



## Town of Hamilton

### Conservation Commission

Meeting Minutes of February 28, 2024

Town Hall, 577 Bay Road

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 February 28, 2024 at 7PM via Zoom. *This meeting was recorded.* Commissioners: Sandy Coddling, Virginia Cookson, Kathy Simons, Lee McCoy, Mike Stoltzfus.

**Call the meeting to order:** *With a quorum present Chair McCoy called the meeting to order at 7:03 PM, identified the meeting as being recorded and those present:* L. McCoy, Chair; K. Simons, Vice- Chair; V. Cookson; Sandy Coddling, M. Stoltzfus. Others present: Kristan Farr, Conservation Commission Coordinator; and others as noted in the minutes.

**Minutes:** None for review. Chair McCoy noted that the last set of minutes posted on the website are from June 28, 2023. Others have been approved, and some minutes needed updates or corrections, including the October 23, 2023 minutes. K.Farr is to check the 10/23 meeting video to clarify the motion that was not discernable. Chair McCoy noted the outstanding minutes are from July 12, July 26, November 29, December 13, January 10, January 24, February 14. K.Farr noted that she was out of the office today and had received a call from the Recording Secretary and would get an update from her tomorrow.

#### Public Hearings:

- **2 Beech Street (Map 66, Lot 3) DEP #172-647-** replacement of two (2) porches, floating dock and ramp, reconstruction of an existing shed and associated landscaping (Continued to February 28th)

K.Farr noted that there was a request received that morning from the resident to continue the public hearing until March 13 to allow them to attend the ZBA meeting on March 6 first.

- **20 Morris Avenue (Map 37, Lots 46 and 41)** – replacement of a septic system (Continued to March 13th)

#### Enforcement Orders:

- **37 Knowlton Street (Map 65, Lot 47) - issued September 13, 2023, dumping of soil, vegetation waste**

K.Farr reported that she did a site visit on February 15<sup>th</sup> with L.McCoy and V.Cookson. The Commissioners reviewed photos of the site. The homeowner was running a landscaping business since 2007 and dumping material in the back of the yard, in proximity to wetlands. It was unclear whether the material had been removed or not, but it did not appear to be eroding into the wetlands. It was suggested to keep an eye on the property to ensure no additional dumping takes place and given the repeat offenses on this property, the Commissioners consider requiring the homeowner to flag the wetlands and perform soil testing. Discussion continued about how much to investigate and what documentation is needed and/or available. M.Stoltzfuz asserted that the proposed strategies are not warranted relative to the possible infraction; and given the lack of evidence of what has been done it could lead to lawsuits. It is also not clear what took place before the Wetland Protection Act was enacted. He advocated watching the site going forward. K.Farr will call the homeowner to understand what has been done or not, and will review the existing documentation from Town records. She will report back to the Commission at the next meeting.

- **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**

Chair McCoy sent out a revised enforcement order (EO) to the Commissioners to review. S.Coddling noted that he felt there was a big difference in compliance between the various lots, and some have tried harder than others to rectify the problems but the letter is treating all the lots the same. Chair McCoy agreed but believed the EO would be easy for the lots that are more compliant to sign off on and move forward. He would like the onus of compliance to be on the soil scientists working for the homeowners. There are many things that have not been taken care of at the sites and need to be. It was agreed to postpone discussion until everyone had taken adequate time to review the most recent draft. Chair McCoy referenced the most recent report from the consulting company and noted that most of the items listed have remained as ‘needing attention’ for the duration of the reports, and it appears that they are just not being addressed. The Commissioners expressed interest in Goddard consulting attending the next meeting and providing an update and explanation.

- **26 Appaloosa Lane (Map 60, Lot 121) – reissued January 12, 2024, fill and removal of trees**

K.Farr read an update from Dan Wells, the wetland scientist on this project, which noted that fill was removed under his supervision, and that he re-mapped and flagged the area with actions that still need to happen. It was noted that they were supposed to provide a restoration plan prior to removing the fill, but that at least there was some action taking place. It was felt that things are moving in the right direction. Chair McCoy would like K.Farr to be able to be more involved in knowing what is happening at the site. She will connect with Dan Wells to follow-up.

**Discussions:**

Chair McCoy noted he found the files on the High School Athletic Fields. K.Simons mentioned concerns were raised about the plans for lighting, and that she has concerns about the Order of Conditions in terms of the lighting and the testing that is going to be used for the artificial turf. She stated the lighting needs to be dark sky compliant and that resource areas are to be shielded from light pollution. A resident who wrote to the commission expressed concerned about the plan for the use of floodlights. The lighting plan has not been received to date and the Commission does not know when it will be received. K.Simons raised the issue of PFAS and M.Stolfutz expressed that there are PFAS-free turf options available and stressed that a science-based approach to PFAS and turf is important given the strong opinions around this issue. K.Simons reiterated that her concern is how and when they will find out about the testing methodology and what the certification process is for the PFAS-free material, so that they can be assured the Order of Conditions is being followed. The Commissioners agreed that they would like Gale Associates to come to a meeting to clear up these issues.

951 Highland St update – K.Farr attended the pre-construction meeting, she reported they did a very good job laying tarps to catch any materials that may be disturbed.

**Conservation Office: Miscellaneous Updates**

- Next meeting: March 13, 2024.

**Adjournment** – *The Commissioners voted unanimously by roll call to adjourn at 8:40pm*

*Respectfully submitted as Approved at meeting of May 8, 2024 by K. Simons,  
Hamilton Conservation Commission Vice Chair, on May 8, 2024*