

**Hamilton Conservation Commission  
Minutes of Meeting of Feb. 13, 2013  
Meeting held at Hamilton Town Hall**

Commissioners present:

Stacy Carpenter, Bob Cronin, Keith Glidden, Richard Luongo (chair), George Tarr.

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Curtis Pfunder, owner and applicant 61 Fox Run Rd.

Dan Johnson, septic system engineer and designer

The Commission is scheduled to meet at 7:30 p.m. on February 27, 2013. The annual MACC conference is scheduled for March 2, 2013.

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Richard Luongo opened the meeting at 7:32 p.m.

Conservation Coordinator Jim Hankin noted that prior to this meeting; commissioners received, by mail, copies of a Notice of Intent for 61 Fox Run Rd.

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Notice of Intent

61 Fox Run Rd.

Curtis Pfunder, Applicant and Owner, Dan Johnson septic system designer.

Install Title V compliant septic system

Dan Johnson presented the site plan to the Commission. He described the site constraints which required placing the system in the rear of the lot within 33 feet of the edge of wetlands. An erosion control barrier is shown on the plan and the finished grade after work will be equivalent to the grade prior to work. Mr. Hankin presented some photographs of the work area. Mr. Luongo asked if the work area met all required setbacks from lot lines and Mr. Johnson answered in the affirmative. Mr. Hankin stated that DEP had issued a file number and made no comments.

Mr. Glidden moved to close the public hearing. Ms. Carpenter seconded the motion. There was no discussion. The Commission voted unanimously vote in favor of the motion.

Mr. Glidden moved to issue an Order of Conditions. Mr. Cronin seconded the motion. There was no discussion. The Commission voted unanimously vote in favor of the motion.

Certificate of Compliance

482 Bay Rd.

DEP file number 172-0227, recorded Book 12990 pg 531

Install utilities under driveway from Bay Rd to residence

Requested by E. James Kroesser, Esq.

Mr. Hankin reviewed the background of the #172-0227, 482 Bay Rd., Certificate of Compliance request. Utility lines were proposed to be installed in 1995 at 482 Bay Rd pursuant to OOC

#172-0227. The OOC eventually expired with some minimal work having been completed. No Certificate of Compliance had ever been requested. LEC Corporation, for the original applicant Devon Glen Farm, filed an RDA in 1999 to re-pave the Bay Rd access driveway with utility lines installed. Again, this was part of the original, but expired, #172-0227 permit. HCC issued a negative determination to allow that. That work was completed in 1999.

The OOC for 172-0227 was recorded in 1995, and now Attorney Kroesser has requested the COC to clear up the title issue. Attorney Kroesser paid the appropriate fee for a request to issue a COC for an expired permit.

Mr. Glidden moved to issue a Certificate of Compliance. Ms. Carpenter seconded the motion. There was no discussion. The Commission voted unanimously vote in favor of the motion.

Mr. Glidden moved to approve the minutes of December 12, 1012. Mr. Cronin seconded the motion. There was no discussion. The Commission voted unanimously in favor of the motion.

Mr. Cronin moved to adjourn. Mr. Glidden seconded the motion. There was no discussion. The Commission voted unanimously vote in favor of the motion. Commission adjourned at 8:10 pm.

Minutes submitted February 20, 2013 by James Hankin