

**Hamilton Conservation Commission
Minutes of Meeting of Dec. 14, 2011
Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Robert Cronin (7:38), Keith Glidden, Richard Luongo (chair),
George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting included:

John Tomasz, Superintendent of Public Works
Bob Griffin, consultant
Katie de Ronde, consultant
Dick Flynn, 183 Linden St.
Julia and Brian Steeves, 17 Howard St.
John Cole, 66 Chebacco Rd.

The Commission is scheduled to meet at 7:30 p.m. on Jan. 11 and 25, 2012 at Hamilton Town Hall. Site walks are scheduled for Sat. Jan. 7.

Richard Luongo opened the meeting at 7:33 p.m.

Conservation Coordinator Jim Hankin noted that prior to this meeting; members received copies of a draft schedule of 2012 Commission meeting dates, and applications submitted by two Hamilton residents interested in joining the Open Space Committee.

Notice of Intent (Public hearing continued from November 16, 2011)

21 North Street

David Carnevale, applicant; Griffin Engineering, representative

Raze and reconstruct single-family dwelling, work within NBZ and NDZ

Bob Griffin of Griffin Engineering displayed an updated site plan and noted that the applicant revised the proposal in response to the Commission's input during the earlier session of this public hearing, and during a site visit on Dec. 10. Trash is to be removed from the buffer zone and resource area at one side of the property. A section of the buffer zone is to be planted with native species, which the revised NOI specifies. A coir log is to be installed for siltation control. In discussion that followed he also indicated that all concrete will be removed from the site after demolition of an existing in-ground pool. Conservation Coordinator Jim Hankin noted that the applicant at first requested a waiver but now is attempting to rebut the presumption of adverse impact on wetlands, by restoration planting within the buffer zone. Commissioners and Mr. Griffin discussed construction details and agreed on several conditions, which are specified below.

Mr. Hankin noted that the state Department of Environmental Protection (DEP) issued a file number, but no comments for this project. He said a regulatory change will soon end DEP's long-standing practice of issuing comments on filings; in the future, if the agency objects to a proposed

project, it will appeal it without providing reasons. He said DEP staff may already be acting in accordance with the upcoming regulatory change.

Keith Glidden made a motion for the Commission to issue an Order of Conditions, with 5 special conditions: 1) trash in a specified section of the resource area is to be removed from the site; 2) the Conservation Coordinator is to inspect fill when it is delivered; 3) the applicant's representative is to file an as-built plan upon completion of work; 4) concrete excavated from an existing pool is to be removed from the site; and 5) if construction equipment hits a pipe, contractors are to contact the Commission office. George Tarr seconded the motion. VOTE: Unanimous.

Notice of Intent (Public Hearing continued from November 16, 2011)

Land between Howard and Highland Streets

Hamilton Department of Public Works, applicant

Clean stream from Howard to Highland, work in bordering vegetated wetlands (BVW) and stream bank

Superintendent of Public Works John Tomasz noted that on Dec. 10, commissioners viewed part of the site of proposed stream-clearing work to improve drainage in the Howard and Linden St. neighborhood, where as a result of a stream through wetlands silting in, and the water level has risen and expanded over a number of years. Keith Glidden asked Mr. Tomasz about the culvert through which the stream flows across the land in question, and about how that wetland functions. Mr. Tomasz said that because the area is very wet, he has not explored the entire proposed work site, and hence is uncertain about some details; he said he would investigate further when the ground is firm during the winter. The stream flows across private property and through municipal land. Affected property owners must give their written consent to work on their land, and/or to workers crossing their property to access the proposed work site, before work commences. Mr. Tomasz said he did not yet have the authorization of all property owners.

Mr. Glidden suggested the Commission not vote on the NOI until it fully understands how that wetland functions, because the DPW proposes work within the resource area, which Mr. Glidden said is very rare. He said the bank is not evident along some stretches of the stream, and it appears that one side of the stream is a fully functioning wetland, so it would be inappropriate to create an artificially high berm on that side of the stream.

Abutters Julia and Brian Steeves expressed reluctance to authorize work on their property until project details are clear, but said they would allow the Commission and DPW to enter their property to evaluate the situation. Abutter Dick Flynn said that 16 years ago the stream was already silted in to a degree that made its bed nearly level with the surrounding land. He said drainage problems in the neighborhood date to the time that a number of homes were built on piles, and those lots then backfilled.

