, into an aquifer that flows underground toward Wenham Lake. Mr. Gaudette said silt and sediment would be cleaned regularly from the 4' diameter basins, so they would not clog as stone-filled dry wells or French drains can. He said the 4' basins, designed to catch 1" of rain, are the largest allowed by DEP in this case. The project proposal calls for 7 other pairs of catch basins to be installed at other locations along Gregory Island Rd.

Ms. Ragusa asked about planned changes at the other end of the road, near the Essex town line. Mr. Gaudette said that where the road crosses a thin strip of land just before Gregory Island, jutting with banks of Chebacco Lake on both sides, the road is so close to the water table that it is impossible to install underground drainage structures. Ms. Ragusa asked whether the land could be built up to elevate the road; Mr. Gaudette said that would not qualify as a limited project under wetland regulations, and Mr. Hankin added that the expense of such a project would likely exceed available funds.

Sue McLaughlin, whose home is on Gregory Island on the Hamilton section of the road after it hooks to the left upon climbing the short hill onto the island, asked whether the Town would patch potholes on that stretch of the road, as part of this project. This was not part of the original proposal but Superintendent of Public Works John Tomasz agreed to do the work Ms. McLaughlin requested.

Mr. Tomasz said he hoped the work would take place this fall, but if construction schedules do not permit the entire project to be completed before asphalt plants close for the winter in mid-November, the work might be postponed to the early spring of 2012 so the entire job could be done at once. The DPW received contractors' bids on the day of this meeting. One side of the road is to be paved at a time, with the other side open for residents' use; police will direct traffic.

Peter Dana made a motion for the Commission to close the public hearing. Robert Cronin seconded the motion. VOTE: Unanimous.

Mr. Cronin made a motion for the Commission to issue an Order of Conditions with the finding that the proposed work qualifies as a limited project under DEP regulation 310CMR10.53(3)(f). Mr. Dana seconded the motion. VOTE: Unanimous.

Notice of Intent (Public Hearing continued from Sept. 14 and Sept. 28, 2011)

130 Essex Street (Gordon-Conwell Theological Seminary/GCTS)

Gordon-Conwell Theological Seminary, applicant; Waterfield Design Group, representative

Perform electric work, install pathways, install aerator in pond and install native wetland plantings in resource areas.

Richard Luongo reopened the public hearing. Jacob Murray of Waterfield Design Group displayed a revised site plan showing the location of erosion control that at a prior session of this hearing the Commission asked GCTS to add to its proposal for repaving the main driveway from Essex St. onto the campus, and related electric work.

In response to concerns some commissioners expressed at that earlier session, about GCTS's plan for two solar-powered aeration fountains in a pond down slope from the driveway, Mr. Murray noted that university and Audubon Society studies he forwarded to the Commission before this meeting document the benefit of aerating ponds. He said the units would recirculate the top 1' of pond water, which he said would increase oxygen and light below the surface and discourage the growth of lily pads. The units would spray water a maximum of 5' into the air; elevation could be adjusted. Solar collectors would be installed at the edge of the pond to power the aerators' 12-volt motors. George Tarr took issue with the proposed location of the solar collectors, saying it would require removal of overhanging shrubs that provide ideal habitat for breeding salamanders. Mr. Murray said the collectors could be placed elsewhere.

Commissioners asked Mr. Murray and GCTS Director of Facilities Tim Ingraham about maintenance of the pond to date, and the nature of the resource area. Mr. Ingraham said in the five years he has headed up the facilities department, the pond has not been cleaned out, nor has herbicide been applied to keep growth down. He said he does not know how deep it is, whether fish live in it, or whether areas at the southeast that Peter Dana said look like small islands are declining or encroaching. He said he has not noticed an increase in pond vegetation. Mr. Tarr said the seminary presented no evidence, only supposition and one-sided argument. He said if no work has been done on the pond over 15 years, and no problems are evident, he sees no evidence that something needs to be done. He noted that the Audubon study Mr. Murray provided recommends planting water lilies to repair ponds that are in decline, and that they already are present in this pond. He said he thinks GCTS wants to install the units for visual effect, not to make the pond healthier. Mr. Dana said he does not object to installation of aerators, but wonders why GCTS suggests them if the Director of Facilities has noticed no changes in the pond.

In answer to questions, Mr. Ingraham said that fertilizer has been used between the access road and the pond. That area is currently mowed lawn. He said GCTS will no longer fertilize that area because state environmental officials directed GCTS not to let fertilizer get into the leaching field of the campus septic system recently installed near the driveway and pond. Conservation Coordinator Jim Hankin noted that local regulations prohibit fertilizer use within 100' of wetlands; he referred to the site plan and said GCTS should stop using fertilizer within the area outlined in pink on that plan.

Robert Cronin described another a pond in which weed growth was not restricted, which he said is "now a green mess," and one in which aerators were installed, which remains clear; he said if aeration takes place before serious problems occur, it works.

Peter Dana suggested that as a compromise, the Commission authorize GCTS to install just one aerator fountain, if it will plant wetland vegetation around the pond and leave that buffer strip unmowed. He said this would benefit the wetland. The parties reached an agreement for GCTS to plant an 8' to 10' wide buffer area.

Mr. Dana asked the applicant to submit a revised plan showing one aerator, and detailing the planting that would occur around the pond. Mr. Murray asked if the Commission would issue an Order of Conditions conditional on receipt of an acceptable planting plan, but Mr. Hankin said that given commissioners' detailed interest, the applicant should submit a planting plan prior to the vote. The applicant consented to a continuation of this matter to the meeting of Oct. 19.

Commissioners postponed discussion of oversight of management plans, because the commissioner who raised the issue was absent from this meeting.

Conservation Coordinator Jim Hankin asked whether commissioners wish to continue the current practice regarding accounts payable vouchers; they sign blank vouchers so he can promptly pay bills upon receipt. He said it could delay payment of local vendors for several weeks if he needs to wait until the next Commission meeting to submit vouchers with the vendor's name and sum filled in. Commissioners expressed satisfaction with the current system, but asked him to consult the Town Manager about it.

Robert Cronin made a motion for the Commission to approve the minutes of Sept. 28, 2011 as presented. Peter Dana seconded the motion. VOTE: Unanimous.

Mr. Cronin made a motion for the Commission to adjourn at 8:48 p.m. VOTE: Unanimous, by general consent.

Minutes submitted Oct. 6, 2011 by Ann Sierks Smith