

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

Commissioners present:

Virginia Cookson (8:15 p.m.), Peter Dana, Keith Glidden, Richard Luongo (co-chair),  
George Tarr

Staff present:

Jim Hankin, Conservation Coordinator

Others present for all or a portion of the meeting included:

John Tomasz, Hamilton Director of Department Public Works  
Linda Roberts of 233 Lake Dr.  
Joyce and Mark St. Hilaire of 272 Echo Cove Rd.  
Sue McLaughlin of Gregory Island Rd.  
Marilyn Donati of Gregory Island Rd.  
John Gaudette, consultant  
Randy Burley, consultant  
Scott Wiech, consultant  
Alan Roscoe, consultant

The Commission is scheduled to meet on Sept. 28, Oct. 5, and Oct. 19, 2011 at 7:30 p.m. The  
October site walk is scheduled for Saturday morning Oct. 1.

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Richard Luongo opened the meeting at 7:30 p.m.

Conservation Coordinator Jim Hankin noted that prior to this meeting, commissioners received  
copies of these documents: a 1-page comment by the Department of Environmental Protection  
(DEP) about the 25 Sagamore Farm Rd. filing, plus a 1-page photocopy of a relevant state  
wetland regulation; DEP's statement that it will issue no comment about the Gordon-Conwell  
filing; and a 3-page memo from DEP stating emergency regulations for clean-up of damage from  
Hurricane Irene.

Keith Glidden made a motion for the Commission to approve the minutes of the meeting of Aug.  
17, 2011 as presented. George Tarr seconded the motion. VOTE: Unanimous (4-0-0).

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Notice of Intent

Gregory Island Road  
Town of Hamilton Department of Public Works, applicant; World Tech Engineering,  
representative  
Re-pave Gregory Island Road

Peter Dana made a motion for the Commission to open the public hearing. George Tarr seconded  
the motion. VOTE: Unanimous (4-0-0).

John Gaudette of World Tech Engineering displayed maps showing Gregory Island Rd. and  
explained features of the proposed repaving project the firm has designed for the Hamilton

Department of Public Works. Construction is planned for late 2011. The plan proposes removing some existing pavement, but grinding most of it into the road base to a depth of 18", between Forest St. and the "first" Essex town line (omitting the stretch of the road up an incline and along the west shore of Gregory Island); grading and compacting; and repaving over the ground and compacted material. The total square footage of pavement would not change, but because road edges that are irregular now would be made uniform, the repaved roadway would be narrower at some spots than it is now. A collapsed section of culvert pipe that runs under the road between Appaloosa and Norris would be replaced, the tree that damaged the pipe would be removed, and rip rap would be placed at either end of the culvert to prevent trees from damaging the new pipe. Eight catch basins and an infiltration structure would be installed along much of the road, but there would be none near the Essex line, because that section of road is too close to the water table for installation of such structures. Pavement berms would edge some sections of the road, and gravel would be laid beside the pavement; Mr. Gaudette said abutting wetlands leave no room for vegetated swales. Silt socks would be placed along the edge of the work area as a siltation barrier. Old pavement being discarded is to be trucked off-site the same day it is removed. In answer to questions from Keith Glidden, Mr. Gaudette said there is not yet a plan for where to store construction vehicles overnight, and the management plan calls for annual cleaning of infiltration structures.

Marilyn Donati of 69 Gregory Island Rd. asked whether anything would divert rain run-off from the Norris Rd. hill, which she said drains into driveways that slope down from the opposite side of Gregory Island. Mr. Gaudette said berms would be constructed at the tops of those driveways to control run-off.

Mr. Glidden suggested that the construction crew remove and dispose of any debris they find in wetlands along the work area.

Conservation Coordinator Jim Hankin said DEP has not commented on this filing, but he thinks the agency may. Mr. Gaudette agreed to a continuance. Mr. Hankin asked him to make arrangements for overnight storage of vehicles, and inform the Commission of them in writing.

Mr. Glidden made a motion for the Commission to continue the public hearing to Sept. 28, 7:30 pm Hamilton Town Hall. George Tarr seconded the motion. VOTE: Unanimous (4-0-0).

