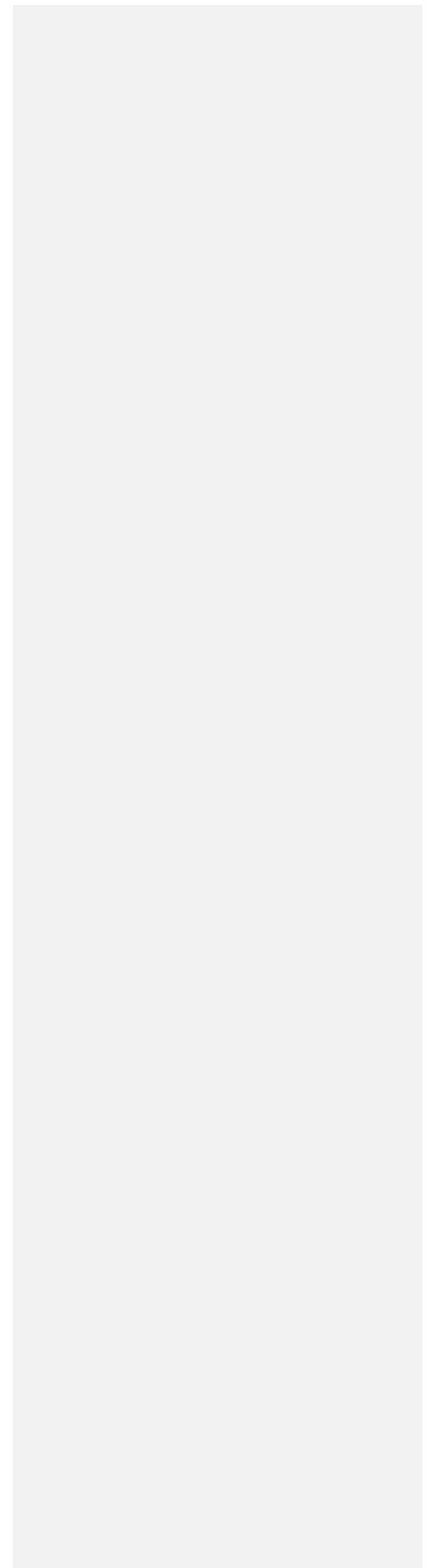


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# **Open Space and Recreation Plan for the Town of Hamilton Second Update and Revision**

Town of Hamilton Massachusetts  
Town Hall  
577 Bay Road  
PO Box 429  
Hamilton, MA 01936  
September 2015

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**Comment [J1]:** I have not re-formatted the TOC

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Plan Summary:

## SECTION 1 PLAN SUMMARY

Hamilton's history is that of a rural town, one in which the stewardship of land for agriculture, equestrian use, and passive enjoyment of nature and wildlife has been a primary factor in shaping its character. Although the town functions as a residential suburb to Boston and the North Shore and the Route 128 urbanized areas, preservation of its remaining rural character is a high priority. This theme dominates both the original 1965 Master Plan for Hamilton, authored by the renowned planner Charles Eliot, and its recently updated version, as well as successive Open Space and Recreation Plans, including this one.

The preparation of this plan involved:

- Updating inventory of open space resources, special natural features, and cultural resources of the town;
- Analyzing the challenges to maintaining these values.
- Formulating a five-year action plan to evaluate priorities regarding current open space goals. This plan focuses on assuring reasonable and vibrant protection for the valued open spaces.

This should include priority needs and recommended actions/projects. It can be included at the end of the process, once public input has been received.

## SECTION 2 INTRODUCTION

### **A Statement of Purpose**

In answer to the often-asked question “What is open space?” the Town recognizes that the interests protected by Article 97 of the Commonwealth of Massachusetts Constitution and guaranteed to the people of Massachusetts as constitutional rights should be considered in determining what parcels to prioritize for protection. These interests include biodiversity and habitat protection, water resources protection, preservation of working and historic farms, preservation of scenic vistas, and passive-use recreation. These priorities have been adopted pursuant to the constitutional provisions by the Executive Office of Energy and Environmental Affairs (EEA) and emphasize preservation of natural resources and the ability of the public to enjoy those preserved natural areas.

The Town supports the agency in its statement that “We must be careful, however, not to view open space solely as a mechanism against growth. In Massachusetts, our landscape encourages the natural and built environments to work in unison, not against one another. This model creates a unique, vibrant and healthy place to live, work, play and visit.”

In evaluating open space parcels for preservation, this Plan notes that our town already has a great deal of open space that is permanently protected. In two areas of town, roughly at the eastern and western extremities, there are large amounts of open space that are contiguous to similar quantities of open space in neighboring towns. These connections form large wildlife corridors, and provide significant watershed protection. They include several working farms and forests, some of which provide exceptional passive recreational resources.

Hamilton’s open space and recreation plan is not intended to promote or prevent development, to provide municipal revenue, or to determine land use. Rather, this plan should act as a guide to preserving the various resources under the

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COMMUNITY SETTING:

open space and recreation umbrella while Hamilton continues to grow and change.

This should include citation of significant acquisitions, other protections, projects or policy changes since the last plan.

## B Planning Process and Public Participation

This update of the Hamilton Open Space and Recreation Plan was developed by Town Hall staff and consultants. ~~The Drafts of~~ this Plan ~~was-were~~ presented to groups of citizens at two public forums on (insert dates). The town's consultant also solicited input regarding current needs and opportunities from stakeholder groups including volunteer boards and committees, recreation service providers, trail users, and resource preservation organizations. The Draft Plan was also posted at the Town website. Comments were invited at both the forums and through the website via email. All comments have been logged and responded to by staff. This is included as an Appendix to the Plan.

**Comment [J2]:** verify with dates etc.

The format of this plan conforms to the specifications set forth by the Commonwealth of Massachusetts Division of Conservation Services (DCS).

# SECTION 3 COMMUNITY SETTING

## A Regional Context

### General Physical Location

Hamilton is located in Boston's North Shore region in Essex County, Massachusetts. The Ipswich River forms the northern boundary between Hamilton and the Town of Ipswich. Hamilton is bordered by Essex to the east, Wenham to the south and Topsfield to the west, with Manchester touching the southeast corner of Town. See "Location map of Hamilton", in the map section.

