

**Hamilton Conservation Commission
Minutes of Meeting of July 18, 2012
Meeting held at Hamilton Town Hall**

Commissioners present:

Virginia Cookson, Robert Cronin, Richard Luongo (chair), George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for a portion of the meeting:

Greg Hochmuth, consultant

Alex Van Alen, Essex County Trails Association (ECTA)

The Commission is scheduled to meet at 7:30 p.m. on July 25 and Aug. 15, 2012 at Hamilton Town Hall. Site walks are scheduled for Sat. Aug. 11, 2012.

Richard Luongo opened the meeting at 7:38 p.m. Conservation Coordinator Jim Hankin noted that prior to this meeting, commissioners received copies of a memo from the Ipswich Conservation Agent to the Essex County Trails Association (ECTA) about its proposal for work on a trail that crosses the Ipswich/Hamilton town line.

Notice of Intent (Public hearing continued from June 27, 2012)

Bradley Palmer State Park

Massachusetts Department of Conservation and Recreation (DCR), applicant; URS Corp, representative

Repair wading pool, install new water line, repair culvert

Robert Cronin made a motion to continue this NOI to the meeting of July 25, at the applicant's request. George Tarr seconded the motion. VOTE: Unanimous.

Notice of Intent

484 Bay Road

Edward Mehm, applicant; Hancock Engineering, representative

Addition construction, tennis court removal, associated site work

Richard Luongo opened the public hearing. Greg Hochmuth of Hancock Engineering displayed a site plan and described work Edward Mehm proposes at his property on Bay Road to rehab and add to an existing garage; create a short extension of the existing gravel driveway, to link it with the proposed addition to the garage; and remove most of an existing paved tennis court toward the back of the parcel, leaving enough pavement to serve as a basketball court. Loam and seed would be spread on the area from which pavement would be removed. Mr. Hochmuth noted that there extensive wetlands lie some distance from the work area, and a stream runs through a 200' culvert near the house, constituting bordering vegetated wetlands (BVW). The work might require relocation of the septic system, which is outside Conservation Commission jurisdiction. The

owner proposes also to remove invasive plants from an area of wetlands, and to do some landscaping 80' from wetlands.

Mr. Hochmuth said the property owner reports that a gas line across this parcel, which previously led to another home behind this one, was removed some time ago. However, no official records of its removal have been found, so Hancock would check with Digsafe before work commenced.

He said work on the garage might not take place for a year or two, but the owner wishes to do the grounds work sooner. He reported that the state Department of Environmental Protection reviewed the filing and issued a number without comment.

Conservation Coordinator Jim Hankin distributed photos he took at the site.

Mr. Luongo made a motion for the Commission to close the public hearing. Virginia Cookson seconded the motion. VOTE: Unanimous.

Ms. Cookson made a motion for the Commission to issue an Order of Conditions with the special condition that any work to remove invasive vegetation within Commission jurisdiction would require a written description in order to be covered by this Order of Conditions. Mr. Hankin added the special condition that an as built plan be submitted following work on the garage. Robert Cronin seconded the motion. VOTE: Unanimous.

Discussion

Essex County Trails Association (ECTA) proposed work on trails towards Ford Bridge off Farrington Lane

Alex Van Alen of ECTA displayed a site plan based on an aerial photo and described trail maintenance work that ECTA proposes to a trail that extends across the Hamilton-Ipswich town line on the New England Biolabs campus, bridging a waterway. He reported that over a period of years, a beaver dam increased water levels and flooded the trail, making it impassable; installation of beaver deceivers returned the water to reasonable levels, and the trail has largely dried out. ECTA wants to clear a 10' wide swath to restore the original width of the trail, which at one time served as a farm road. Mr. Van Alen said the Ipswich Conservation Commission has approved clearing and mowing on the Ipswich portion of the trail, and New England Biolabs has consented. He said ECTA suggests a 10' mowing base because when branches extend toward the trail from the unmowed portions to the side, they substantially narrow the usable area; he said mowing 10' might provide 5' to 6' of clear passage. The trail would be cleared with a brush hog and then mowed regularly to maintain the clearance. ECTA wants to clear brush within two weeks of this public hearing. Because ECTA has wetlands permits for trail maintenance throughout Hamilton, no official filing was required for this proposed work.

Commissioners noted that when they recently visited the site they observed water immediately beside portions of the trail. They questioned whether the Hamilton portion of the trail includes a 10' swath of solid ground, and emphasized that no filling would be allowed to achieve this width. Mr. Van Alen and commissioners agreed the bridge across water is roughly 7' to 8' wide; commissioners reached a consensus that clearing should not exceed the width of the bridge. George Tarr expressed dissatisfaction with the proposed work because it would involve extensive cutting of wetland vegetation. Virginia Cookson favored returning the trail to the condition it was in when the bridge was opened, and said work should be restricted to the existing dimension of

the trail in any area in which the wetland intrudes. They briefly discussed whether additional beaver deceivers might lower the water level even more, but Mr. Hankin said the installer is confident two are sufficient. Ms. Cookson noted that burgeoning vegetation in wetlands displaces water, further elevating water levels already increased by beaver activity.

Mr. Hankin summarized the Commission consensus as that the Hamilton section of the trail can be widened to the width of the bridge, except if the existence of open water does not allow that width. Robert Cronin made a motion for the Commission to set that condition for this work under ECTA's permits. Virginia Cookson seconded the motion. VOTE: Unanimous.

Request for Determination

90 Gardner Street

Dianne Denman, applicant; D.B. Johnson, septic system designer

Install Title V compliant septic system, approximately 80' from edge of wetland

Conservation Coordinator Jim Hankin briefed the Commission about the proposed replacement of an existing septic system with a new tank and leaching field to one side of a backyard that on the other side slopes steeply to wetlands. The site plan shows silt fencing for the full length of the top of that slope. The work would take place in an area of lawn, with some trees, 80' from the edge of wetlands. He said it appears the trees could remain.

Virginia Cookson 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.

Certificate of Compliance

33 Waldingfield Road

Bruce Howell landowner, construction of new garage

DEP File #172-0535, Recorded Book 29563 Page 368

Conservation Coordinator Jim Hankin showed the site plan and described work earlier authorized by an Order of Conditions for demolition of a free-standing garage at 33 Waldingfield Rd. at the roadside, and construction of an attached garage a short distance back from the road adjacent to the existing house; the area previously occupied by the original garage was replaced by a graveled driveway. Contours are unchanged. Some vegetation was replanted. Wooden steps were installed to access the backyard, which is at lower grade. He reported work was performed as specified in the OOC.

Robert Cronin made a motion for the Commission to issue a Certificate of Compliance. Virginia Cookson seconded the motion. VOTE: Unanimous.

Robert Cronin made a motion for the Commission to approve the minutes of the meeting of June 20, 2012 as presented. George Tarr seconded the motion. VOTE: Unanimous.

Mr. Cronin made a motion for the Commission to adjourn at 8:31 p.m. Virginia Cookson seconded the motion. VOTE: Unanimous.

Minutes submitted July 20, 2012 by Ann Sierks Smith