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HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

March 24, 2021 at 7 p.m.

Virtual Zoom Meeting ID: 852 9163 8148

Passcode: 594703

Members Present: Richard Luongo (Chairman), Virginia Cookson, Chris Currier, George Tarr, Lauren Lynch

Coordinator: Bert Comins

Others Present: Joseph Domelowicz, Town Manager, Greg Hochmuth of William & Sparages, Larry Smith, Canter Brook Capital, LLC, Attorney Joan Mann, Tyler Ferrick of DeRosa Environmental, Wellesley Morrill of Morrill Electric

A quorum was established and the meeting was called to order at 7 p.m.

Vote Minutes: 3/10/2021

Motion made by Chris Currier to accept the minutes of March 10, 2021.

Seconded by Virginia Cookson.

Roll Call Vote: Virginia Cookson – aye, Chris Currier – aye, George Tarr – aye, Lauren Lynch – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

Discussion

Patton Homestead Open Space

Bert Comins and Town Manager, Joseph Domelowicz sent out a list of items to the Conservation Commission based on a conversation with Commissioners Richard Luongo, George Tarr and Board of Selectmen Chair, Shawn Farrell. The list was a draft of items that would be covered in a Memorandum of Agreement (MOA) between the Board of Selectmen and the Conservation Commission on the management of the Patton Homestead property. Richard Luongo requested that conservation signs for the Patton Homestead be added to the MOA list.

Separate from the MOA, Mr. Luongo raised the question of maintenance under the beech trees near Patton Ridge. Conservation Commission members discussed whether mulch or wildflowers would be the best option to keep the vegetation down. It was agreed that Mr.

Domelowicz would speak to Tim Olson, Director of the Department of Public Works about the matter.

Conservation Commission Members agreed that a Memorandum of Agreement was preferred over a Memorandum of Understanding as it was legally binding. In a MOA, there would be a list of items that would include rights and responsibilities.

The Conservation Commission Members agreed in good faith that if the town were to consider the sale of the Patton Homestead property, they would work with the Commission to create a conservation restriction to protect the open space. If the Commission did not feel the good faith agreement was working, the conservation restriction could become a warrant article for the Fall meeting.

Motion made by George Tarr to create a Memorandum of Agreement with the Town of Hamilton with regard to the management of the wetlands at Patton Homestead.

Seconded by Lauren Lynch.

Roll Call Vote: Virginia Cookson – aye, George Tarr – aye, Lauren Lynch – aye, Chris Currier – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

Mr. Domelowicz left the meeting at 7:30 p.m.

Public Hearings

Continued – Abbreviated Notice of Resource Area Delineation DEP File# 172-0623 – 133 Essex Street – Chebacco Hill Capital Partners, LLC – Confirmation of resource area boundaries at 133 Essex Street

Mr. Comins reported to the Commission that he spoke with Town Council regarding who had jurisdiction to decide whether a consultant hired by an abutter would be allowed to participate in a site walk at 133 Essex Street and they responded that the property owner or their representative had the authority to make that decision.

Mr. Comins updated the Commission that he had communicated with Mike DeRosa of DeRosa Environmental regarding the 133 Essex Street site walk and they agreed it would be scheduled in the very near future.

Greg Hochmuth of William & Sparages updated the Commission that Mr. DeRosa is monitoring the vernal pool situation and the site walk is targeted next week. As soon as Mr. Hochmuth has a concrete date he will contact Mr. Comins who will then reach out to the Commission so that interested commissioners can join the site walk.

Mr. Hochmuth requested a continuance of the Abbreviated Notice of Resource Area Delineation for 133 Essex Street until the next Conservation Commission meeting on April 14, 2021 when the delineation would be completed.

Motion made by Chris Currier to continue the hearing until the next Conservation Commission on April 14, 2021.

Seconded by Virginia Cookson.

Roll Call Vote: Virginia Cookson – aye, Chris Currier – aye, George Tarr – aye, Lauren Lynch – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

Mr. Hochmuth and Mr. Smith left the meeting at 7:36 p.m.

Request to Amend Order of Conditions DEP File # 172-0622-823 Bay Road

Tyler Ferrick of DeRosa Environmental represented the property owners of 823 Bay Road. Mr. Ferrick explained that the original Order of Conditions was to control the phragmites along the river of 823 Bay Road and since then they discovered that the phragmites extended onto the neighboring property. They met with neighbor, Patricia Mosely of 861 Bay Road/0 Moulton Street who was also interested in removing the phragmites and Greenbelt had already approved the removal. The parties were seeking an amendment for the phragmites on this portion of the property to be removed at the same time and the same way to alleviate the phragmite completely.

Motion made by Virginia Cookson that the Conservation Commission accept the request for an amendment to the Order of Conditions for work to be done at 823 Bay Road to extend onto the neighboring site of 861 Bay Road/0 Moulton Street owned by the Mosely's to continue work on the removal of phragmites on said property.

Seconded by George Tarr.

Roll Call Vote: George Tarr – aye, Virginia Cookson – aye, Lauren Lynch – aye, Chris Currier – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

Tyler Ferrick left the meeting at 7:41 p.m.

Request for Determination of Applicability – 203 Highland Street – Anthony Barbiris – Installation of generator and concrete pad

Mr. Comins explained that the Request for Determination of Applicability at 203 Highland Street was an after-the-fact filing of a request for a generator that was installed in the buffer zone behind the gas station.

Wellesley Morrill of Morrill Electric in Amesbury, MA reported that the concrete pad and generator had been set up but no other work had been done. Mr. Comins explained that on the side of the property there was wetland with a potential intermittent stream. Morrill Electric surrounded the limit of disturbance with erosion controls per Mr. Comins' instruction.

Mr. Morrill said that the generator would be fed by an above-ground 220-gallon propane tank that holds about 4 quarts of oil. To be within code the tank needed to be 10 feet away from the

generator. Mr. Morrill agreed to meet with Mr. Comins to ensure that the tank would be as far from the wetland as possible to be compliant.

Motion made by Virginia Cookson to allow the facilities to install a generator and that the propane tanks be put in at least 10 feet away from the generator and as far away from the wetland and therefore as close to the building as is safe and to allow that the project to be completed and covered by the previous filing.

Seconded by Chris Currier.

Roll Call Vote: George Tarr – aye, Lauren Lynch – aye, Virginia Cookson – aye, Chris Currier – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

Mr. Morrill left the meeting at 7:50 p.m.

Discussions

- Request for Certificate of Compliance, 438 Asbury Street DEP File #172-0587

A postponement was requested by the applicant of 438 Asbury Street until the April 14, 2021 Conservation Commission meeting.

- MACC Annual Conference

Mr. Comins reminded the Commission that he would like any interested members to be signed up for MACC Annual Conference courses with him by next week.

Adjournment

Motion to adjourn made by Virginia Cookson to adjourn at 7:53 p.m.


Seconded by Chris Currier.

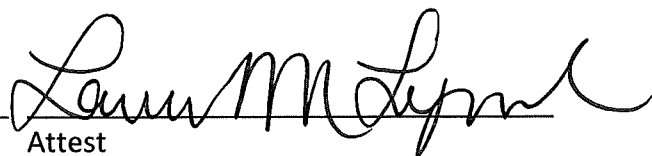
Roll Call Vote: George Tarr – aye, Lauren Lynch – aye, Chris Currier – aye, Virginia Cookson – aye, and Richard Luongo – aye.

Unanimous in favor of voting members.

The next Conservation Commission meeting is scheduled for April 14, 2021.

Prepared by:


Ann Schlecht


Attest

3/29/21