The center of Hamilton is approximately 27 miles by road

**Comment [J3]:** Yellow highlights mean that highlighted text needs to be verified as properly labeled in the appendix of updated version; and yellow highlights also point out the tables need to be updated

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COMMUNITY SETTING:

from the State House in Boston. Routes 128 and I-95, important commuter highways in the Boston metropolitan region, are located a few miles from Hamilton's borders. The Newburyport line of the commuter rail system connects South Hamilton with Newburyport, Ipswich, Beverly, Salem, and Boston. Beverly Airport is convenient for recreational flying and corporate aircraft. Proximity to transportation corridors, scenic amenities and a reputation for fine schools have made Hamilton an attractive "bedroom community" for professionals working in Boston, Beverly, Salem, and Route 128 technical and industrial firms.

Though sections of Hamilton possess suburban characteristics, it would be inaccurate to classify Hamilton as merely another Boston suburb. The handsome Historic District and several large tracts of forest and agricultural lands contribute to Hamilton's "small town" New England feeling. Some of these open lands are protected from development by conservation restrictions or by inclusion in state parks or nature preserves owned by environmental organizations. However some of the town's remaining open land is fully developable should current private owners decide to sell.

The North Shore's trails, lakes, beaches and marinas afford many opportunities for outdoor recreation. Hamilton residents can make use of ocean beaches and marinas outside of Town borders. Hamilton's trail system is a recreational resource of immense value to horseback riders, hikers, cross-country skiers and mountain bikers.

The Ipswich River offers historical (the location of the old Willowdale mill, now an ECGA reservation), and recreational (canoeing, swimming and fishing) as well as natural (animal, plant and fish habitat) value. ~~Other local waterways of interest are the Miles River, Wenham Swamp and Wenham Lake.~~

Hamilton features a plentiful supply of freshwater resources. The Ipswich River, the Miles River, and its tributaries including Black Brook, plus Chebacco Lake and Beck's Pond, all undoubtedly aided the farmers in Hamilton's early history, the development of the town as a recreational area was also dependent on the existence of these waters. Today the ponds and streams remain an integral part of the scenic quality which draws people to the area.

**Comment [J4]:** "Non-Hamilton" text has been redacted; this is a brief example of what the type of text I have deleted. If typically OSRP's include regional data the we can out this stuff back in...I deided

**Comment [SB5]:** Shared resources should be in next section, which is required.



COMMUNITY SETTING:

**Resources Shared With Neighboring Towns**

Natural resource areas, and particularly water resources, are no respecters of town boundaries, so although this document is centered on Hamilton, it is evident throughout that our resources and open spaces interact with those of neighboring towns, and in the case of the Ipswich River, even far away towns.

The Ipswich River is approximately 35 miles long and its watershed covers about 155 square miles, extending from the Wilmington-Reading area inland to the sea at Ipswich. The surface and groundwater resources of the basin are intensively used for public water supply (see **Table 3-1** Towns Drawing Municipal Water From Ipswich River basin).

**Comment [J6]:** Is this section necessary under state rules?

**Comment [SB7]:** Yes, the State will look for this information.

**Comment [J8]:** I suppose it doesn't hurt to include this. We DO have concerns with the regional vs. municipal character of the issues surrounding the River...

Table 3-1 Towns Drawing Municipal Water From Ipswich River basin

Beverly
Danvers
Hamilton
Lynn
Middleton
North Reading
Peabody
Reading
Salem
Topsfield
Wenham
Wilmington

Chebacco Lake is a key recreation and water resource for Essex as well as Hamilton. Manchester owns and uses water resources in Hamilton. Hamilton, Wenham, and Topsfield all have parts of the Great Wenham Swamp wetlands system within their boundaries. Clearly, resource and recreation planning for our town must be to a great extent regional planning as well.

Hamilton shares many active and passive recreation municipal resources with other North Shore communities. (Only a brief summary will be given here; for a more detailed account see the "**2001-2012 Recreation Master Plan**".) Within Hamilton there is Patton Park which consists of 15.5 acres of open space. The Park is located on Route 1A close to the police and fire station and business center of town. The following activities at the park are used by both Hamilton and Wenham residents and its

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COMMUNITY SETTING:

out-of-town visitors.

- Regulation baseball diamond (Youth Leagues, men’s softball, senior league baseball, girls’ softball, women’s softball, and intertown baseball)
- Little League diamond
- Horseshoe pit (multitown tournaments)
- A new municipal swimming facility is proposed for Patton Park which will be completed within the five year term of this updated edition of the OSRP.

**Comment [J9]:** Do we need to confirm which of these features are on Myopia land and if they will survive pool construction?

Other Patton Park facilities that are shared by other communities include the recently expanded and improved children’s play area, the skating at Weaver Pond, the picnic area (which has grills and benches), the basketball court, and the tennis courts. Both courts have municipal lighting for night time use. Lastly, children of all ages come from all over to climb aboard the famous olive-drab Patton tank that sits in the middle of the Park. Summer concerts at the Patton Park bandstand at the gazebo are open to all.

At the Recreation Center, located adjacent to the Hamilton-Wenham Public Library on Union Street, programs held in the gym for Hamilton and Wenham residents of all ages include youth basketball, gymnastics, beano, badminton, senior citizens aerobics, and adult volleyball. The Recreation Center’s playing fields are used for U6 and U8 soccer and Hamilton Wenham High School field hockey.

Bradley Palmer State Park is an important regional recreation and open space resource that is partially in Hamilton.

~~The Road Safety Committee~~

**Comment [J10]:** Regional trails redactions here

**Comment [SB11]:** I would include a little about this important trail system, maybe approximate miles and what they can be used for.

**Discover Hamilton Trail.**

The Discover Hamilton Trail is a 10-mile long trail that links a greenway in the Town of Hamilton with the Bay Circuit Trail in Ipswich and the Hamilton Historic District. Open space parcels include the Appleton Farms Grass Rides, Bradley Palmer State Park, Harvard Forest, Pingree Reservation, and Willowdale Mill Reservation.

**Comment [J12]:** The Road Safety Comm. no longer exists. As far as I know their Master Plan went not much further than the planning stage...the next several pages of text from 2009 update are devoted to the RSC and Master Plan of Road Safety, I’ve stricken them.