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Request for Determination of Applicability

233 Lake Drive

Linda Roberts, applicant; DB Johnson, representative

Install Title V compliant septic system, closest point to edge of wetlands 85' (+/-)

Conservation Coordinator Jim Hankin displayed a site plan and described the proposed septic system, which would replace an existing cesspool. Linda Roberts said sale of the property is to close on Sept. 29 and work is to take place before then. The Town health agent has approved the septic design. The house is on a hill overlooking Pleasant Pond. The proposed septic system would lie along the side of the house, in the back yard, and would come within 85' of the pond. The design includes a rubber subsurface barrier. Construction equipment would enter via a driveway off Pine Tree Drive. Hay bales would be placed across the top of the slope from the yard down to the pond for erosion control; Richard Luongo noted the slope is heavily vegetated.

Peter Dana made a motion for the Commission to close the public hearing. Keith Glidden seconded the motion. VOTE: Unanimous (4-0-0).

Mr. Glidden made a motion for the Commission to grant a negative determination. Mr. Dana seconded the motion. VOTE: Unanimous (4-0-0).

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Notice of Intent

130 Essex Street (Gordon Conwell Theological Seminary)

GCTS, applicant; Waterfield Design Group, representative

Perform electric work, install pathways, install aerator in pond and install native wetland plantings in resource areas

Keith Glidden made a motion for the Commission to open a public hearing on this proposed project. Peter Dana seconded the motion. VOTE: Unanimous (4-0-0).

Scott Wiech of Waterfield Design Group displayed project plans and described Gordon-Conwell Theological Seminary's (GCTS'S) proposed project. The existing main campus driveway off Essex St. would be milled to remove the top layer of pavement. Electric conduit would be installed along the north side of that driveway in a 3' X 3' trench, which would then be backfilled and reseeded; lights would be installed along that side of the drive. There are wetlands and an intermittent stream to one side of the driveway, and a pond and wetlands to the other side, so most of the proposed work area is within Commission jurisdiction. The seminary also wants to build a stone dust path between a pond that lies south of the driveway and a nearby student residence and parking lot to the east of the pond; the path would come within 9' of wetlands. Mr. Wiech said that to mitigate for incursion into the no-disturb zone, GCTS would install two solar-powered aerator fountains in the pond (which he said would help sustain pond life), and native vegetation on either side of an intermittent stream north of the driveway in an area that is now mowed lawn; he did not know what species of vegetation would be planted. For erosion control, hay bales would be placed between the end of the path construction area and the pond, and between sections of the driveway and nearby wetlands.

Extensive discussion and questions followed. Commissioners noted that during a site visit, they learned that officials want to get a permit now, but decide later whether to proceed with all or part of the proposed work. Commissioners expressed concern that were the roadway milled but left unpaved for some time, material might enter nearby wetlands. They requested installation of a silt fence along the entire work area within Commission jurisdiction. They asked about the depth and nature of the pond, and the species in it; Mr. Wiech could supply no information. George Tarr said it seems unnecessary to aerate the pond; he suggested it was proposed as a decorative feature. Commissioners reached a consensus that the pond functions extremely well and aeration would not improve it.

Virginia Cookson joined the meeting during this discussion.

Richard Luongo noted that the proposal includes five distinct projects: aerator fountains, an underground electric conduit, resurfacing the roadway, construction of a path, and a culvert. Mr. Wiech did not know when GCTS officials contemplate moving forward with these various components. Mr. Luongo said without a construction schedule, he was uncomfortable with issuing a permit.

Commissioners requested that the applicant either delete the aeration fountains from the proposal, or submit scientific evidence that the aerators would positively benefit to the pond. Mr. Wiech agreed to a continuation.

Keith Glidden made a motion to continue the public hearing to Sept. 28, 7:30 pm Hamilton Town Hall. Peter Dana seconded the motion. VOTE: Unanimous (5-0-0).

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Request for Determination of Applicability

2 Village Lane

Jennifer LoBue, applicant; Mill River Consulting, representative

Install Title V compliant septic system, closest point to edge of wetlands 65' (+/-)

Keith Glidden made a motion for the Commission to open a public hearing on this proposed project. George Tarr seconded the motion. VOTE: Unanimous (5-0-0).

Virginia Cookson said she is an abutter; she recused herself and sat in the audience while the Commission deliberated on this RDA.

