

LAND MANAGEMENT PLAN FOR  
**CHEBACCO WOODS**

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Town of Hamilton

Town of Manchester-by-the-Sea

**Original July 1998**

**Final  
August 1999**

**As Amended July 1, 2003**

**As Amended May 10, 2005**

Chebacco Woods Land Management Committee

Dana L. Hansen, Chairman  
Virginia M. Cookson  
Robert W. Moroney (ex officio)  
Susan Sandler Ralph C.  
Smith

Daniel R. Tieger

### **Purpose of The Land Management Plan**

- A) Chebacco Woods consists of two abutting parcels of land (parcels A and B) in the town of Hamilton. Parcel A is the property acquired by the Towns of Hamilton and Manchester-by-the-Sea from Gordon College in 1998. Parcel B is the Manchester-by-the-Sea Drinking Water Supply land, which is also in Hamilton. Refer to the map at the end of the document. The purpose of this plan is to formally and clearly define the intended uses of Parcels A and B, the intervention necessary to perpetuate those uses, the parties involved in the managing of the site and the system for sharing the costs incurred with managing Parcel A and B for the uses specified in Section IV C.
- B) This document will be kept by the Town of Hamilton, the Town of Manchester-by-the-Sea and the Massachusetts Division of Conservation Services to record the agreement on how to manage the property and to meet the Division of Conservation Services Self-Help grant requirement.
- C) All amended versions of this document will be sent to each town's board of selectmen, the conservation commission, the town clerk, the department of public works and to the state Division of Conservation Services. Amendment procedures are set forth in Section IV.

### **II. Self-Help Grant Program Requirements (Parcel A)**

- A) The property must be open to entry and use by all persons who are otherwise eligible regardless of race, color, national origin, religion, disability or sex.
- B) Discrimination on the basis of residence is prohibited. When there is no charge for residents, fees may not be charged for non-residents. The prohibition against fee or other access limiting systems may be waived by the Secretary of the Executive Office of Environmental Affairs, or his/her designee where the applicant can justify said system or demonstrate an inability to adequately manage or maintain the property.
- C) Parcel A must be retained and used for conservation and passive outdoor recreational use, consistent with the policy of the Commonwealth as per M.G.L. c. 132A, s.2B and 2D and the opinion of the Attorney General dated May 6, 1966. Any property so acquired must not be wholly or partly converted to other than conservation or passive outdoor recreational uses without the approval of the Secretary of the Executive Office of Environmental Affairs. The Secretary may require specific compliance with the Program Project Agreement or may approve the conversion with or without conditions. Said conversion must also be in compliance with Article 97 of the Amendments to the State Constitution. In addition, lands acquired with bond funds provided by Statute 1996, Chapter 15 are subject to reversion should the property be converted to other uses without this approval.

### **III. Manchester-by-the-Sea Drinking Water Supply Protection Requirements**

- A) All Land Management Plan policies and regulations on Parcel B are superceded by all state and local laws and regulations that govern the protection of the water supply including but not limited to the allowable uses stated in the Conservation Restriction granted by the Town of Manchester-by-the-Sea to the Town of Hamilton.
  
- B) Parcel A, jointly owned, is adjacent to Parcel B. Much of Parcel A drains to this surface water supply (Parcel B). See Deed Book 1952 Page 405 Essex South Registry of Deeds for Town of Manchester-by-the-Sea water rights. The Land Management Committee shall work with and be receptive to concerns for public health and protection of the drinking water supply as expressed by the Manchester-by-the-Sea Board of Selectmen, which serves as the town's Board of Water and Sewer Commissioners.

### **IV. The Land Management Committee**

- A) A 6-person Land Management Committee (5 voting and 1 non-voting) comprised of the following members will establish policies and be responsible for guidance and oversight for the management of the jointly owned Hamilton Parcel (Parcel A) and the Manchester-by-the-Sea Drinking Water Supply Parcel (Parcel B), subject to the provisions and reservations of Sections I, II and III above:
  - 1) Two members recommended by the Manchester-by-the-Sea Conservation Commission and appointed by the Manchester-by-the-Sea Board of Selectmen. The term of appointment shall be 3 years beginning July 1 of the year of appointment except when filling a vacancy under IV B). At least one such appointee shall be a member of the Manchester-by-the-Sea Conservation commission unless the Manchester-by-the-Sea Conservation commission and the Manchester-by-the-Sea Board of Selectmen decide otherwise.
  