**Trail Maps**

Below is a list of free trail maps available to the hiker to navigate the maze of trails through Hamilton:

COMMUNITY SETTING:

Hamilton –Wenham Trails Map. Available at Town Hall and the Hamilton –Wenham Public Library;

Comment [J13]: Very limited quantities of these remain

Bradley Palmer State Park Trail Map. Available at Park Headquarters, located off Asbury Street.

Bradley Palmer State Park Self-Guided Nature Trail Map. Also available at Park Headquarters.

Appleton Farms – Hamilton and Ipswich, Massachusetts. Map available at the Highland Avenue Trail Head in Hamilton.

Chebacco Woods Trail Map. Available at the Trail Head located on Chebacco Road in Hamilton.

Border to Boston Rail Trail. Map available from MassBike/North Shore, P.O. Box 308, Hathorne, MA 01937.

Bay Circuit Trail. Map available from the Bay Circuit Alliance, 3 Railroad Street, Andover, MA 01810.

Socio-Economic Context

According to the latest data from the US Census most Hamilton adult residents (94.0%) have graduated from high school and 52.5% have earned a college diploma. A large percentage of employed persons (see Table 3-2, Employment) are employed in professional/ managerial positions (62.2%, up from 54% in 2000). Median family income increased from \$28,272 (1980) to \$55,101 (1990) to \$72,000 (2000) to \$117,458 (2013); 12.7% of households had an income of \$150,000 or more, down from 17.5% in (2000). Household characteristics reported: families (80.5%), with children under 18 (40.2%), with persons over 65 (24.8%); an average household size of 2.83, and a poverty level of 2.5 percent.

Table 3-2 Employment (U.S. Census, American Community Survey, 5 year Estimates, 2009-2013)

Table with 2 columns: Employment, %

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COMMUNITY SETTING:

## B History of the Community

The Town of Hamilton was settled by farmers who tilled the fields to the south of Ipswich. Early settlers in Hamilton asked that their local church be “set off” from Ipswich due to the distance that the community in the “Hamlet” had to travel to downtown Ipswich for church. The forty families within the town did not find enough room for them at the Wenham church located to the south and decided to build their own church in 1713. After the Revolutionary War, they petitioned to separate into their own community. Finally in 1793, Hamilton became a town. The farms were originally scattered along early roads.

A representative view of Hamilton in the early 19th century is given by the following figures from an agricultural census done by the state in 1831.

### 1831 Land use

Use	Acres	% of total
Tillage	483	5.97
English and upland mowing, Inclusive of orchard mowing	724	8.95
Fresh meadow	778	9.62
Pasture, inclusive of orchard pasture	4139	51.18
Wood-land, exclusive of enclosed pasture lots	998	12.34
Unimproved	470	5.81
Parsonage	30	0.37
Roads	120	1.48
Water	345	4.27
Total	8087	

The total is about 18% short of accounting for the actual area of the town, but the proportions are probably roughly correct. Note that pasturage plus land in the production of fodder is the predominant land use, totaling about 70%, and woodland, at 12%, is much less.

### Population

Year	Population
1810	780
1820	802

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COMMUNITY SETTING:

1830	748
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Structures, 1831

Dwelling Houses	116
Shops	50
Barns	114

Trades, 1831

Shopkeepers	3
Shoemaking establishments	About 35
Saw mill	1

Grist mill	1
Cabinet makers	2
Tannery	1
Blacksmith	1
Mason	2
Chairmakers	2
Wheelwrights	2
Carpenters	8
Weavers	1

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1831 Agricultural produce

Grain

Crop	Bushels
Rye	425
Oats	1333
Corn	5006
Barley	67

Fodder

Crop	Tons
English and upland hay	354
Fresh meadow	416

Livestock

Horses > 1 yr	91
Oxen >= 4 yr	168

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COMMUNITY SETTING:

Cows $\geq$ 3 yr	399
Steers 1yr+	238
Sheep 6mo+	430
Swine 6mo+	139

This period represents roughly the peak of agricultural land use in southern New England. 1830 records at Harvard Forest in Petersham, MA show that nearly all of Hamilton was

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COMMUNITY SETTING:

deforested and in pasture or crops, except for the southeastern corner (around Beck Pond and Round Pond, present day Chebacco Woods and environs), the Great Wenham Swamp in the southwest of town, an area around Brown's Hill and an area near Cutler Pond. All the other forested parts of town are postagricultural.

By 1894, the railroad, (allowing easier access to information and traveling), the Industrial Revolution (encouraging the abandonment of rocky New England soils where machines were of little help), and the separation of church and state (decreasing community spirit) had all changed the fabric of many New England towns, but Hamilton managed to maintain its agricultural base. The early maps indicate that an increased number of smaller farms were now lining the roads. Many of these clustered farmsites also housed shoe shops which employed farm workers during the winter as well as full-time workers.

The town of Hamilton experienced the influence of industrial or mill life with the presence of the Willowdale Mill, located on the Ipswich River. When the mill closed due to a fire in 1884, the population of the town decreased by 100 people. A few of the mill dwellings were relocated to Mill Street near the center of town. Many of the farmers who abandoned their farms gained employment through millwork and were able to keep their farmsteads. Due to the loss of employment opportunities with the closing of the mill, many finally abandoned their farms and moved to the industrial cities or to richer farmland in the West.

By 1859, Asbury Grove, a 100 acre religious retreat, included 300 cottages, a chapel, tabernacle, hotel, spur railroad station and post office. Many of the gingerbread style cottages were burned in the fire of 1927 and were never replaced.

While Asbury Grove was the first summer community to locate in Hamilton, Myopia Hunt Club was certainly the most significant. After the near-sighted friends (hence the name) moved their club from Winchester to Hamilton in 1891, wealthy Victorians began purchasing declining agricultural land for their country estates and summer homes, thereby

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COMMUNITY SETTING:

preserving the rural quality of the area. Some moved the colonial homes back off the main street for privacy and added barns, pools and gardens. The land once cleared for farmland was beginning to be re-colonized by early-succession tree species. Sixty years after the separation of church and state, the town hall was built in 1897 down and across the road from the First Church in the Historic District. The Wigglesworth Cemetery, located near the First Church and across the street from the town hall was dedicated as Central Park after the interred remains had been relocated to the Hamilton Cemetery. This park was later renamed Cutler Park.

