

**Hamilton Conservation Commission
Minutes of Meeting of September 24, 2014
Meeting held at Hamilton Town Hall**

Commissioners present:

Richard Luongo, Chair, Virginia Cookson, Stacy Carpenter, Bob Cronin, George Tarr.
Keith Glidden.

Staff present:

Jim Hankin, Conservation Agent

Others present: Mark Boden, Erika Hayden, Jennifer Scuteri

Richard Luongo opened the meeting at 7:00 p.m. Jim Hankin noted that a two page report was received from Mr. Boden's wetland consultant.

Enforcement Order

35 Miles River Road

Francis DiRico

Failure to comply with previous violation notices; alteration of pond and adjacent area without review and approval by HCC

Jim Hankin reported that the status is the same with the posts in, the "no mow" area is not being mowed (25' NDZ to 50' can be mowed once a year), although the wetlands decals have not been installed on the posts. Mr. DiRico's consultant, Gordie Rogerson, did provide Mr. Hankin with a full size site plan.

Bob Cronin moved to delegate the authority to Conservation Agent to lift the Enforcement Order once the decals are affixed and Mr. Hankin is satisfied with them. Stacy Carpenter seconded the motion. The Commission voted unanimously in favor of the motion.

Request for Determination

30 Lincoln Ave

Erika Hayden Owner and Applicant

Invasive plant removal and tree removal

Erika Hayden described the Japanese knotweed invasive species on her property that is encroaching on the house. She is interested in eliminating the knotweed and replacing it with a native species. She also would like to remove a dead tree that is not as close to the wetland area as the knotweed. The Commission reviewed the site plan to identify the wetlands on the lot.

Mr. Hankin mentioned how dead hemlock is next to derelict garage in 25' No Disturb Zone (Building Inspector is working on getting a structural engineer to condemn the building that could be removed with an emergency certification). Ms. Hayden proposed spraying organic systemic herbicide to address the knotweed now and follow-up in the spring. She noted that

there is knotweed on the abutting property. The knotweed is in the No Disturb Zone but not the resource area and the Commission has a precedent of allowing removal of invasive species.

Virginia Cookson moved to issue a Negative Determination under the state regulations and Town by-law. Mr. Cronin seconded the motion. With Special Conditions to use Round-up (systemic) as the specified herbicide for upland as per product directions so additional vegetation will not be killed in the area. The Commission voted unanimously in favor of the motion.

Discussion

1 Surrey Lane, Mark Lampert Boden property owner, review an analysis of forestry work on site and agricultural regulations presented by Mr. Lampert Boden

The Commission discussed the report from Mr. Boden's consultant, the report on file with the Commission office. The Commission's review of the work on Mr. Boden's property is focused on agricultural and forestry regulations that may apply. The consultant's report reviewed the regulations. The Commission has had several meetings on the matter, and conducted a site walk. The greatest amount of work done at the site was outside of the Commission's jurisdiction and buffer zone.

Mr. Boden noted that he has planted 2,000 Christmas trees for future sale in the work area. Mr. Boden reported that his property has been under Chapter 61A for 18 years. Discussion ensued about larger trees that had been cut in the buffer zone before Mr. Boden owned the property and that a fallen tree was removed near road and wetlands.

Ms. Cookson moved that the Commission accept the report submitted by Mr. Boden from Consultant Jeffrey C. Andrews, and to take no further action on this matter. Ms. Carpenter seconded the motion. The Commission voted unanimously in favor of the motion.

Open Space Committee status and update

Discussion with Selectman and Conservation Commission liaison Jennifer Scuteri about Open Space Committee, which is appointed by the Commission as a Commission sub-committee, and whether or not the Open Space plan had been renewed. Ms. Scuteri suggested that grants are available to the Town related to the Open Space plan, and that with upcoming development in Town it is important to ensure the plan is synchronized relative to open space. Mr. Hankin concurred that the Open Space Plan is related to the Town's grant opportunity and he noted that the Town did request approval for an extension on the plan several years ago.

Mr. Hankin described how when the Open Space Committee was put in place as a subcommittee to the Commission there were to be seven resident members who served for three year terms. A vacancy in 2012 was left open, and of the six members appointed, four terms have expired: Fred Shepard, Jackie Hodge, Michele Stecyk and Gretel Clark. The following members of the Committee whose terms are still active until June 30, 2015 include: Nancy Baker, and Zach Peters.

Discussion ensued about how the existing Open Space Plan is comprehensive and although it is expired it could be updated and submitted to the state again for the Town. A new Open Space plan would have to be adopted by Town Meeting.

Discussion addressed how the first step is to reappoint the Open Space Committee according to the by-law with seven resident members. Commissioners suggested contacting existing or former Committee members and publicly announcing the five vacancies (i.e., at a Selectmen's meeting). An application for the Committee is on the Commission's website. Applications would be reviewed in consideration of Committee's responsibilities working as a subcommittee to the Commission.

Acceptance of minutes of August 13, 2014 and September 10, 2014

George Tarr moved to accept the minutes of August 13, 2014. Ms. Carpenter seconded the motion. The Commission voted unanimously in favor of the motion with only members in attendance at the meeting voting (Richard Luongo, Virginia Cookson, Bob Cronin, and George Tarr).

Ms. Carpenter moved to accept the minutes of September 10, 2014. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion with only members in attendance at the meeting voting (Richard Luongo, Virginia Cookson, Stacey Carpenter, and George Tarr).

Discussion about future site walks and meetings

There is a site walk scheduled for October 4, 2014 but there is nothing planned and there are no items for the Commission's October 8, 2014 meeting agenda.

Coordinator's Report

Mr. Hankin reiterated what Ms. Scuteri had mentioned that Christine Berry, Community Preservation Committee Coordinator has moved on. That position is being expanded to also include support for the Historic District Commission and Affordable Housing Trust. In addition, the Town is close to hiring a Planning Director with three finalists identified. The Town has hired part time positions: Information/Communication Specialist who created a Facebook and Twitter account, and Energy person working for the DPW.

The Phragmites removal and planting of native species is starting next week at the landfill site. Another goal at the landfill is to finish the capping during the winter.

Mr. Tarr moved to adjourn. Ms. Cookson seconded the motion. The Commission voted unanimously in favor of the motion. Commission adjourned at 7:57 p.m.

Minutes submitted October 6, 2014 by Jane Dooley