  - 2) Two members recommended by the Hamilton Conservation commission and appointed by the Hamilton Board of Selectmen. The term of appointment shall be for 3 years beginning July 1 of the year of appointment except when filling a vacancy under IV

B). At least one such appointee shall be a member of the Hamilton Conservation Commission unless the Hamilton Conservation Commission and the Hamilton Board of Selectmen decide otherwise.

- 3) One member appointed by the two boards of selectmen, upon recommendation of the two conservation commissions. The term of this appointment shall be for three years beginning July 1 of the year of appointment.

Amended May 10, 2004

- 4) One *ex-officio* (non-voting) member from the Manchester-by-the-Sea Department of Public Works, to be appointed annually by the Manchester-by-the-Sea Board of Selectmen.

- B) In the event that any member of the Committee departs before the expiration of his/her term, a successor shall be appointed to serve the remainder of the term. This appointment shall be *in the same manner and-by the same Board(s) that* appointed the departing member.

Except for extraordinary circumstances, any committee member who has failed to attend three consecutive scheduled meetings of the Land Management Committee shall be considered to have resigned, and a replacement shall be appointed as set forth above, to serve the unexpired term.

- C) Management provided by the Land Management Committee for Parcels A and B shall include but not be limited to:

1. enforcing the provisions of allowed and prohibited land uses;
2. providing for construction and maintenance of trails, signs, parking, forest management, fire prevention and control;
3. setting land use policies consistent with all provisions of this document;
4. hiring contractors or engaging volunteers to implement all the above management practices. State bidding and prevailing wage laws and all other laws shall be complied with.
5. walking the land a minimum of four times a year by at least one member of the Land Management Committee;
6. preparing an annual state of the land report;
7. preparing annual budget requests and accounting for all income and expenses;
8. providing for educational and recreational events;
9. seeking and administering grants.

- D) The Land Management Committee will meet as needed during the start-up phase; thereafter, the Committee will meet at least once annually to review the Land

Management Plan and consider policy issues that may arise from time to time. The Land Management Committee is a public body and shall comply with all Open Meeting Laws and Conflict of Interest Laws. All meetings shall be

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posted and open to the public. The meetings shall be posted with the town clerk from each town and open to the public. The public will have a chance to speak and minutes will be taken.

- E) Subject to the provisions of Sec. II.C and Sec. V (so far as it relates to Parcel A), the Land Management Committee may amend this plan, with the concurrence, in writing of all four signatories to the Plan (the Hamilton Selectmen and Conservation Commission, and the Manchester Selectmen and Conservation Commission), pursuant to the following process:
1. Proposed amendments to the Plan may be initiated in writing by the Management Committee or submitted in writing to the Management Committee by the public or any of the four signatories to the plan.
  2. The Management Committee shall schedule a public hearing on any proposed Plan amendment with notice; a) by advertising in a newspaper circulated in the Towns of Hamilton and Manchester, said advertisement to appear at least 14 days prior to the date of the public hearing; and b) by a certified mailing to each of the four signatories to the Plan, said mailing to be postmarked at least 14 days prior to the date of the public hearing; and c) by posting the full text of the proposed amendment in the Hamilton and Manchester Town Clerks' Offices, with copies of said full text provided to both Towns' Selectmen and Conservation Commissions. Each of the four signatories shall make every effort to be represented at said public hearing.
  3. Each of the four signatories to the Plan shall, within 30 days after said public hearing, vote by majority vote to determine if the proposed amendment to the plan shall be adopted. The results of each vote shall be conveyed to the Management Committee in writing within 5 days of said vote.
  4. If any of the four signatories fails to act within said 30 days, the proposed amendment shall be deemed to have been duly approved by a majority of that Board or Commission.
  5. If all four signatories approve the proposed amendment by majority vote or default, the amendment shall be deemed adopted, and the Management Committee shall revise the Plan accordingly, with copies, as amended, provided to Hamilton's and Manchester's Town Clerks, all four signatories to the Plan, and the Massachusetts Department of Conservation Services. Pages revised or added will be dated in the upper right corner of the page. A permanent record of changes and additions shall be maintained in the Land Management Committee's files, copies shall be numbered, and a list of copyholders shall be maintained to insure notification of amendments to all copyholders.
  6. If any one or more of the four signatories to the Management Plan votes by majority vote within 30 days of the date of the aforesaid public hearing to disapprove the proposed amendment, the amendment will be deemed to have failed. (However, failure to vote is deemed approval of the amendment, as set forth in W: E. 5 above.)