Mr. Tomasz said he proposes to use some equipment to clear the stream, and do some work by hand, as was the case when a section of the same stream on the other side of Howard St. was cleared. He said the project would take about 9 days. He said he has requested funding to replace the pipe through which the stream flows between Howard and Highland. That project would be the subject of a separate filing. Mr. Glidden suggested Mr. Tomasz consider "daylighting" the stream -- removing the culvert pipe to expose the stream bed, which he said makes it easier to resolve flow problems.

Commissioners and Mr. Tomasz agreed to conduct a site walk on Jan. 7 if by that time Mr. Tomasz has obtained the written permission of abutters to enter their property to view the area.

Mr. Glidden made a motion for the Commission to continue this matter to the meeting of Jan. 11, 2012. George Tarr seconded the motion. VOTE: Unanimous.

Notice of Intent

37 Beech Street Extension

Trisha Vaccari, applicant; DeRosa Environmental, representative

Reconstruct retaining wall and install seasonal dock

Katie de Ronde of DeRosa Environmental described proposed work at 37 Beech St. The owners want to disassemble an existing stone wall along a section of the bank of Chebacco Lake close to their house, where rising water levels have damaged the wall. They propose rebuilding a wall within the same footprint. They also propose to install a new dock and ramp elsewhere on the property. As compensation for work within the no-disturb zone they propose to plant native species in an area between the stone wall and the nearby house that is now overgrown with invasive species. Ms. de Ronde said the applicants wish to have the work done in August, 2012.

She displayed a photo of the site and a design sketch of the proposed wall construction. The wall would be constructed of dry-laid boulders (new and reused). Loose gravel would be added behind the wall, and 6" of loam would be spread over the gravel and seeded. A rain gutter that now discharges directly into the lake would be changed to discharge into the gravel area. The dock and ramp would lead from the lawn into the lake, and would be supported by aluminum posts driven into the ground and lakebed; the deck and ramp would be removed each winter and stored on the lawn. The proposed materials would allow light to reach the water. Ms. de Ronde said a silt curtain would be installed for erosion control.

Conservation Coordinator Jim Hankin noted that in order to avoid work within the resource area, the applicant has agreed to start the new wall on the landward side of the existing one. The wall would be built within the no disturb zone, but in a previously altered area.

Richard Luongo asked whether it is necessary to add gravel behind the wall. Stacy Carpenter said it is standard practice to place gravel, geotek fabric, and small drainage pipes behind a retaining wall to prevent it from bursting due to freezing.

Ms. de Ronde consented to a continuance and agreed to obtain more information about several project details and Ch. 91 applicability.

Keith Glidden made a motion for the Commission to continue this matter to the meeting of Jan. 11, 2012. George Tarr seconded the motion. VOTE: Unanimous.

Request for Determination

66 Chebacco Road

Hilary Cole, applicant

Construct 16 x 30' shed on sono tubes for boat storage at 60' from wetlands

John Cole showed commissioners a sketch of a proposed boat shed and an informal site plan showing the proposed structure's proximity to his garage and to wetlands on his parcel near Beck

Pond. Construction would not encroach into the no disturb zone between 25' and 50' from the edge of wetlands. Three trees would be removed. Mr. Cole said a small shed and some debris already are present in the area where he wishes to build the shed. These items would be removed.

Keith Glidden made a motion for the Commission to grant a negative determination under the Wetland Protection Act and the Hamilton Conservation By Law. Robert Cronin seconded the motion. VOTE: Unanimous.

Keith Glidden made a motion for the Commission to approve the minutes of the meeting of Nov. 16, 2011 as presented. George Tarr seconded the motion. VOTE: 4-0-1 (Stacy Carpenter abstained because she did not serve on the Commission at that time).

Commissioners reviewed the draft schedule of 2012 meetings and decided by general consent to deviate in October from the usual schedule of meeting on the second and fourth Thursdays of the month. In October 2012, the Commission will meet on the first and third Thursdays, Oct. 3 and 17, to avoid holding site walks on Columbus Day weekend. As is its usual practice, in August and December 2012 the Commission will meet just once, on the second Thursday of the month.

Recommendations for appointment to Open Space Committee

Commissioners expressed confidence in the qualifications of Nancy Baker and Zachary Peters, who have expressed interest in joining the Open Space Committee. Both are environmental scientists. Ms. Baker previously served on the Commission.

Keith Glidden made a motion for the Commission to recommend to the Board of Selectmen the appointment of Ms. Baker and Mr. Peters to the Open Space Committee. Robert Cronin seconded the motion. VOTE: Unanimous.

Commissioners signed vouchers.

Robert Cronin made a motion for the Commission to adjourn at 8:54 p.m. Keith Glidden seconded the motion. VOTE: Unanimous.

Minutes submitted Dec. 15, 2011 by Ann Sierks Smith