The Hunt Club and the associated estates employed the townspeople as caretakers, farmhands, gardeners, chauffeurs, grooms, kennel men, butlers, cooks, maids, housekeepers and laundresses. The blacksmith whose business had been on the decline was now specializing in polo mallets. By 1911, the variety of nonagricultural occupations far outweighed those of farmers. Carpenters, painters, paperhangers, masons, storekeepers, doctors, lawyers, animal brokers, milk dealers, horse trainers, florists, general contractors, railroad workers, and ice workers all worked in the town, and clerks and leather workers commuted to other towns for work. Women were employed as laundresses, clerks in stores, teachers, milliners, dressmakers, artists and bookkeepers.

The settlement of downtown Hamilton where the service workers lived, began around 1880. The square area between Union Street and Main Street to Linden Street and Asbury Street had been completely built up by 1910. While the estates maintained an agricultural and rural quality, with their pastures now in the front yard, the service-worker neighborhood developed into a series of blocks within blocks, with similar houses for like-minded citizens.

A separate town center developed in this area where Bay Road crossed the railroad tracks. A fire burned through a portion of Hamilton, destroying Dr. Cilly's farm located on the land at the northwest corner of Asbury Street and Bay Road across from the Community House. The farm was never restored, but was purchased by Myopia and used as a schooling field for their polo ponies until it was donated to the



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COMMUNITY SETTING:

town in 1941. The Community House itself, designed by Guy Lowell, was built as a gift of George and Emily Mandell in 1921.

As country places became too expensive to maintain, they too began to disappear, replaced by commuter neighborhoods during the 1950's. Much of what little agricultural land remained was converted to residential development. These housing tracts retained the names of the once lovely areas in which they were built, such as Harrigan's Meadow. The farmhouses, which were at one time moved back from the street when the summer residents bought the farm-land for estates, are now surrounded by half-acre, one acre, and two-acre house lots. A shopping center with a large parking lot is located at the railroad tracks in downtown Hamilton. The shopping center was renovated and expanded in 2002. Buildings along Railroad Avenue have been renovated and rebuilt in a more architecturally consistent manner, considering not only human scale, but regional architecture and color. Parcels within the Historic District, located in the area where Cutler and Bay Roads meet, are under the statutory authority granted to the Historic District Commission. The Commission can regulate certain land use projects so that this section of Hamilton may retain much of its original character.

A numeric snapshot of the land use changes in the last half-century can be seen in the summary figures of the University of Massachusetts "Map Down" analysis of aerial photographs (Table 3-3)

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Table 3-3 Land Use Changes 1951-1980 (University of Massachusetts "Map Down" Project)

LAND USE TYPE (acres)	1951	1971	1980
Forest Land	5946	5678	4239
Agricultural or Open Land	2161	1265	1150
Wetland	888	666	1910
Water	196	254	205
Urban Land	579	1804	1875

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COMMUNITY SETTING:

There are clearly some effects of changes in classification methods, but they do not obscure the strength of the shift from open land or farm land to residential development. Notwithstanding this change over time, Hamilton has preserved much of its visual character.

## C Population Characteristics

Increased demand for recreational facilities and pressure to develop properties which are currently considered open space will persist. Regional and local population composition and trends support this conclusion.

### Population Density

Table 3-4 Population Growth 1950-2010

<u>Year</u>	<u>Population</u>	<u>Population Density (per square mile)</u>
<u>1950</u>	<u>2764</u>	<u>184</u>
<u>1960</u>	<u>5488</u>	<u>366</u>
<u>1970</u>	<u>6373</u>	<u>425</u>
<u>1980</u>	<u>6960</u>	<u>464</u>
<u>1990</u>	<u>7280</u>	<u>485</u>
<u>2000</u>	<u>8315</u>	<u>554</u>
<u>2010</u>	<u>7764</u>	<u>520</u>

In 2000, in an area of about 15 square miles, the population reached 8,315 persons, or 71% of development saturation levels, according to MAPC's full build-out analysis. Between 1950 and 1960, population very nearly doubled (98.6%) from 2,764 to 5,488 persons, an average growth rate of about 7.1% per year. 1990-2000 growth was a more modest 1.3% per year, and between 2000 and 2010 the population declined by 551, or 0.66% per year.

The age profile of the population is important in assessing the need for different kinds of recreational facilities, as well as for

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COMMUNITY SETTING:  
projecting future population trends.

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COMMUNITY SETTING:

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Table 3-5 Population age profile (based on U.S. Census)

Age Group as a % of Population

<u>Age Group</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>
<u>0-4</u>	<u>7.4</u>	<u>6.4</u>	<u>6.9</u>	<u>6.9</u>	<u>6.3</u>
<u>5-9</u>	<u>11.5</u>	<u>7.0</u>	<u>7.6</u>	<u>8.3</u>	<u>7.4</u>
<u>10-14</u>	<u>12.5</u>	<u>11.1</u>	<u>6.4</u>	<u>8.1</u>	<u>8.1</u>
<u>15-19</u>	<u>9.5</u>	<u>9.6</u>	<u>5.8</u>	<u>5.7</u>	<u>7.2</u>
<u>20-34</u>	<u>15.7</u>	<u>25.1</u>	<u>22.4</u>	<u>18.5</u>	<u>14.2</u>
<u>35-64</u>	<u>34.8</u>	<u>34.7</u>	<u>40.6</u>	<u>42.0</u>	<u>44.6</u>
<u>65+</u>	<u>8.6</u>	<u>8.1</u>	<u>10.7</u>	<u>10.4</u>	<u>12.1</u>
<u>Median age</u>	<u>29.0</u>	<u>30.0</u>	<u>35.6</u>	<u>36.5</u>	<u>40.8</u>

**Percent**

The table above clearly indicates an “aging” population, suggesting increasing attention to forms of recreation that are enjoyed by older citizens, as well as the increasing importance of providing for people with mobility limitations.

**Family Income**

Median family income in 2005 was \$83,500, and in 2013 was \$117,458. By and large, incomes were earned by a married family couple (2,170 of 2,822 households). See Tables 3-6 through 3-9.