## V. Land Use

Subject to the prohibited and allowable uses specified in Section VI,

Parcel A: land use will be conservation and passive recreation only. In addition to the conversion requirements mandated by the state (see Section II), any such conversions, as well as any deletion or amendment of this sentence, shall also require the approval by the Town meetings of Hamilton and Manchester-by-the-Sea and by the Manchester Conservation Trust, Essex County Greenbelt Association, and the Hamilton Wenham Open Land Trust (or any successor organization of the aforementioned organizations)

Parcel B: land use will be passive recreation, water supply, distribution and water treatment.

## W. Land Management

### A) Parcel A

The Provisions of Section VI A and Section V. (so far as they apply to Parcel A are subject to the limitations stated in Section II. C.)

#### 1. The following acts and uses are prohibited on the premises:

Swimming;

Camping;

Possessing alcoholic beverages or controlled substances;

Constructing or placing of any building, tennis court, landing strip, mobile home, swimming pool, septic system, road, fence, billboard or other advertising display, utility, conduit, pole, tower, windmill, temporary or permanent structure or facility on, above or below ground, or sign or gate, or asphalt or concrete pavement other than those erected or authorized by the Land Management Committee;

Mining, excavating, dredging or removing from the premises of soil, loam, peat, gravel, sand, rock or other natural deposit,

Dumping or placing of soil or other substances on the ground as landfill, or dumping or placing of vehicle bodies or parts, junk, refuse, trash, solid or chemical waste or unsightly or offensive materials;

Cutting, removing or otherwise destroying trees, grasses or other vegetation;

Building of fires;

Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation;

Use of motor vehicles, including but not limited to cars, trucks, motorcycles, all-terrain vehicles and snowmobiles;

Any other use of the premises or activity which would impair significant conservation and/or passive recreation uses.

2. Exceptions to otherwise Prohibited Acts and Uses subject to the prior authorization by the Land Management Committee:

Unpaid trail maintenance to preserve the conditions of the premises;

Cutting or removing trees, grasses or other vegetation for trail clearance, parking areas and management of invasive species under plans approved by the Land Management Committee;

Use of motor vehicles as may be reasonably required by police or firefighters or for maintenance as directed by the Land Management Committee;

Erection of signs authorized by the Land Management Committee to educate the public about the conservation values protected and any limitations relating to public access.

3. Allowable uses:

All people are welcome from 1/2 hour before sunrise until 1/2 hour after sunset,

Passive recreation and low impact uses are allowed such as hiking, cross-country skiing, horseback riding, picnicking, mountain biking and environmental education programs subject to further regulation by the Land Management Committee;

Within forested areas, in accordance with generally accepted forest management practices, selective pruning and cutting to maintain trails or to prevent, control, or remove: hazards, disease, insect damage, fire, or invasive species;

Activities designed for and in conjunction with the public use of the premises for passive recreation and education, including but not limited to: the placing of interpretive signs and benches; the placing of gates, fences and regulatory signs to direct and control visitors;



and the construction, maintenance and marking of trails. Trails shall be unpaved.

Hunting, only with a special permit issued by the Land Management Committee. Hunting must also be in compliance with the Town of Hamilton bylaws regarding hunting and use of firearms.

## **B) Parcel B**

### **1. Prohibited Activities:**

Constructing or placing of any building, tennis court, landing strip, mobile home, swimming pool, septic system, road, fence, billboard or other advertising display, utility, conduit, pole, tower, windmill, temporary or permanent structure or facility on, above or below ground, or sign or gate other than those erected or authorized by the Land Management Committee as approved by the Town of Manchester-by-the-Sea DPW;

Dumping or placing of soil or other substances on the ground as landfill, or dumping or placing of vehicle bodies or parts, junk, refuse, trash, solid or chemical waste or unsightly or offensive materials;

Cutting, removing or otherwise destroying trees, grasses or other vegetation;

Swimming;

Fishing on Gravelly Pond;

Boating on Gravelly Pond;

Mining, excavating, dredging or removal of loam, peat, sand, gravel, soil, rock or other natural deposit,

Any commercial, industrial or institutional use;

Use of motor vehicles including but not limited to boats, cars, trucks, motorcycles, all-terrain vehicles and snowmobiles;