Randy Burley of Mill River Consulting described the septic system proposed for the pie-shaped parcel at the intersection of Forest St. and Village Lane. The existing failed leaching pit in the front yard is in the water table. Mr. Burley said permits were issued some years ago for a new septic system but the then-owner never built it. He said the Town health agent has verbally expressed satisfaction with the septic design, but the Board of Health's vote on the proposal and on requested setback reductions would not take place until the week following this meeting. Because of the shape and size of the lot, the new owner has asked the Board of Health to approve reduced setbacks between the proposed system and the two roads: 67' on one side and 79' on the other. Wetlands lie immediately beyond the other side of both roads. The new leaching field would be constructed in the front yard, about 8" above grade; the existing driveway would be removed, the septic tank would be installed under it, and then a driveway with manholes would be put down over the tank. A maintenance plan for the system would be recorded on the deed. Mr. Burley said work would take about two days.

Conservation Coordinator Jim Hankin said the Commission could vote on this filing at this meeting, but permits would not go into effect unless and until the Board of Health approves the project.

Keith Glidden made a motion for the Commission to close the public hearing. George Tarr seconded the motion. VOTE: Unanimous (4-0-0).

Keith Glidden made a motion for the Commission to grant a negative determination, with the conditions that tarps be used to cover any stockpiled/stored material when work is not in progress, and that all macadam removed from the driveway be taken off-site on the same day. Peter Dana seconded the motion. VOTE: Unanimous (4-0-0).

Ms. Cookson rejoined the Committee.

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Request for Determination of Applicability

272 Echo Cove Road

Mark and Joyce St. Hilaire, applicants; Hancock Associates, representative

Install Title V compliant septic system, closest point to edge of wetlands 61'(+/-)

Alan Roscoe of Hancock Associates displayed a site plan, circulated photographs of the site, and gave details of the septic system proposed for 272 Echo Cove Rd., where the existing cesspool is failing. The narrow lot slopes from the road down to Chebacco Lake, and is largely ledge between the road and the house. The new septic system would be sited between the 3-bedroom house and a side property line; it would come within 50' of the lake. They have asked the Board of Health to waive dimension requirements to allow a 342 square foot leaching field, because there is not room for the standard dimensions. A retaining wall would be built above an existing one between the work site and the lake. Other existing walls would be removed so construction equipment could reach the work area. Hay bales would be placed along the property line and on the low side of the retaining wall, 50' from the lake. Stairs would be built from a deck to below the new wall. The applicants also propose replacing the existing parking spaces along the road with a horseshoe shaped driveway for closer access to the house. The low end would be built up with riprap along the slope below the driveway.

Commissioners and Mr. Roscoe discussed where materials could be stored during the project to avoid erosion down the slope into the lake. They agreed materials would be placed on the existing driveway pad, which slopes slightly toward the road.

Keith Glidden made a motion for the Commission to close the public hearing. Virginia Cookson seconded the motion. VOTE: Unanimous (5-0-0).

Ms. Cookson made a motion for the Commission to grant a negative determination under the Wetland Protection Act and the Hamilton Conservation By-Law. Peter Dana seconded the motion. Commissioners agreed to the condition that construction materials are to be covered by a tarp when the construction crew is not working. VOTE: Unanimous (5-0-0).

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Notice of Intent (Public Hearing continued from August 17, 2011)  
25 Sagamore Farm Road  
Clement Benenson, applicant; DeRosa Environmental, representative  
Construct pond

The client's representative was unable to attend the meeting. Commissioners discussed how wetland regulations regard changing one type of wetland to another type, as this filing proposes. George Tarr pointed out, and other commissioners agreed, that some of the areas shown on the site plan do not appear to correspond to square footages listed; they decided to ask the client's consultant to clarify this at the meeting of Sept. 28. Keith Glidden asked for the consultant to also address whether the proposed pond might dry up in years with little rainfall.

Keith Glidden made a motion to continue the public hearing to Sept. 28, 7:30 pm Hamilton Town Hall. Peter Dana seconded the motion. VOTE: Unanimous (5-0-0).

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#### Discussion

Department of Environmental Protection issuance of emergency wetland regulations for clean-up of damage related to Hurricane Irene

Conservation Coordinator Jim Hankin said storm clean-up after Hurricane Irene does not appear to be an issue in Hamilton; he has not received any requests for permission to do work of this nature in or near wetlands. The emergency regulations expire Oct. 27; towns have the right to opt out. Commissioners took no action.

Keith Glidden suggested that commissioners consider creating a file and calendar of management plans approved by the Commission, so it could follow up to confirm that required work is done. Commissioners put this topic on the agenda for Sept. 28.

Virginia Cookson made a motion for the Commission to adjourn at 9:35 p.m. Richard Luongo seconded the motion. VOTE: Unanimous (5-0-0).

Minutes submitted Sept. 16, 2011 by Ann Sierks Smith