

HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

October 11, 2017

Meeting at the Memorial Building.

Members Present: Virginia Cookson, Bob Cronin, Chris Currier, Keith Glidden, Richard Luongo (Chairman), and George Tarr.

Coordinator: Jim Hankin

This meeting was called to order at 7:00 pm with a quorum established. Jim Hankin listed the materials that were presented to the Conservation Commission in their packets.

Continued Public Hearing for the Notice of Intent for Pingree School, 537 Highland St.

John Amato submitted a soil evaluation and infill synthetic turf maintenance information. Mr. Amato displayed a PowerPoint presentation. Mr. Amato said his presentation would include answers to questions regarding buffer zone locations, trail locations, snow removal, and the estimated seasonal high water table analysis. Mr. Amato referred to work to mitigate the impacts to No Disturb Zone in the new parking area. The area would be tilled up and replanted with high bush blueberry and a wetland seed wildlife mix. The water quality basin was 37' into the no disturb zone. The relocated trail area created 206 sf of impact in the buffer zone. The trail detail was proposed to maintain the larger trees and minimize clearing.

John Amato described the weir component of the drainage system in the new parking area. The weir is 3.5' wide at the top, 2.5' wide at the bottom and 4" deep. It discharges into stone. According to Mr. Amato, the peak flows occurs for about six minutes for most of the storms and for the 100 year storm, the peak occurs for about 30 minutes. Water from the swale runs along the parking lot with a curb that directs water into a shallow swale.

The snow removal maintenance plan was discussed. The Commission discussed the merits of dumping snow outside the Commission's jurisdiction with Virginia Cookson noting that it would be removing water from the resource area. John Amato noted the importance of not letting the snow and ice buildup and freeze with the rubber encapsulated within the layers of snow and ice.

John Amato defended his choice as to how he determined groundwater levels. The MA Storm-water Handbook outlined that the firm he contracted to do the work and his own credentials as an engineer allowed for determination during any season. Mr. Amato said borings were a reasonable approach to determining level of groundwater and that the results from the borings were accurate to determine groundwater level.

John Amato noted that he had filed a letter with the Commission on behalf of the applicant on October 6, 2017 regarding ground water determination and on October 2, 2017 he filed a

document regarding snow removal maintenance. A letter of September 29, 2017 was also filed with several attached studies covering the environmental and health related issues of rubber use for fields. The letters also described the monitoring program for the discharge of the drainage system on the east end and monitoring infill migration, as well as the water quality testing program. Mr. Amato had also submitted a response with the Commission to DEP comments, to Beals Associates comments, as well as updated plans with the additional label of the trail, highlighted buffer zones, and fence location.

Richard Luongo questioned the high water level according to the graph and asked what would happen to the water when there was another peak rain. John Amato responded that he modeled rainfall to the 100 year event and the solution would not produce a flood as the 100 year event would allow a 1/8th inch increase.

John Amato explained the watershed, which would follow the path proposed into the basin allowing ponding into the infiltration areas. Clean water would flow into the infiltration basin. For the five to 100 year storm, water would flow over the berm for a 30 minute period of time at one cubic foot per second. The solution met or exceeded infiltration standards, according to Mr. Amato. Mr. Amato said the volume would remain the same in the wetlands.

George Tarr wanted to consider other arrangements of various fields by orienting the turf field outside the stone wall and woodlands which would eliminate disturbance to the stone-wall the woods and the trails. Mr. Tarr questioned the phasing of the project and suggested the reverse of construction schedule from what is proposed. John Amato responded that he had analyzed the project for ten years and that the school needed to use all five existing fields for the program as construction goes forward. Phase I was the parking lot, turf field, and the grading with Phase II building the other elements. Chris Currier asked if the School agreed to the recommendations of the consultant. The school agreed and Mr. Amato suggested attaching the recommendations to the Order of Conditions.

Susanna Colloredo Mansfield (Winthrop St) said she was not notified of the meeting and was concerned about the parking lot draining into the field next to Highland St. The culvert had been plugged and Ms. Colloredo Mansfield requested that the culvert not be opened up again. John Amato said the applicant would stay away from the area and leave it alone.

Larry Beals, (Beals Associates) was present to represent John Doherty (572 Highland St.). Mr. Beals said he had reviewed the local By-law and requested a peer review to go through the design to determine if anything needed to be changed. According to Mr. Beals, the Commission had the authority to request alternatives. Mr. Beals noted that the Wetlands Protection Act did not consider maximizing athletic programs or minimizing costs. Mr. Beals wanted to have an alternative that would cause less destruction of resources. Mr. Beals discussed waivers, which were not favored or granted except in rare circumstances and requested the applicant show the rare and unusual circumstances. Jim Hankin said Pingree had withdrawn in writing their request

for a waiver and instead presented an argument demonstrating that project as proposed rebuts the presumption of adverse impact to resource areas for work in the No Disturb Zone. The Commission could accept or reject that argument but it was no longer a waiver request.