Use of the premises except as a water supply, distribution and treatment area and for passive recreational purposes or other purposes which permit the premises to remain predominantly in its natural and open condition;

Activities detrimental to drainage, flood control, water or soil conservation, water quality, or erosion control;

Building of fires;

Any other use of the premises or activity which would impair the conservation values unless such use or activity is necessary and desirable for the protection of the conservation values that are subject to the conservation restriction on said premises;

2. Exceptions to Otherwise Prohibited uses subject to prior authorization by the Manchester by the Sea Board of Selectmen and the Land Management Committee:

Constructing or placing of any building or other temporary or permanent structure or facility on, above, or below ground for water supply, distribution and treatment purposes;

Placing of soil or other substances on the ground as landfill or the installation of underground storage tanks for water supply, distribution and treatment purposes;

Cutting, removing or otherwise destroying trees, grasses or other vegetation as required for trail clearance, parking areas, management of invasive species, and water supply, distribution and treatment purposes;

Mining, excavating, dredging or removal of loam, peat, sand, gravel, soil, rock or other mineral substances or natural deposits as necessary for proper drainage or soil conservation and as required for water supply, distribution and treatment purposes;

Use of motor vehicles including but not limited to boats, cars, trucks, motorcycles, all-terrain vehicles and snowmobiles, as may be reasonably required by police, firefighters or other government agents in carrying out their lawful duties and for cars and trucks as required for water supply, distribution and treatment purposes;

Use of the premises as a water supply, distribution and treatment area and for passive recreational purposes or other purposes;

3. Reserved Rights for Parcel B:
  - a. All acts and uses not prohibited in Prohibited Uses for Parcel B.
  - b. The Town of Manchester-by-the-Sea also reserves the right to conduct or permit the following activities on the premises, but only if such activities do not impair the natural and open space values protected by the conservation restriction on said premises:

Activities designed to protect and utilize the premises as a public water supply, provided that the construction and installation of any buildings or utilities shall be with prior written notice to the Town of Hamilton;

- ii. Hiking, cross-country skiing, horseback riding, bicycling, picnicking, environmental education programs and other passive recreational and educational activities;
- iii. Fishing and non-motorized boats on Round Pond;
- iv. Activities designed for and in conjunction with the public use of the premises for passive recreation and education, including but not limited to: the placing of interpretive signs and benches; the placing of gates, fences and regulatory signs to direct and control visitors; and the construction, maintenance and marking of trails. Trails shall be unpaved;
- v. Within forested areas, in accordance with generally accepted forest management practices, selective pruning and cutting to prevent, control, or remove: hazards, disease or insect damage, fire, or invasive species and to maintain trails and to preserve the premises as a public water supply.
- vi. Activities designed to enhance the ecological or natural historical value of the premises, including wildlife habitat improvements;
- vii. All of the above activities are subject to the applicable Hamilton town by-laws and applicable state laws and regulations.

## **VII. Parking**

Parking will be permitted in the approximately 7 off-street spaces at the main trail head in Hamilton on Chebacco Road as it approaches Villa Road. Overflow parking will be directed to the Town of Hamilton beach parking lot on Chebacco Road

## **VIII. Maintenance and Trail Management**

The Land Management Committee is mandated to prepare an annual state of the land report. The annual state of the land report shall be submitted to both boards of selectmen and conservation commissions and will be prepared in time to be included in the annual reports of both Hamilton and Manchester-by-the-Sea.

The Land Management Committee shall advise in writing the conservation commissions of both towns regarding any project involving an expenditure of \$2500 or more. These reports will include information about the project's progress and its financial status.

Trail maintenance may consist of clearing of fallen trees and branches; filling or stabilizing rutted or eroded areas, and the extraction of trash.

Trail maintenance work can be delegated or subcontracted.

Trails will not pass through critical habitats.

Trails will not cause erosion or soil damage.

Trail maintenance shall include a regular spring walk through every trail to inventory storm damage, record trail obstacles and schedule maintenance work.

#### **IX. Management Costs**

When the towns are preparing their budgets, the Land Management Committee shall submit its proposed budget to the selectmen of each town. The two boards of selectmen will determine the Committee's annual budget and appropriate funds to be managed by the Committee for purposes specified in Section IV.C. The approved budget shall include costs to the Town of Hamilton or the Town of Manchester-by-the-Sea of all in-kind services provided by Hamilton or Manchester-by-the-Sea.