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Table 3-6 Households (1980-2010 US Census)

<u>Year</u>	<u>Households</u>	<u>% change</u>
<u>1980</u>	<u>2,248</u>	
<u>1990</u>	<u>2,437</u>	<u>+8.4</u>
<u>2000</u>	<u>2,668</u>	<u>+9.4</u>
<u>2010</u>	<u>2,692</u>	<u>&lt;+.01</u>

COMMUNITY SETTING:

Table 3-7 Household Size (2010 US Census)

2.83 persons per household
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Table 3-8 Households by Type (2010 US Census)

<u>Household Type</u>	<u>Households</u>	<u>%</u>
<u>Family</u>	<u>2168</u>	<u>80.5</u>
<u>Female Householder</u>	<u>319</u>	<u>11.8</u>
<u>Male Householder</u>	<u>205</u>	<u>7.6</u>
<u>Non-Family Household</u>	<u>524</u>	<u>19.5</u>

Table 3-9 Household Income Distribution (2000 Census and 2013 ACS 5 Year Estimate)

<u>Income Range</u>	<u>2000</u>	<u>2013</u>
<u>Less than \$10,000</u>	<u>3.8%</u>	<u>1.8%</u>
<u>\$10,000 - \$14,999</u>	<u>2.4%</u>	<u>0.8%</u>
<u>\$15,000 - \$24,999</u>	<u>4.6%</u>	<u>5.7%</u>
<u>\$25,000 - \$34,999</u>	<u>7.5%</u>	<u>7.9%</u>
<u>\$35,000 - \$49,999</u>	<u>13.2%</u>	<u>11.5%</u>
<u>\$50,000 - \$74,999</u>	<u>20.5%</u>	<u>8.8%</u>
<u>\$75,000 - \$99,999</u>	<u>15.8%</u>	<u>12.0%</u>
<u>\$100,000-\$149,999</u>	<u>14.7%</u>	<u>23.1%</u>
<u>\$150,000-\$199,999</u>	<u>8.2%</u>	<u>12.1%</u>
<u>\$200,000 or more</u>	<u>9.3%</u>	<u>16.3%</u>

Table 3-10 Income summary statistics (2013 ACS)

<u>Median Household Income</u>	<u>\$105,865</u>
<u>% of state median</u>	<u>158.3%</u>
<u>Per Capita Income (PCI)</u>	<u>\$44,500</u>
<u>% of state median</u>	<u>124.4%</u>
<u>State rank (of 351 towns based PCI)</u>	<u>71</u>

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COMMUNITY SETTING:

Table 3-11 Poverty Status (2013 ACS 5 Year Estimate)

	Hamilton	Statewide
Number below poverty level	194	
Percent below poverty level	2.5%	11.4%

Table 3-12 Industry Groups of Residents (2013 ACS 5 Year Estimate)

Industry Group	Number
Agriculture, Forestry, Fishing, Hunting, Mining	16
Construction	153
Manufacturing	438
Transportation, Warehousing, Utilities	52
Information	146
Wholesale & Retail Trade	453
Finance, Insurance & Real Estate	372
Professional, Scientific, Mngt, Admin, Waste Mngt	595
Education, Health Care, Social Assistance	1
Arts, Entertainment, Recreation, Hospitality	13
Other Services except Public Administration	202
Public Administration	84

**Industries**

There are currently no industries in Hamilton.

**Employment trends**

Since most residents are employed out of town, the employment trends are basically the same as those of the broader region. At the time of this writing, both long-term and short-term trends for the region have been reasonably favorable, and the town has not seen the negative effects of reduced industrial employment that have affected other areas of Massachusetts. (See Table 3-10 for statistics relevant to town residents.)

**Comment [J14]:** Do we need to say something here about the effects of the Great Recession and the extended time it took to pull out?

**Comment [SB15]:** It is helpful to indicate how Hamilton fared through this time period generally.

## D Growth and Development Patterns

The Land Use map shows the current status of property in Hamilton. The population of Hamilton more than doubled between 1940 and 1960. During this period the Town established a Planning Board and adopted its first zoning by-law and subdivision regulations in 1954. The greatest number of new dwellings per year added to the Town housing stock came in the years 1954 to 1957. Since 1957, growth has been quite orderly, averaging 24 new homes per year with as few as six new dwellings one year and as many as 39 another. Almost all new construction in Hamilton is single family residences with accessory buildings. The fact that the Town relies totally on individual on-lot septic systems and that little change has occurred in the transportation system in the Town and surrounding area contribute to this development pattern. Hamilton is entirely dependent on groundwater for municipal water supply. This is a significant factor in the Town's conservation planning. One of the major priorities is to prevent contamination of the Town's aquifers, through a combination of regulation and open space preservation.

A constant theme in Hamilton's development has been the maintaining the rural character of the Town. New developments are required to have street trees, and since 1990, utilities in new developments must be installed underground. The Town's adoption of pork chop zoning has helped to promote development which preserves scenic vistas. A Groundwater Protection Overlay District aquifers has expanded lot sizes for new lots to 80,000 square feet in sensitive land areas adjacent to water supply zones. In 1993 Hamilton established a Flood Plain District based on the Hamilton Flood Insurance Rate maps issued by the Federal Emergency Management Agency. Approximately 2,000 acres of Hamilton's total of 9,389 acres are wetlands, ponds, or streams.

**Comment [J16]:** Aquifers are within Towns but they are subject only to DEP regulation as far as public water quality supply is concerned. To the extent the OSRP implies, whether intended or not, that the Town, on its own, is maintaining public water quality standards at a level above what the state requires is not accurate. Also, as regards GPOD, I personally do not know what the original (1993) mapping of the GPOD was based on...The updated version, in 2000, added the DEP "Zone II" areas. The Zone II areas are creatures of the state not the Town. Need to make sure this is all accurate... I think it's a bit vague in the 2009 version of the OSRP

**Comment [J17]:** Hamilton adopted, as did almost all other cities and towns in the Commonwealth, the FIRM maps as part of local land use regulation. They adopted the most recent version of the FEMA FIRM maps in 2012. Maybe this just needs an update...

