

**Hamilton Conservation Commission
Minutes of Meeting of Nov. 14, 2012
Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Robert Cronin, Peter Dana (7:35), Keith Glidden, Richard Luongo (chair), George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Andrea Madden of 81 Old Cart Rd.
Gordie Rogerson, consultant
Frank Emery, consultant

The Commission is scheduled to meet at 7:30 p.m. on Nov. 28 and Dec. 12, 2012 at Hamilton Town Hall. Site walks are scheduled for Sat. Dec. 8, 2012.

Richard Luongo opened the meeting at 7:30 p.m. Conservation Coordinator Jim Hankin noted that prior to this meeting, commissioners received copies of a 5-page proposal for planting and mowing near wetlands at 35 Miles River Rd., and a 1-page site plan and 1-page project description of septic upgrades proposed for 81 Old Cart Rd.

Violation Notice

35 Miles River Road

Frank DiRico, landowner; W. Gordon Rogerson, representative

Reported fill of buffer zone, possibly within NDZ, possibly within resource areas under WPA

Wetland consultant Gordie Rogerson noted that commissioners made a site visit to 35 Miles River Rd. on Nov. 10. He said property owner Frank DiRico has agreed to plant an approximately 500'-long row of blueberry bushes 25' from wetlands, spaced 20' to 25' apart, to mark the line beyond which mowing is to take place only once a year. Mr. DiRico wishes to use a weed-whacker to clear weeds from the bases of the bushes more frequently, so weeds do not grow up through them. He proposed planting the bushes in April or May 2013, which Richard Luongo and Conservation Coordinator Jim Hankin said is acceptable. Commissioners commented on the choice of shrub, space between them, and Mr. DiRico's intention to clear weeds from the base of the bushes, but did not require alteration of details of the planting proposal. Conservation Coordinator Jim Hankin said the existing Violation Notice (VN) issued in October because of more frequent mowing within the no-disturb zone that extends 25' from the edge of wetlands would remain in effect until spring 2013, but he would revise it to indicate the landowner has agreed not to disturb the NDZ, and to plant the line of shrubs in spring 2013. The Commission is to inspect the site following planting and could consider lifting the VN at that time.

Robert Cronin made a motion for the Commission to continue this matter. Peter Dana seconded the motion. VOTE: Unanimous.

Request for Determination of Applicability

81 Old Cart Road

Andrea Madden, applicant; Scanlan Engineering, representative

Title V compliant system; SAS at 55' from edge of wetland

Frank Emery of Scanlan Engineering displayed a site plan and explained details of the replacement septic system designed for his client Andrea Madden, who was present at the meeting. The existing septic system behind the house at 81 Old Cart Rd. is failing due to a rising water table. The owner proposes to replace the existing tank near the back of the house with a new tank and pump chamber at the same location, because the slab foundation would make it difficult to reroute septic lines from the house. A raised leaching area between the driveway and side property line would elevate leaching chambers to the required elevation above seasonal high water level. The raised area would be lined. Boulders would be installed around the driveway side of it, and it would be graded at the rear. Shrubs lie between the site and the adjacent parcel. A silt fence would surround the work area during construction. Mr. Emery noted that the only alternative site on this parcel is the front yard; construction of a raised system there would obstruct the view between the road and the front door.

Conservation Coordinator Jim Hankin showed commissioners photos he took at the property, showing the house, the proposed site for the new system, and what he described as nondescript wetlands at the rear of the parcel. The proposed system would be about 55' feet from the edge of wetlands. He said a new Title V compliant system would be an improvement over the existing system.

In response to commissioners' questions, Mr. Emery said construction would take 2 days, and no material would be stockpiled on the property.

Keith Glidden made a motion for the Commission to grant a negative determination. Robert Cronin seconded the motion. VOTE: Unanimous.

Request to Modify Order of Conditions

Bradley Palmer State Park

Mass. Dept. of Conservation and Recreation, applicant; URS Corp., representative

DEP file number 172-0558

Appl. wants to move existing shed 20 feet, shed no larger in size and no closer to wetlands

Conservation Coordinator Jim Hankin reported that the engineering firm that previously presented plans to the Commission for revamping drainage structures, a parking area and other features of the wading pool complex at Bradley Palmer State Park has requested a modification of the plan the Commission approved. The Department of Conservation and Recreation (DCR) wishes to shift a shed 20' closer to Highland St., which would not bring it closer to wetlands. No representative of DCR or the engineering firm was present at this meeting.

Commissioners examined a site plan and after discussion they concluded that relocating the shed would not alter the project's impact on wetlands that lie across a road downgrade from the worksite. Mr. Hankin noted that the state Department of Environmental Protection has stipulated that chemically-treated water from the wading pool can no longer be piped under the road; pool drainage will be pumped uphill and into an underground leaching system. He informed the

Commission that DCR requests a modification of the plan, rather than an amendment, because amendment would require another public hearing, and notification of abutters.

Keith Glidden made a motion for the Commission to modify the Order of Conditions as requested. Stacy Carpenter seconded the motion. VOTE: Unanimous.

Robert Cronin made a motion for the Commission to accept the minutes of the meeting of Oct. 17, 2012 as presented. Peter Dana seconded the motion. VOTE: 5-0-1. (Keith Glidden abstained because he was not present at that meeting.)

Mr. Hankin reported that school district administrators asked the Wenham Conservation Commission to contribute \$1,680.02 to the 2012-13 budget of the elementary school environmental education program that is conducted in partnership with Mass Audubon, but the Wenham commission responded that it does not have funds available, and declined to contribute.

Keith Glidden made a motion for the Commission to approve the payment of Wenham's portion of the Audubon program. Stacy Carpenter seconded the motion. VOTE: Unanimous.

Mr. Glidden asked whether the Essex County Trails Association (ECTA) obtained permits for construction of two small bridges along a trail off Cutler Rd. that was flooded by beaver activity. Mr. Hankin said he reviewed and approved the project plan under ECTA's Trail Management Plan.

Mr. Glidden reported briefly on proposals under consideration by the Community Preservation Committee, to which he is the Commission's representative. He said proposed repairs to the Patton Park pool are getting significant attention.

Robert Cronin made a motion for the Commission to adjourn at 8:13 p.m. Keith Glidden seconded the motion. VOTE: Unanimous.

Minutes submitted Nov. 15, 2012 by Ann Sierks Smith