



Town of Hamilton
Conservation Commission
Meeting Minutes of June 26, 2024

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 June 26, 2024 at 7PM via Zoom. *This meeting was recorded.*

Commissioners: Sandy Coddington, Virginia Cookson, Kathy Simons, Lee McCoy, Mike Stoltzfus.

Prior to the call to order:

- **Eric Mimmo, Beech St Reservation**, questioned why his issue was still not on the agenda and what needed to happen for the Commission to discuss it. Chair McCoy explained that the Commission needs to hear from legal counsel regarding the land and that there is nothing the Commission can do in the meantime. He suggested that Mr. Mimmo contact the Town Manager to try and resolve his questions.
- **Denise Kelly**, a candidate for the Conservation Commission, introduced herself and noted that she lives on Chebacco Lake and is stepping off the Chebacco Lake Watershed organization. She is interested in conservation and is looking to get involved in the Town.

Call the meeting to order: *With a quorum present Chair McCoy called the meeting to order at 7:05 PM, identified the meeting as being recorded and those present:* L. McCoy, Chair; V. Cookson; M. Stoltzfus, S. Coddington. *Not present:* K. Simons, Vice- Chair. *Others present:* Kristan Farr, Conservation Commission Coordinator; and others as noted in the minutes.

Public Hearing/Notice of Intent: Chair McCoy noted that there are two public hearings to be conducted under the MA Wetlands Protection Act and the Town of Hamilton Bylaws. The public hearing will be followed by the regular meeting.

- **140 Lake Drive, DEP File #172-649** - Continued from June 12 meeting.

At the last meeting a site visit was requested but it has not been scheduled to date. Chair McCoy showed availability of the Commissioners and July 3 at 8:00am was scheduled for the site visit. Hazam Dani, the site engineer, noted that he has been in contact with their wetland scientist, and they did a site visit today. The scientist provided a brief summary and noted that there are some invasives in the 25 foot buffer zone and they are happy to remove them if the Commission prefers. He stated that the wetland scientist determined that there is not a vernal pool, which the Commission was concerned about, and a report will be submitted to that effect. Mature trees on the property were also noted, and the plans will be revised to account for those. There were no public comments.

Chair McCoy asked if the applicant agrees to a continuation to the July 10, 2024 meeting in order to conduct the site visit, and the applicant agreed.

Vote: *The Commissioners voted unanimously by roll to continue the hearing on 140 Lake Drive until July 10, 2024.*

Request for Amendment:

- **156 Gregory Island Road, DEP File #172-637** – Continued from June 12 meeting.

This item was continued from the last meeting as the applicant did not appear. The applicant was not present at this meeting either. The Commissioners scheduled a site visit for the property on July 8, 2024 at 3:00pm.

Vote: *The Commissioners voted unanimously by roll to continue the hearing on 156 Gregory Island Road until July 10, 2024.*

Request for Extension:

- **408 Bridge Street, DPE File #172-601** – Extend an invasive treatment plan.

Evin Guvendiren of DeRosa Environmental was present and noted that this is a three-year extension request to continue the restoration efforts of removing invasive species and completing restoration efforts. The extension will align with the Wetland Protection Act order as well.

Vote: *The Commissioners voted unanimously by roll call to approve the three-year extension of the Order of Conditions for 408 Bridge St.*

Enforcement Orders/Violations:

- **161 Bridge Street (58-6-53) – issued March 14, 2023, reissued May 23, 2024**
- **181 Bridge Street (58-8-53) – issued March 14, 2023, reissued May 23, 2024**
- **185 Bridge Street (58-9-53) – issued March 14, 2023, reissued May 23, 2024**

K.Farr noted that she has not heard from any of the property owners. Chair McCoy stated that they should reach out to the owners and inform them that they are in violation of the enforcement orders by not appearing for the meeting and not taking action on the orders.

Public Comment (3 minutes on topics not already on the agenda):

- **Anne Gero, Bay Road**, spoke about the School Athletic Fields project and specifically the permit for the softball field. She is an abutter to the school property. She believes the wetlands permit for the project expired on April 28, 2024 and they did not request an extension, therefore, they should be submitting a new NOI (Notice of Intent) and holding a new public hearing. She asked to be kept informed by the Commission as to next steps. She noted there is a lot of new science on PFAS in the last year and she would like to speak to that at a public hearing.

Chair McCoy stated that they are aware of the issue and have been in touch with Town Counsel. He explained that the permit that was issued was confusing and had two different dates noted. The applicant received the permit with pages missing, including the April date and the new bylaw had been passed by the Town, but it had not been approved by the Attorney General's office. It does appear that the applicant needs to submit a new NOI, but only under the Town bylaw. A.Gero noted there was not an illumination plan in the original submission, and she recommended that they do so this time. K.Farr reported she has been having many conversations about this issue trying to sort it out.

- **Minutes: 2024: April 24, 2024, May 8, 2024, May 22, 2024**

Chair McCoy asked to hold the minutes until K.Simons is in attendance and noted that things are going very well now. V.Cookson noted a concern on one of the sets of minutes from a meeting where she was not in attendance, regarding 354 Highland St, Canterbrook Estates. She expressed concern that the Certificate of Compliance was issued although the property owners did not do everything they were asked to do. She spoke on several concerns about what was supposed to have been done. K.Farr explained that it appeared that they had done what they were supposed to and offered to go and look at the property with V.Cookson.

Conservation Office: Misc. Update:

- The next Conservation Commission meeting is currently scheduled for July 10, 2024.
- The Commissioners introduced themselves to Denise Kelly.

Adjournment – *The Commissioners voted unanimously by roll call to adjourn at 7:55pm.*

Documents:

- Minutes of April 24, 2024, May 8, 2024, May 22, 2024
- Enforcement Orders for Bridge St Lots
- 156 Gregory Island Road – request for amendment, Order of Conditions
- 140 Lake Drive – Site Plans, Notice of Intent, Certification letter, Abutters list

Respectfully submitted by D. Pierotti, Recording Secretary, 7.13.24.

The minutes were prepared from video.

Respectfully submitted as Approved at the August 28, 2024 Conservation Commission meeting.

Kathy Simons, Conservation Commission Vice Chair, on September 2, 2024