Larry Beals questioned the small upland area that did not drain, which he believed should warrant a review to determine if the area was a vernal pool. According to Mr. Beals, the definition of a vernal pool in the By-law seemed to fit. Richard Luongo said it was not under the Conservation Commission's jurisdiction as no one had applied to have it declared as a vernal pool. Mr. Beals suggested waiting for spring to determine if egg masses or species were present. The ANRAD hearing was opened and closed while the land was frozen and whoever mapped the area did not determine if the area was a vernal pool. Mr. Beals wanted a third party to determine the resource. Jim Hankin responded that the appeal period of ORAD had passed. While Mr. Beals said the ORAD was not recorded, Mr. Hankin responded that wetlands act regulations do not require recording ORAD's. Mr. Beals argued that DEP said construction could not begin until the ORAD was filed. Mr. Hankin responded the ORAD would be referenced in the Order of Conditions.

Larry Beals disagreed that groundwater could be determined without a test pit. Mr. Beals said best practice was to take a backhoe and have a soil scientist look at the profile of evidence. Mr. Beals questioned the geological relationship between the test site and the well site. Richard Luongo thought it was acceptable to have a bore hole as an accurate test. Virginia Cookson said when borings were done, the core sample was brought up and modeling and high water tables could be established. Borings could occur in many different places with less destruction. A number of borings in many places would provide more information than having one long trench, according to Ms. Cookson. Larry Beals said he knew with absolute certainty that a test pit was more reliable than a 2" boring hole. The bigger the test area, the more accurate the results.

Keith Glidden said he was satisfied with the applicant's ground water testing and information provided. Mr. Glidden requested to see the draft Orders of Conditions regarding monitoring and snow removal as well as wishing to review the presumption that had been rebutted.

Motion made to close the public hearing for the Notice of Intent at 537 Highland St. by Virginia Cookson.

Seconded by Chris Currier.

Vote: Unanimous in favor (Keith Glidden left at 8:05) leaving 5 in favor.

The Commission would review the draft Order of Conditions at their next meeting on October 25. Jim Hankin reminded the Commission that they must make a decision and issue an Order either within 21 days of the close of the public hearing. A decision on October 25 would fall within that 21 day period.

Continued Public Hearing for the Notice of Intent for the Hamilton Wenham Regional High School. 775 Bay Road.

Kathy Hervol (Gale Associates) represented the Hamilton Wenham High School. Ms. Hervol did not recall any pending issues after the previous site walk. Jim Hankin indicated that he had received an e-mail that the School District would not be including the new bleachers or handicapped ramp as shown on the plans. The Notice of Intent would be amended when the School intended on pursuing the structures.

DEP issued no comment according to Jim Hankin. Ms. Hervol stated that neither a snow removal nor a water testing plan was proposed as the project was not a crumb rubber turf field. Virginia Cookson said the material could be added to the Finding. The erosion control barrier would follow where water would flow.

Motion to close the public hearing for the Hamilton Wenham Regional High School at 775 Bay Road for the artificial turf field and renovation of existing fields made by Virginia Cookson.

Seconded by Chris Currier.

Vote: Unanimous in favor.

The snow removal and maintenance plan, erosion control would be included while the home grandstands and handicapped walkway would be excluded, which would be noted in the Order of Conditions. The contractor would do the as-built. Gale Associates would ensure that a Certificate of Compliance was completed.

Motion to issue an Order of Conditions for the Hamilton Wenham Regional High School at 775 Bay Road for the installation of turf athletic fields and other work under that filing including all the usual and special conditions as stated made by Virginia Cookson.

Seconded by Chris Currier.

Vote: Unanimous in favor.

Request for Determination of Applicability 5 Bass Road for a deck and fence.

Jim Hankin explained the layout of the proposal. The deck was proposed to be outside the 50' no build zone. Mr. Hankin showed the Commission photos of the site. A tree would be adjacent to the deck. Existing 60' to 80' trees had notches and dead wood. Their removal would be included in the filing. The fence would be 5'8" and would not trigger a building permit.

Motion to issue a negative determination under the Wetlands Protection Act and the local By-law Chapter 17 for the installation of a deck, fencing, and removal of three trees on the same side of the house as the new deck at 5 Bass Road was made by Virginia Cookson.

Seconded by Chris Currier.

Vote: Unanimous in favor.

Request for Determination of Applicability 36 Bridge St. Title V septic system.

Dan Johnson filed a plan for the applicant. The system was outside of the 50’ no build zone. Jim Hankin showed photos of the test pits and tree line, which mirrored the erosion control. Erosion control was located at the top of the hill. Mr. Hankin said the proposal was similar to other systems within the Commission’s jurisdiction. Virginia Cookson said as it was a small lot, there were no other options.

Motion to issue a negative determination under the Wetlands Protection Act and local Chapter 17 for 36 Bridge St. for a Title V compliance septic system made by Virginia Cookson.

Seconded by Chris Currier.

Vote: Unanimous in favor.

Minutes

Motion to approve the minutes of September 13, 2017 made by Chris Currier.

Seconded by George Tarr.

Vote: Unanimous in favor.

Discussion

Basing their discussion only on information received during the recently closed public hearing, members of the Commission commented on the re-arrangement of the fields at the Pingree School site. An alternate arrangement, as discussed during the hearing would eliminate habitat, stone wall, and impacts of wetlands to the east. There would be no need to move the trail. Virginia Cookson wanted to use the same rationale as would be applied to other applicants. Jim Hankin noted that one abutter would likely appeal the Planning Board decision.

Adjournment

Motion to adjourn made by Bob Cronin.

Seconded by Virginia Cookson.

Vote: Unanimous to adjourn at 8:50 pm.

Prepared by:

Marcie Ricker

Attest Date