



Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Commissioners, a meeting of the Hamilton Conservation Commission was posted for November 16, 2023 at 7PM via Zoom. *This meeting was recorded.*

Commissioners: Sandy Coddling, Virginia Cookson, Kathy Simons, Deb Thompson, Lauren Lynch, Lee McCoy; Mike Stoltzfus.

Call the meeting to order: *With a quorum present Vice -Chair, Simons called the meeting to order at 7:04 PM, identified the meeting was being recorded and those present:* K. Simons, Vice- Chair; V. Cookson; L. McCoy; D. Thompson; Sandy Coddling; Lauren Lynch.

Not present: M. Stoltzfus

Others present: Kristan Farr, Conservation Commission Coordinator; and others as noted in the minutes.

Minutes- None to review.

Public Hearings

- **951 Highland Street (Map 14, Lot 1) – demolition of an existing accessory structure to a single-family house (Continued from 10/11/23)**
 - Updated wetlands map, site plan, planting plan as prepared by DeRosa Consulting
 - DEP 172-0646

Attorney Barry Fogel appeared before the Commission on behalf of the applicant, William Friend also present, and provided the DEP file number for this project. Attorney Fogel referenced a site visit with members of the commission where questions were raised and provided updated maps to explain the changes to the building footprint in relation to the wetlands and clarified the demolition would be done to not disturb the areas under the Commission jurisdiction. This included the excavation of broken pavement to be replaced with natural plantings, equipment storage/ access to be on pavement, the granite foundation will remain, and construction tarps installed beneath the building to collect debris. Erosion controls were shown on the plan.

The hearing was open for comments/questions.

Vote: The Commissioners voted unanimously by roll call to close the public hearing for 951 Highland Street.

K. Farr addressed the Commissioners concern if there were to be catastrophic failure and observed an independent environmental monitor could be onsite. Attorney Fogel opined a monitor was not necessary and, in the event, substantial debris enters the resource area, the contractor respond immediately to address a crisis without delay to project resource area.

Vote: The Commissioners voted unanimously by roll call to issue Order of Condition for DEP 172-0646 at 951 Highland Street for removal of a mill building next to the river, that contains asbestos, with a specific condition directly related to any catastrophic possibility occurring during the project.

Request for Certificate of Compliance - None

Enforcement Orders:

- **161 Bridge Street (58-6-53) – issued March 14, 2023, erosion and sedimentation**
- **181 Bridge Street (58-8-53) – issued March 14, 2023, erosion and sedimentation**
- **185 Bridge Street (58-9-53) – issued March 14, 2023, erosion and sedimentation**
- **37 Knowlton Street - issued September 13, 2023, dumping of soil, vegetation waste**

The Board discussed the next steps on the Bridge Street enforcement orders issued due to erosion from new construction on Bridge Street. John Murphy, Contractor and Wetland Engineer Mark Arnold, Goddard Consulting, were present and participated in the discussion. The Commissioners previously ordered the silt be removed immediately by hand, while the stream channel was dry, replace plants in specific areas to mediate negative impact, and work to be monitored by a wetland

scientist. The Goddard Consulting report was referenced which identified this impact as significant but noted cleaning the silt would cause additional damage where silt was less than ¼ inch thick. This work was to be completed in a specific timeline. M. Arnold referenced the report and reviewed the impact, possible natural rebounding, and clean-up plans for the specific areas (A, B, C, D) as identified on the map dated October 25, 2023. He included an overview of possible mitigation plans. The sediment removal of area A may be accomplished in a couple of days, depending on the size of the crew and be completed mid-December. It was important to the Commission this work be documented starting with current conditions through the process with photos, and written observation. K. Farr will update the enforcement order for area A to include: sediment removal by hand, completed on or around December 15 to include pre/post meetings and photos. M. Arnold provided an update on the current conditions: lots 6 & 7 have grass growth, the collection basin is being pumped and the water filtered through vegetation and hay bales, lots 8 & 9 still have work to be done for continued stabilization with overall improvement as grading continues, septic systems will be installed on lots 8 & 6. J. Murphy noted fill removal was completed and the remaining piles would be spread out after septic is installed and no (more) fill would be hauled off site. The Commissioners requested updates on the soils, septic, and lot 7 for the November 29 meeting. J. Murphy will forward the two part (invasive removal/restoration) report from Sumco to the Commission and offered to have Brian Jones, Senior Project Manager, Allen & Major Associates speak to the Commission on (stormwater) drainage for these lots.

26 Appaloosa Lane (Map 60, Lot 121) – issued August 21, 2023, removal of trees in a resource area - K. Farr reported she spoke to the homeowner and the property manager. They are working with their wetland scientist to get the next steps going.

Discussions

133 Essex Street, Chebacco Woods CH. 40B Application - S. Coddling recused himself from this discussion. It was noted DEP holds the Superseding Order of Conditions on this property. Comments are being requested from town departments on this 40B application. K. Farr will prepare a draft letter of response on the commission's prior discussions regarding this project.

Regulatory Update on Conservation By-Law - This will be continued to a future meeting.

Conservation Office: Miscellaneous Updates

- 2024 meeting schedule was set. Rather than reduce the number of meetings per month, it was agreed to use the 1st meeting of the month for regulatory business and the 2nd meeting of the month could be cancelled if there were no discussion items or urgent business. K. Farr will put together a pre-meeting summary.
- The Commission could not vote on electronic signatures at this meeting because the wording was not framed correctly; this was deferred to the next meeting.
- The Commission needs to vote a chair. K. Simons will continue as ad-hoc chair for a couple more months and then would like to step down from the chair role.
- V. Cookson spoke on some items she worked on the past couple weeks, including site walks and applications.

Next meeting: November 29

Adjournment – *The Commissioners voted unanimously by roll call to adjourn at 9:21 pm*

*Respectfully submitted as Approved at meeting of February 14, 2024 by Kathy Simons,
Hamilton Conservation Commission Vice Chair, on February 14, 2024*