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2021 SEP -2 AM 9: 58

HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

April 28, 2021 at 7 p.m.

Virtual Zoom Meeting ID: 834 6123 9337

Passcode 480438

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

Coordinator: Bert Comins

Others Present: Dan Johnson of Domestic Septic Design, John DiGennaro, resident of 139 & 145 Cutler Road

A quorum was established and the meeting was called to order at 7:01 p.m.

Vote minutes: 4/14/2021

Motion made by Virginia Cookson to accept the minutes of April 14, 2021 with corrections made.

Seconded by Lauren Lynch.

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.

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

To be continued at the request of the applicant.

Request for Determination of Applicability – 45 Day Ave – John Mahoney – Construction of Deck

The Conservation Commission reviewed the plot plan for 45 Day Avenue. The proposed deck would be raised with 4 Sonotubes and the soil from the digging would be preserved.

Motion made by Chris Currier to issue a Negative Determination of Applicability with respect to the construction of the deck at 45 Day Avenue as presented to the Conservation Commission at this meeting.

Seconded by George Tarr.

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.

Request for Determination of Applicability – 56 Lois Street – Thomas Marcotte – Repair failed septic

Dan Johnson of Domestic Septic Design designed a new Title 5 septic system that would go where the old cesspool system was. The new system complied with all regulations except for the slight offset to the existing house from the septic tank from 10 to 8 feet and from 20 to 16 feet for the leaching area. Soil tests were done that showed gravel and no water table issues. The new system was approved by the Board of Health. Mr. Comins inspected the site and verified that the system would be greater than 50 feet from the edge of the wetland and that erosion control would not be necessary.

Motion made by Chris Currier to issue a Negative Determination of Applicability with respect to the repair of the failed septic system at 56 Lois Street.

Seconded by Lauren Lynch.

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.

Request for Determination of Applicability – 71 Fox Run Road – Tom Schmidt – Replace failed cesspools with a new title IV septic system

Dan Johnson of Domestic Septic Design designed a new Title 5 septic system which would be behind the house with new plumbing needed to connect the old cesspool in the front to the new septic tank in the back. The Board of Health approved the new location and soil testing was done in the backyard. An 8” grade change was needed to reduce the offset from 5 feet to 4 feet to the groundwater at the bottom of the leaching area. The leaching area and all work being done would be within 50 feet of the wetland. Erosion control as shown in the plan would minimize any sediment from going down to the wetland during the installation process.

Virginia Cookson requested that Dan Johnson sign a copy of the plan that stated the second tree removal was approved by the Conservation Commission at the April 29, 2021 meeting.

Motion made by Chris Currier to issue a Negative Determination of Applicability with respect to the replacement of the failed cesspool with the installation of the new Title 5 septic system at 71 Fox Run Road which would include the Conservation Commission’s approval for the removal

of the tree as noted and the removal the tree to be noted which is at the right-hand corner of the new system.

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.

Request for Determination of Applicability – 145 Cutler Road – John DiGennaro – Repairs to existing building and landscaping activities

John DiGennaro explained to the Commission that the septic system was outside of the buffer zone and that the back of the house was within 100 feet of the buffer zone. Repair and reconstruction work would be needed for the existing foundation. Clearing the yard within the 50-foot buffer would be an exempt activity under the state regulations and would be within the aura of the local regulations. The intent would be to restore as much of the lawn as possible without regrading within the buffer zone. A silk fence would be located at the top of the slope behind the house which would protect the buffer zone from the demolition of the existing house as well as the foundation repairs but footprint would not change. Mr. Comins commented that there would not be a lot of ground disturbance unless the foundation needed to be replaced in which case a new filing would be required. Ms. Cookson suggested an amended RDA versus refilling.

Motion made by Chris Currier to issue a Negative Determination of Applicability for 145 Cutler Road predicated on the existing foundation being repaired and not replaced and that if the homeowner determines that work beyond repairing the existing foundation is needed, they would come back to the Commission with an amendment to this Request for Determination of Applicability.

Seconded by Lauren Lynch.

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.

Request for Determination of Applicability – 139 Cutler Road – John DiGennaro – Repairs to existing foundation and landscaping activities

Mr. DiGennaro of 139 Cutler Road explained to the Commission that the 50-foot buffer did not touch the lot on this property. The work requested on this site would be to repair the existing foundation and lawn restoration. A silk fence would be put up on the property line. The house was previously removed and the repair work would not involve any heavy equipment or excavation.

Motion made by Chris Currier to issue a Negative Determination of Applicability with respect to the repairs to the existing foundation and landscaping activities at 139 Cutler Road.

Seconded by Lauren Lynch.

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.

Discussions

- **Patton Homestead Open Space**

Mr. Comins sent the Memorandum of Agreement (MOA) draft to the Commission before the meeting. Ms. Lynch made corrections to it and included notes from Mr. Tarr and Ms. Cookson. Mr. Olson of the DPW agreed they would be responsible for mowing and plowing the old access road to the old pump house. The Commissioners discussed and subsequently agreed that the canoe launch would be closed to the public and cars would not be allowed to travel to the launch. Public access was previously deeded on the trail crossing Patton Ridge. The Conservation Commission agreed they would be responsible for future reforestation of the western hillside, the wetlands garden and the creation of the loop trail. Mr. Comins told the Commission he would send the MOA to the Town Manager, Mr. Domelowicz who would review it with Town Council.

- **Other business**

Mr. Comins reminded the Commission that this was his last meeting and told them he would post the agenda for the next meeting. Commission Members were asked to sign off on Certificates of Compliance addressed at this meeting. Mr. Comins would leave the paperwork out for signatures at Town Hall tomorrow.

Adjournment

Motion made by Chris Currier to adjourn at 8:00 p.m.

Seconded by Virginia Cookson.

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

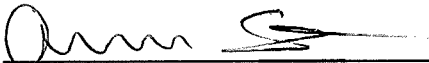
Unanimous in favor of voting members.

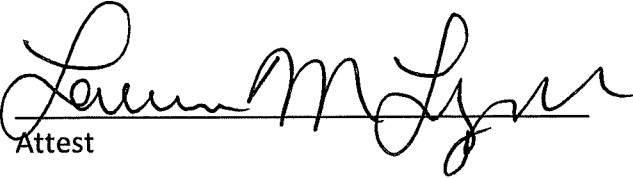
The next Conservation Commission meeting is scheduled for Wednesday, April 28, 2021.

Documents:

1. Plot plan for 45 Day Ave
2. Plot Plan for 56 Lois Street
3. Plot Plan for 71 Fox Run Road
4. Plot Plan for 139 and 145 Cutler Road
5. Patton Homestead plot plan

Prepared by:


Ann Schlecht 5/1/2021


Attest