**Comment [SB18]:** Yes

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COMMUNITY SETTING:

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Table 3-13 Housing Units, 2010 US Census;

<u>Type</u>	<u>Number</u>
<u>Total housing units</u>	<u>288</u>
<u>Total occupied units</u>	<u>269</u>
<u>Vacant units</u>	<u>188</u>
<u>Owner occupied units</u>	<u>2,19</u>
<u>Renter occupied units</u>	<u>497</u>
<u>Median sale price, single family*</u>	<u>\$462,500</u>

\* Source: Warren Group, 2014, based on 80 sales



COMMUNITY SETTING:

Table 3-14 Building Permits for New Housing Units (Town of Hamilton, Planning Board)

<u>Year</u>	<u>New single-family</u>	<u>Demolish &amp; rebuild</u>	<u>Ch. 40b</u>	<u>Total</u>	<u>Notes:</u>
<u>1986</u>	<u>29</u>			<u>29</u>	
<u>1987</u>	<u>17</u>			<u>17</u>	
<u>1988</u>	<u>15</u>			<u>15</u>	
<u>1989</u>	<u>14</u>			<u>14</u>	
<u>1990</u>	<u>7</u>			<u>7</u>	
<u>1991</u>	<u>24</u>			<u>24</u>	<u>Asbury Woods homes approx. through these years</u>
<u>1992</u>	<u>30</u>			<u>30</u>	
<u>1993</u>	<u>18</u>			<u>18</u>	
<u>1994</u>	<u>15</u>			<u>15</u>	
<u>1995</u>	<u>12</u>			<u>12</u>	
<u>1996</u>	<u>8</u>			<u>8</u>	
<u>1997</u>	<u>6</u>			<u>6</u>	
<u>1998</u>	<u>8</u>			<u>8</u>	
<u>1999</u>	<u>12</u>			<u>12</u>	
<u>2000</u>	<u>17</u>			<u>17</u>	
<u>2001</u>	<u>11</u>		<u>4</u>	<u>15</u>	<u>40B: 2 - 2 Family Units; Central &amp; Harris</u>
<u>2002</u>	<u>8</u>	<u>4</u>		<u>12</u>	<u>"First year tracking Demo &amp; Rebuild--may have occurred before, but not tracked"</u>
<u>2003</u>	<u>7</u>	<u>4</u>		<u>11</u>	
<u>2004</u>	<u>2</u>			<u>2</u>	
<u>2005</u>	<u>2</u>	<u>2</u>		<u>4</u>	
<u>2006</u>	<u>1</u>	<u>2</u>	<u>5</u>	<u>8</u>	<u>40B: Bldg 1 at Junction: 6 units</u>
<u>2007</u>	<u>1</u>	<u>1</u>	<u>10</u>	<u>12</u>	<u>"40B: Bldg 2 &amp; 3 at Junction: 6 units each (as of Dec 31, foundation only installed at Bldg.3 site)"</u>
<u>2008</u>				<u>2</u>	
<u>2009</u>				<u>6</u>	
<u>2010</u>				<u>5</u>	

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COMMUNITY SETTING:

<a href="#">2011</a>				<a href="#">1</a>	
<a href="#">2012</a>				<a href="#">3</a>	
<a href="#">2013</a>				<a href="#">10</a>	
<a href="#">2014</a>				<a href="#">5</a>	

[source for 2008-14: US Census Censtats Database](#)

### Patterns And Trends

Hamilton was settled in the 17th Century, while part of Ipswich, as an agricultural community. In the late 19th Century wealthy residents of Boston and other major cities began to acquire large parcels of land and created many beautiful country estates. As the region's transportation systems improved and the cost of maintaining the large properties rose, land began to be sold off for house lots. Hamilton started off on the road to becoming a commuter community.

This trend has continued, with greater or lesser vigor, challenging Hamilton's rural character. Until the mid 1960s cheap land, relatively low mortgage rates, and little or no environmental controls or other land use regulations led to the proliferation of relatively high density subdivisions, primarily in east Hamilton and south Hamilton. As the planning process matured and more legal tools became available, the local political climate for protecting the environment improved. Minimum lot sizes increased, and wetlands were aggressively protected by state and local statute. Also, state and local regulations pertaining to placement, design and construction of onsite waste disposal systems were tightened.

As with the more mature and densely developed communities closer to Boston, it is possible that Hamilton's future development will occur on smaller pockets of land. Additionally, large tracts of estate land and religious/ educational-use land will likely continue to come on the market due to economic pressure for buildable lots. Given the price of land the task of preserving the rural quality of Hamilton remains a challenging goal.

**Comment [SB19]:** The state often looks to make sure this is current, citing changes in zoning or development within the past five or ten years is useful.

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COMMUNITY SETTING:

**Infrastructure**

**Transportation System**

The largest volume of traffic in and through Hamilton is through the following primary routes:

Bay Road (Route 1A) follows the line of the ancient Kings Highway connecting the earliest settlements of Boston, Salem, Beverly and Ipswich. From Exit 20 on Route 128 in North Beverly, Route 1A is the main road for traffic across Hamilton to and from Ipswich, Rowley and Newbury as well as for access to Crane Beach.

Highland Street in Hamilton (named Arbor Street in Wenham and Mill Road in Ipswich) provides a second primary route across Hamilton from Route 1A at Wenham Center to Topsfield Road in Ipswich. This route avoids the congestion at Hamilton's railroad grade crossing, and there are fewer developed properties along the way than along Route 1A. The Highland Street bridge over the Ipswich River was damaged in the May flood of 2006 (the "Mothers Day Storm") and subsequently closed. It was repaired within three years of the flood.

Essex Street (Route 22) serves traffic between Route 128 and Essex, across North Beverly, East Wenham, and East Hamilton. It is a winding route with sharp corners in Wenham which gradually winds through Hamilton. In Hamilton, Route 22 follows Woodbury Street, which is a direct extension of Rubbly Road, to a right angle turn into Essex Street, and then follows Essex Street to the Essex Line. Just off Essex Street are reservations owned by the Hamilton-Wenham Open Land

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COMMUNITY SETTING:

Trust, and Chebacco Lake, a recreational water resource, plus the east Hamilton trails that are open to the public, specifically in Chebacco Woods.