The Town of Hamilton or the Town of Manchester-by-the-Sea may perform such activities to the extent requested by the Land Management Committee. Charges for all tasks shall be agreed to in writing prior to performance.

The Town of Hamilton will administer all financial functions and pay all bills on a current basis. The Town of Manchester-by-the-Sea shall reimburse the Town of Hamilton for one half of the land management costs plus an annual administrative surcharge of \$250.00. This surcharge may be increased or decreased from time to time by the two boards of selectmen.

A majority of the voting members of the Land Management Committee present and voting at a meeting may approve expenditures. The Chair of the Committee or a person designated by the Chair may thereupon authorize the Hamilton Town Accountant to disburse funds in accordance with the annual budget. The Hamilton Town Accountant will be provided an explanatory cover sheet and an invoice or invoices or other evidence of payment made or due.

The Land Management Committee will prepare an annual statement of income and expenditures that shall be submitted to both boards of selectmen and conservation commissions.

#### **X. Liability**

Both Hamilton and Manchester-by-the-Sea will share equally both legal and insurance liability for claims arising from the use of Parcel A. See Appendix D.

The Land Management Committee shall keep a log of precautions taken such as repair and trail work, warning signs put up, and citizen reports. (See Trail Maintenance, Section VIII.)

## **XI. Signage**

- A. Parcel A, a Self-Help project, must be designated as such by a permanent sign which identifies the project as a cooperative venture between the municipal conservation commissions and the Commonwealth of Massachusetts. This sign must be permanent and clearly visible. The sign should be placed at one or more prominent access points to Parcel A. The sign must clearly state that swimming is prohibited in both Round Pond and Gravelly Pond.
  
- B. Parcel B, such signage as erected or authorized by the Land Management Committee as approved by the Manchester-by-the-Sea Director of Public Works.

## **XII. Maps Significant Natural Resources and Trails**

Specific Uses of Specific Areas: (basically a delineation between Parcel A and Parcel B).

Significant Natural Resources and Trail Maps in Preparation.

## Appendix A

### Site Description: Parcel A

The Chebacco Woods, Hamilton Parcel (Parcel A and subject of the Self-Help Grant) comprises 113 acres of vacant residentially-zoned land located generally to the southwest of Chebacco Road and east of Essex Street in the southeastern portion of the Town of Hamilton. The parcel is referenced for taxation purposes by the Town of Hamilton as flap 70, parcel 3. The direct frontage on Chebacco Road totals approximately 818 feet. This frontage is bisected by one outparcel at the easterly/westerly sections. The easterly section of frontage reportedly contains approximately 563 feet, and the westerly section, some 245 feet. The total Essex Street frontage in the northwestern portion of the site totals approximately 320( feet.

The overall configuration is highly irregular with a total width of 2,175 feet and an extreme lot length of 5,100 feet. The current tract configuration is the result of previous divisions and sales of frontage land along Chebacco Road and Essex Street. The southwestern boundary of the property is formed by the Hamilton/Wenham town line over a distance of approximately 1,565 feet.

The site topography is characterized by generally hilly, undulating terrain. The northerly two-thirds of the main body of the tract consists of one primary hill surrounded by a series of rock promontories and well-defined ridges and valleys. Rock outcrops are evident on most of the high points in the northeastern half of the property. Elevations range from approximately 50 feet just south of the eastern portion of the Chebacco Road frontage, to a high point of 171 feet at the center of the most prominent hill. The western portion of Chebacco Road frontage is highly constrained by 60-75% slopes consisting primarily of ledge. The westerly half of the eastern portion of Chebacco Road frontage is moderately constrained by 25 to 40% slopes, and the easterly portion is low, level, and readily accessible via an existing trail from the paved edge of Chebacco Road. Approximately 220 feet south of the Chebacco Road frontage along this trail there is a possible vernal pool.

The southerly third of the main body of the property is bisected by a 150 foot-wide lowland valley and drainage course that traverses nearly the entire width of the property. This valley gradually descends toward the southeast and eventually outflows into Coy's Pond and Round Pond.

To the south of the drainage course, the final third of the property abruptly rises to a high point of 158 feet, and the general terrain is very similar to that of the northerly two-thirds.

With the exception of a well-defined series of interior footpaths and trails, the subject property is entirely vacant and densely wooded in mixed hardwoods and evergreen forest.

