

**Hamilton Conservation Commission**  
**Minutes of Meeting of November 20, 2013**  
**Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Virginia Cookson (Acting Chair), Peter Dana, George Tarr.

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Bill Manuell, Wetlands and Land Management

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Virginia Cookson opened the meeting at 7:35 p.m. Jim Hankin noted that the 90 Moulton Street Certificate of Compliance would be continued until the spring. The Commission will be voting on October 23 minutes tonight and November 6 minutes at a subsequent meeting. The Commission will be holding a meeting on December 11.

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**Certificate of Compliance**

920 Highland Street

Bill Manuell representing the applicant

The Commission read a two-page document prepared by Bill Manuell regarding the Certificate of Compliance. Manuell described how the applicant had received an Order of Conditions from the Commission. When he sought the Certificate of Compliance it was noticed that the fence as-built did not coincide with what was specified on the plan. Instead, a fence enclosing a much larger area was installed.

Manuell made a presentation that the fence is generally not a barrier to wildlife. Larger mammals such as deer or fox would not be hindered by it due to the fact that they range over many acres. Further, smaller amphibians can move through the existing wire. Manuell did suggest that 2-inch high slots be cut in the bottom of the fence to allow the smaller painted turtles a passage through the fence. Manuell said the applicant would like to keep the fence where it is, with the reasonable solution that the two inch slots, as described, are cut into the fence at 50 linear foot intervals.

Discussion ensued about whether or not to relocate the fence further up the hill but this idea did not achieve consensus. The Commission suggested that a finding (explaining the situation) be included in the file relative to the Certificate of Compliance to ensure this situation does not set a precedent. It was noted that the fence would have been handled differently if it had been addressed by the Commission before installation. Also addressed was if the Commission could vote to issue Certificate of Compliance that would be held contingent upon Hankin inspecting the 2 inch slots. Manuell described how he would instruct the applicant to cut the 2 inch slots every 50' beginning at the closest corner in the fence to the river.

Stacy Carpenter moved that the Commission sign and issue the Certificate of Compliance pending review and approval by Coordinator Hankin of the slots in the fence per the letter for 920 Highland Street. George Tarr seconded the motion. VOTE: 3 to 1, Ms. Carpenter, Mr. Tarr, and Peter Dana in favor, Virginia Cookson opposed. Discussion ensued about quorum and

Commissioners voting in favor relative to Commission signing the Certificate of Compliance. It was determined that, in this instance, the vote was valid as one member of the four constituting a quorum was in attendance even though she voted opposed. Mr. Manuell did not object

#### **Mass Audubon Environmental Education Program 2013-2014**

Review Proposal for education workshops, classes for HWRSD Academic Year 2013-2014

Discussion ensued about how historically Wenham does not join Hamilton in supporting the Mass Audubon Environmental Education Program. Dr. Celeste Bowler had agreed at the Commission's last meeting to check if there would be any financial support from Wenham this year. Last year the Commission voted its share for Hamilton pending any approval for financial support from Wenham. This would be presented back to the Commission if more than Hamilton's share is required to fund the program. Last year the fees collected from the students covered Wenham's share. It was noted that this year the fifth grade will be offered a course. Hamilton's share is \$4,379.43 and last year it was \$600 less (enrollment is up) and there is \$90,000 in Hamilton's Conservation Fund.

Ms. Carpenter moved that the Commission approve the Mass Audubon Environmental Education program fund, the Hamilton portion, for HWRSD Academic Year 2013-2014. (Hankin noted that the total proposal for both towns is \$6,347. The Commission's motion is to approve funding out of the Conservation Fund for the Town of Hamilton in the amount of \$4,379.43.). Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion.

#### **Acceptance of minutes from the last Commission meeting (October 23, 2013)**

Ms. Cookson moved to accept the minutes of October 23, 2013 as presented. Mr. Dana seconded the motion. The Commission voted 3-0-1 with Ms. Carpenter abstaining since she did not attend.

#### **Topics for December 11 meeting agenda**

Discussion ensued about Myopia Hunt Club proposal and how it would be moved forward. In addition, Mr. Hankin will check expiration dates on management plan from Essex County Trails Association and plan from Myopia.

Mr. Dana moved to adjourn. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion. Commission adjourned at 8:10 p.m.

Minutes submitted December 9, 2013 by Jane Dooley