**Water Supply System**

The Town of Hamilton presently obtains water from three production wells as described below (descriptions based on Five Town Water Study and the Water Department's 2006-2014 Consumer Confidence Annual Drinking Water Report, see References). Note that all wells are located within town bounds and are in the Ipswich River Basin.

*Site Description*

The Idlewood Wellfield is located near Pine Tree Drive in Hamilton, on a small peninsula of land which extends approximately 1,300 feet into the Wenham Swamp. The wellfield is located east of the Idlewood Brook. Idlewood Brook originates at the outlet of Pleasant Pond on the Hamilton/Wenham town line, about 700 feet south of the Caisson Well. The brook discharges into the Ipswich River, approximately 4,700 feet northwest of Idlewood Well No. 1.

The existing Idlewood Wellfield consists of three wells (Idlewood Well No. 1, Idlewood Well No. 2, and the Caisson Well), each housing its own control and fluoridation facilities. The Caisson Well began operation in June 1964 and the Idlewood Well No. 1 came on-line in 1974. Idlewood Well No. 2, constructed in 1989, is located approximately 1,000 feet east of these two wells.

There are three other wells located near the Idlewood Wellfield which draw water from the same aquifer. The Pleasant Pond Wellfield (Well Nos. 1 and 2), which is owned and operated by the Town of Wenham, is situated approximately 2,800 feet south of the Caisson Well along the southern edge of Pleasant Pond in Wenham. Well No. 1 was installed in 1953 and Well No. 2 in 1958.

**Comment [SB20]:** what year?

**Comment [SB21]:** [http://www.hamiltonma.gov/Pages/HamiltonMA\\_News/02148058-000F8513-0/2014%20Hamilton%20CCR.pdf](http://www.hamiltonma.gov/Pages/HamiltonMA_News/02148058-000F8513-0/2014%20Hamilton%20CCR.pdf)

There isn't a need to have this much information. You may want to just use description and info from above report.

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COMMUNITY SETTING:

*Production Well Descriptions and Operating History*

The following section provides a detailed description of the production wells.

Caisson Well

The Caisson Well is the southernmost well in the Idlewood Wellfield, and was installed in 1964 by Caisson Wells, Inc. The well is 100 inches in diameter, 39 feet deep, and has 3 feet of 84" diameter screen. The well utilizes a vertical turbine pump with a capacity of 500 gpm (0.72 mgd). Flow from the well is measured by a meter with a capacity of 1,200 gpm. The original specific capacity of the well was 170 gpm/ft. In 1990, the well was redeveloped to a specific capacity of 100 gpm/ft.

**Comment [J22]:** Confirm this with DPW?

Idlewood Well No. 1

Idlewood Well No. 1 is a 48 x 24-inch diameter, 48 foot deep gravel-pack well with a 10 foot screen. The well is equipped with a vertical turbine pump having a capacity of 500 gpm (0.72 mgd). Flow from the well is measured by a meter with a capacity of 1,000 gpm. A twelve day pumping test was conducted at this location in 1973 using an 8 inch test well and five observation wells (Hoyle, Tanner and Associates, Inc., 1973). In 1980, a performance test by Layne New England Co. determined that the well was operating with a specific capacity of 54 gpm/ft. at 460 gpm.

**Comment [J23]:** 1980 is the latest data we have...?

Idlewood Well No. 2

Idlewood Well No. 2 is located approximately 1,000 feet east of Idlewood Well No. 1. It was constructed as a 30 x 24-inch diameter gravel-packed well, 45 feet deep with a 10-foot screen. Control facilities and chemical addition equipment are housed at the Idlewood Well No. 1 pumping station. The well operates with a specific capacity of 35.9 gpm/ft. at 400 gpm.

Bridge St. Well

Located across the street from the Gordon Conwell Seminary exit on Bridge Street. This source is currently inactive.

School St. Well

Located behind the School St. Park. This is an active year round source.

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COMMUNITY SETTING:

Water Treatment.

All sources are treated with chlorine for disinfection, fluoride for dental health and phosphates as a metal sequestering agent, to assure water quality leaving the stations. The Idlewood I and II wells and the Caisson well flow through the Gordon “Tiny” Thompson Water Filtration Plant, located at the end of Pine Tree Drive. The plant was built in 1999, and can remove the iron and manganese that had otherwise been accumulating in the distribution system. In order to get approval for this new plant, which also has a reserve well on site, DEP instituted additional public water supply protections that resulted in a re-zoning of 624 acres as GPOD.

Hamilton water has emergency interconnections with the Towns of Ipswich at Waldingfield Road, Essex at Essex Street and Wenham at Woodbury Street and Highland Street.

**Sewage Disposal Systems**

There are no municipal sewers in Hamilton. With the exception of Gordon-Conwell Theological Seminary and the Middle and High Schools, which have their own waste water treatment plants, Hamilton depends almost entirely on individual lot disposal of sanitary wastes.

Onsite disposal, as it is strictly regulated by the Hamilton Board of Health and Title V of the State Environmental Code, is working well—even in the small lots of the densely populated downtown area. This area is underlain by coarse red sand that provides excellent percolation. Some commercial establishments also have holding tanks. The lack of available space for additional systems in the downtown business area, is an acute problem for any redevelopment planning. This has been a steady topic of discussion for more than 20 years, but little concrete progress has been made. The Hamilton Development Corporation, recently created by an Act of the Legislature, is reviewing options in this area.

Since the original Open Space Plan, Title V requirements have resulted in improved individual septic systems near Chebacco Lake and education on the reduction of lawn fertilizers have reduced the amount of nuisance and invasive vegetation including Cabomba in the lake. These factors have contributed to more successful spawning of the anadromous fish (specifically alewives). As the lake is shared by Essex and Hamilton, efforts towards preserving its health must be

**Comment [J24]:** There are a couple of larger developments in Town on the “drawing board”. The Patton property senior housing complex and once called Canterbrook another senior housing project. Both will have a shared septic system. ...the new municipal pool will have a larger, shared system too. Myopia has a large system which is not a single lot system, so this statement is generally true with some exceptions

**Comment [SB25]:** I would include the information you shared in comment above.

**Comment [J26]:** Is this still true?

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COMMUNITY SETTING:

shared by both towns.