## Appendix B

### Site Description: Parcel B (Excerpt From Conservation Restriction to the Town of Hamilton)

#### Exhibit A

Parcel B is Manchester-by-the-Sea Water Supply Land located in the Town of Hamilton and is 250 acres:

*Plan entitled Plans of Lands, Water and Water Rights*, dated August 1, 1908 made by Raymond C. Allen and recorded with Taking Deed dated August 18, 1908 and recorded with said Deeds in Book 1930, Page 538 and Taking Deed dated January 29, 1909 and recorded with said Deeds in Book 1952, Page 405.

2. Plan entitled *Plan of Land Located in Manchester and Hamilton Massachusetts in the Vicinity of Gravelly and Round Ponds*, dated May 12, 1949 made by Richard A. Wining and recorded with said Deeds on December 27, 1949 in Plan Book 78, Plan 98 and referenced in Taking Deed recorded with said Deeds in Book 3173, Page 278.

Plan entitled *Plan Showing a Portion of Land Located in Hamilton, Mass. Belonging to Gordon College*, dated February 10, 1967 made by Richard A. Wirling and recorded with said Deeds on July 3, 1967 in Plan Book 109, Plan 38 and referenced in Deed recorded with said Deeds in Book 5455, Page 468.

## Appendix C

### Wildlife Inventory

This parcel is the core of an extensive wildlife habitat that serves as an integral link for the woodlands that stretch from West Gloucester to Beverly paralleling Route 128. It is more than a simple corridor for wildlife, it is habitat for many woodland species native to New England.

The following species have been observed on the property from February to April 1995:

#### Birds

American woodcock  
Broadwinged hawk  
Turkey  
Pileated woodpecker  
Yellow-shafted flicker  
Barred owl  
Blue jay  
Crow  
Hermit thrush  
American robin  
Eastern phoebe  
Tufted titmouse Black-capped chickadee Pine warbler  
Purple finch  
American goldfinch

**Amphibians** Spotted salamander Red-backed salamander Wood frog  
Green frog  
Spring peeper  
American toad

#### Reptiles

Eastern garter snake  
Eastern painted turtle  
Snapping turtle

#### Mammals

Opossum  
White-footed mouse  
Meadow vole  
Woodchuck  
Star-nosed mole  
Short-tailed shrew  
Striped skunk Long-tailed weasel Fisher  
River otter  
Red fox  
Coyote  
Eastern chipmunk  
White-tailed deer  
Grey Squirrel  
Red Squirrel  
Southern flying squirrel  
Raccoon



**Gordon Woods - Hamilton (113+/- acres)**  
**Project Cost: \$1.93 million**

State Self-Help grant	\$600,000
Town of Hamilton	\$440,000
- Conservation Fund	\$250,000
- Clark Fund	\$190,000
	\$240,000
Town of Manchester	
	\$150,000
Private fund drive - Hamilton	
	\$125,000
Private fund drive - Manchester	
Manchester Conservation Trust	\$100,000
Essex County Greenbelt	\$100,000
New England Biolabs	\$100,000
Foundation grants	\$ 75,000

Proposed Amendment to the Chebacco Woods Land Management Plan  
February 14, 2004

Effective June 30, 2004

Delete IV. A) 1) and IV. A) 3) and insert as IV A) 1) "Two members recommended by the Manchester-by-the-Sea Conservation Commission and appointed by the Manchester-by-the-Sea Board of Selectmen. The term of appointment shall be for 3 years beginning July 1 of the year of appointment except when filling a vacancy under IV B). At least one such appointee shall be a member of the Manchester-by-the-Sea Conservation Commission unless the Manchester-by-the-Sea Conservation Commission and the Manchester-by-the-Sea Board of Selectmen decide otherwise."

Delete IV A) 2) and IV. A) 4 and insert as IV A) 2) "Two members recommended by the Hamilton Conservation Commission and appointed by the Hamilton Board of Selectmen. The term of appointment shall be for three years beginning July 1 of the year of appointment except when filling a vacancy under IV B). At least one such appointee shall be a member of the Hamilton Conservation Commission unless the Hamilton Conservation Commission and the Hamilton Board of Selectmen decide otherwise."

Delete IV A) 5) and insert as IV A) 3) "One member appointed by the two boards of selectmen, upon recommendation of the two conservation commissions. The term of this appointment shall be for three years beginning July 1 of the year of appointment."

Retitle IV A) 6) IV A) 4).

Amended May 10<sup>th</sup>