

2021 SEP -2 AM 9: 58

HAMILTON CONSERVATION COMMISSION

**MINUTES OF MEETING
April 14, 2021 at 7 p.m.
Virtual Zoom Meeting ID: 814 5873 1820
Passcode: 712594**

Members Present: Virginia Cookson, Chris Currier, George Tarr, and Lauren Lynch

Coordinator: Bert Comins

Others Present: Bruce Comak, Contractor, Rosemary Kennedy, Selectperson

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

Vote Minutes: 3/24/2021

Motion made by Chris Currier to accept the minutes of March 24, 2021.

Seconded by George Tarr.

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

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

Applicant had requested a continuance to next meeting on April 28, 2021.

Request for Determination of Applicability – 358 Chebacco Road – Dawn Saglio – construction of patio and stairs

Bruce Comak, Contractor represented the applicant of 358 Chebacco Road and showed Committee members pictures of small stone stepping stones that would be replaced with larger stone slabs that would zig zag to reduce the steepness of the steps. The steps would follow the path that already exists and would end at the no disturb zone. A natural stacked slab wall would be built without using mortar and would have a filter fabric so no finds would get through. Very little excavation would be done and vegetation would not be removed.

Motion made by Virginia Cookson for a negative determination for work to be done at 358 Chebacco Road.

Seconded by Chris Currier.

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

Discussions:

- **Request for Certificate of Compliance, 166 Lake Drive DEP File#172-0444**

Mr. Comins reported that there was a Notice of Intent and an Order of Conditions from 2003. The house was originally over the property line and had been moved. A letter from Peter Kane of Kane Land Surveyors reviewed the move and did a survey and reported that the building alteration was complete and was in substantial compliance with the Order of Conditions. Mr. Comins visited the property and agreed with the compliance.

Motion made by Virginia Cookson to issue a Certificate of Compliance for 166 Lake Drive.
Seconded by Chris Currier.

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

Unanimous in favor of voting members.

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

An Order of Conditions was issued in 2017 for a septic system at 438 Asbury Street. Mr. Comins confirmed that the septic system looked stabilized from his street view and that grass had grown in the area. A letter from Thad Berry, PE of ASB Design Group, LLC stated that the work had been done in substantial compliance with the Order of Conditions.

Motion made by Virginia Cookson to issue a Certificate of Compliance for 438 Asbury Street.
Seconded by George Tarr.

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

Unanimous in favor of voting members.

- **Patton Homestead open space**

Mr. Tarr commented that on the list of items he sent to Mr. Comins regarding the open space at Patton Homestead, two other items should be included on that list for the Memorandum of Agreement between the town and Patton Homestead. One of the items would be the removal of non-native invasive species and the other would be a Conservation Restriction that would be included at the point of sale if the town were to decide to sell the property.

Conservation Committee members agreed that a map of the area being proposed for the Conservation Restriction would be helpful. Ms. Lynch agreed to work with Mr. Tarr to create a map to visually help when presenting to the Town Manager and the Board of Selectmen. Ms. Kennedy commented that a meeting after Town Meeting could be arranged to help firm up the proposal.

- **Plan modification request, 150 Echo Cove Road DEP File# 172-0616**

A request was made by the property owners to add a patio to the pre-approved plans for their house being built at 150 Echo Cove Road. The 4 by 8-foot patio would be level with the ground and would be built with blue stone on top of crushed stone. The patio would be 4 feet past the 50-foot no-build zone buffer line but would not require a building permit. A Minor Modification was requested to the Order of Conditions and would be outlined in the letter of approval written by Mr. Comins.

Motion made by Virginia Cookson to allow the Minor Modification to the proposed Order of Conditions with the added explanation why it is okay to go within the 50-foot buffer line.
Seconded by Chris Currier.

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

- **3 Arabian Way appeal**

Mr. Comins reported that there had been communication with the applicant's attorney and town council regarding the 3 Arabian Way appeal. Conservation Commission members agreed to discuss the communication as an Executive Session at the next Conservation Commission meeting.

- **Other Business**

Conservation Commission members congratulated Mr. Comins on his new position in Rockport.

Adjournment

Motion made by Chris Currier to adjourn at 8 p.m.

Seconded by Lauren Lynch.

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

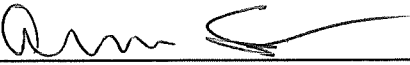
Unanimous in favor of voting members.

The next Conservation Commission meeting is scheduled for Wednesday, April 28, 2021.

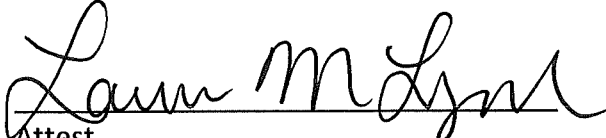
Documents:

1. Map of 357 Chebacco Road construction
2. Pictures of 357 Chebacco Road property and proposed steps and patio
3. Plan and Order of Conditions for 166 Lake Drive
4. Letter from Thad Berry, PE, ASB Design Group, LLC
5. 150 Echo Cove Road plot plan from the Order of Conditions

Prepared by:



Ann Schlecht 4/15/2021



Attest

