



**Town of Hamilton
Conservation Commission**
Meeting Minutes of October 16, 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 October 16, 2024 at 7PM via Zoom. *This meeting was recorded.* Commissioners: Sandy Coddling, Virginia Cookson, Kathy Simons, Lee McCoy, Mike Stoltzfus, Denise Kelly.

Call the meeting to order: *With a quorum present Chair McCoy called the meeting to order at 7:01 PM, and stated that there would be one public hearing conducted under the MA Wetlands Protection Act and the Town of Hamilton General Wetland Protection Conservation Bylaw, chapter 17. The Town of Hamilton Conservation Commission will hold this public meeting and public hearing virtually to review the following project to determine what conditions, if any, the Commission will impose in order to protect the interests of the public and private water supply, groundwater, prevention of pollution, flood control, and protection of wildlife habitat. He identified the meeting was being recorded and those present: L. McCoy, Chair; K. Simons, Vice-Chair, S. Coddling, V. Cookson, D.Kelly, M. Stoltzfus. Others present as noted in the minutes.*

Chair McCoy stated Kristan Farr had resigned as the Conservation Agent and a new shared services agreement is in the process of being drawn up between Hamilton and Manchester-by-the-Sea. He hoped they would move quickly to finalize the agreement and hire a new agent, and that the Commission would have some participation in the hiring process. They are reaching out to the former agent Brian Colleran for some limited interim help.

Request for Determination of Applicability:

- **131 Gregory Island Road**
- **Applicant/Property Owner: Jeffery French, Trustee**
- **Project: Installation of a paved sidewalk, repaving existing driveway**

Chair McCoy opened the hearing at 7:13PM. M.Stoltzfus acknowledged knowing J. French and recused himself from this agenda item. Bill Manuell from Wetlands and Land Management was present and spoke on the proposed project. He explained the homeowner has a medical condition that necessitates smooth surfaces in order for him to navigate his property. The homeowners are requesting to install a paved walkway and repave the driveway in the same dimension it is now. The paved walkway will enable him to access his utilities on the outside of the house. The work will be 80 feet from the lake and 30 feet from neighboring wetlands. B. Manuell noted the ground is flat, and recommended straw wattle as erosion control, which he opined should be sufficient. The Commissioners asked some clarifying questions and following the discussion the Commissioners agreed to minor conditions. It was noted that repaving an existing driveway in the same footprint is an exempt activity. Any walkway work will be limited to the area defined by the erosion controls.

Vote: *The Commissioners voted 5-0-1 by roll call, with M.Stoltzfus recused, to close the public hearing for 131 Gregory Island Road.*

Vote: *The Commissioners voted 5-0-1 by roll call, with M.Stoltzfus recused, to issue a negative determination of applicability for 131 Gregory Island Road because the proposed work is in a buffer zone but will not alter a resource area, so will not require an NOI, with the added special condition that all sidewalk installation activity is limited to the area defined by the erosion control,*

Discussion of Standard Order of Conditions:

Chair McCoy began the discussion by describing the challenges with the Commission's file storage and his efforts to create a share point that is stable and not contingent upon who is holding the agent position. K.Farr's file drive has been moved to a central drive and Chair McCoy showed the folders that he has set up and organized to contain the work of the Commission, including the particular projects that the Commission has worked on, stored by site. He also showed the Microsoft Teams program and how he had tried to use it to track activities of the agent, although she did not use it. He showed the Commissioners how it can be useful for tracking workflow and making sure tasks get done.

Chair McCoy then proceeded to the discussion of creating a proposed standard order of conditions template. The Commission clarified that they will review the existing list of conditions currently in the template. The Commissioners reviewed the conditions, one by one, and discussed various changes. There was discussion about approving the wetland boundaries and how that should be articulated in the conditions.

- Discussion regarding #23 on wetland boundaries considered whether the wetland boundary approval is specific to the current project or is relevant to future projects. It was agreed to simplify the wording and clarify that it is specific to the current project.
- #24 that “reserves the right” to require specific conditions later, that was struck from the template.
- #25 regarding succession of the land to future parties and perpetual conditions was noted for rewording, the Commissioners will look for better wording in reference documents.
- #26 was struck from the template as redundant.
- #27 on the ability of Commissioners to enter and inspect a property without a warrant, this section was struck based on advice of legal counsel, and Chair McCoy will circulate the paragraph he received as documentation. V.Cookson disagreed, and requested further investigation.
- #28 on the requirement to have documents on site was discussed, it will be edited to include when there is a need for a site engineer/environmental scientist for oversight and submission of reports.
- #32 had minor edits.
- #33 sections b and c will be moved to a list of possible special conditions.
- #34 will be deleted and saved for only complex perpetual conditions.
- #35 on embankments and slope was struck as not necessary if the stie is properly controlled.
- #36 on failure to comply will be reviewed with legal counsel to figure out why it is necessary and if it is legal.
- #38 on monthly reports of work proposed will be moved to special conditions.
- #39 on submitting a construction sequence will be moved to special conditions for projects with longer & more phases.
- #40 regarding erosion controls will be moved to special conditions & the type of erosion controls not allowed will be added.
- #41 regarding a pre-construction meeting will be moved to special conditions.
- #42 regarding supervision may be moved to special conditions.
- #43 regarding additional grading or clearing was deleted.
- #44 regarding parking & storing vehicles, & materials in “natural areas” was edited to specify wetland resource areas & buffer zones.
- #45 on hazardous materials containment kit will be moved to special conditions.

Chair McCoy thanked the Commissioners for a useful discussion and suggested that they save the remainder of the review for a subsequent meeting.

Other:

- The next Conservation Commission meeting is currently scheduled for October 23, 2024.

Adjournment – *The Commissioners voted unanimously by roll call to adjourn at 9:23pm.*

Documents:

- 131 Gregory Island Road – request for determination of applicability
- Boilerplate Standard Conditions
- Template for Order of Conditions
- WPA Required Conditions.

Respectfully submitted by D. Pierotti, Recording Secretary, 10.25.24.

The minutes were prepared from video.