**Long-term Planning Development Patterns**

**Zoning**

*Hamilton zoning districts*

The Zoning Map shows the location of the various districts. Hamilton has four zoning districts and two overlay districts (conservancy and groundwater protection). All of the aquifer area in Hamilton is zoned residential, comprising a total of 3,322 acres (see Table 3-15).

**Comment [J27]:** Need to update...I think there are more than two overlay districts now

**Table 3-15 Hamilton Zoning Summary of Aquifer Area**

Zone	Area (acres)	% of Area	Minimum lot size
R1a	1,434	41.2	20,000
R1b	583	16.8	40,000
RA	1,305	37.5	80,000
Water	157	4.5	
Total	3,479	100.0	

*Residential District*

The residential districts, R1a, R1b and RA cover 100% of the aquifer area. The uses permitted by these districts are single family dwellings, rooming houses of four persons, churches, schools, parks, playgrounds, private colleges, recreational activities and home occupations provided there are no offensive noises, storage of materials or more than two employees. Other uses are allowed by special permit.

*Business District*

The Business District in Hamilton allows for all uses permitted in R1a and R1b as well as retail stores, service establishments, offices and banks, government buildings, parking lots and garages. The small business district located in Hamilton is found outside the GPOD.

**Hamilton Overlay Protection Districts**

*Conservancy District.*

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COMMUNITY SETTING:

The Conservancy District overlays parts of the three residential districts and is designed to conserve natural conditions, wildlife, and open spaces for the education, recreation and general welfare of the public. Permitted uses are passive recreation, agriculture, forestry, religious and educational uses. Other uses are allowed by special permit. Uses prohibited in the district are land filling, buildings, pavement, storage of materials, dams, drainage and watercourse changes, and alteration of terrain. (A list of permitted uses can be found in [Zoning Regulations, section V- 22.](#))

*Groundwater Protection Overlay District.*

The purpose of the Groundwater Protection District is to protect, preserve and maintain the existing and potential groundwater supply, groundwater recharge areas, and municipal wellfields within Hamilton, as well as supply areas within Hamilton which serve the abutting towns of Ipswich and Manchester. In this district new underground installations of heating oil storage tanks and farm or residential tanks less than 1,100 gallons storing motor oil/fuel are prohibited. New lots must be equal to or greater than 80,000 square feet in area. This district covers the town's two aquifers defined by hydrogeologic studies, but it does not cover portions of Gravelly Pond, and Round Pond.

**Other Zoning**

*Hamilton Open Space and Farmland Preservation Development*

Town Meeting passed the Open Space and Farmland Preservation Development (OSFPD) Bylaw in 2005. This by-law applies to the subdivision of ten or more acres into five or more lots, and provides for various possible housing types and 50% permanently protected open space. Parcels less than ten acres may utilize the OSFP as well.



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COMMUNITY SETTING:

*Inclusionary Housing Bylaw*

The purpose of the inclusionary bylaw is to expand the range of housing available in Hamilton by requiring developers to provide a certain amount of affordable and low-income housing as part of any 10-unit or larger project. As this housing is added, it helps Hamilton towards its goal of full compliance with state law requiring 10% of a municipality's housing stock to be affordable.

*Accessory Apartment Bylaw*

The accessory apartment by-law allows, with certain conditions and restrictions, the construction of small apartments accessory to an existing or new dwelling. Such apartments contribute to the range of housing available, and provide new housing to the existing housing stock. They help to create new dwellings while avoiding construction on undeveloped lots.

*Hamilton Subdivision Regulations*

Before making any division of land in Hamilton, an applicant is required by law to secure approval or endorsement of the plan for the proposed division from the Hamilton Planning Board. This control law was enacted to protect the people of the town by insuring safety, sanitary conditions and compliance with zoning, and by securing adequate provisions for water, sewage and drainage.

**Maximum Build-out**

As part of a statewide program, the MAPC analyzed conditions affecting potential future residential development in the town. More recently, as part of the town's master planning efforts, the town's consultants, Community Opportunities Group Inc. revised that estimate to reflect town meeting's rezoning of about 624 acres of R-1B land to R-A in connection with the 1999 construction of the new Thompson water treatment plant. It is shown in the table below.

**Comment [SB28]:** Use last available data (find date when completed), and note if any changes to zoning have occurred since the date of buildout analysis. (which would change results.

The Open Space and Recreation Plan requirement also ask for list of scheduled and proposed subdivisions and if any, expansions to infrastructure. Could include number of units, amount of land consumed or other information you think is relevant. identify how this may effect open space.

**Comment [J29]:** When was this done...how do we address this if its "dated"?

COMMUNITY SETTING:

Table 3-16 Estimated maximum single-family build-out potential

Zone	Total area, A	% town	Maximum new single-family homes
RA	4851	50.7	647
R-1B	2505	26.2	545
R-1A	2186	22.8	154
B	26	0.3	0
Totals	9570	100.0	1346

**Comment [J30]:** How to update this? What type of discussion section needs to follow the data?

*Ecological Impacts of Buildout*

**Comment [SB31]:** OSRP requirements ask for ecological impacts of buildout. However this can be very general, could highlight most vulnerable areas ....possibly farms ??? Happy to discuss if needed.

## SECTION 4 ENVIRONMENTAL INVENTORY AND ANALYSIS

### A Geology, Soils, and Topography

#### Description

Maps relevant to this section are the USGS Topographical Map and the Soils Map.

Much of the town's land is level to gently sloping, with a few steeply sloped hilly areas, all at elevations from about 40 feet to a little over 200 feet above sea level.

If you take the really long (multi-billion year) view, eastern New England has had a very exotic history, having done a stint near Antarctica and been at the leading edge of multiple continental collisions (see references to find out more).

However little evidence of this is visible within the scope of the town of Hamilton, which is at the level of bedrock fairly homogeneously made up of igneous rocks about 450 million years old of the general kind characteristic of Cape Ann. These

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COMMUNITY SETTING:

are described as alkaline rocks (meaning relatively high in potassium and sodium).

Overlying the bedrock, except in a few spots, are deposits from the ice ages of recent geological history. The local reconstruction of the glacial age places Hamilton under many hundreds of feet of ice, and most of the surface of the town is made up of material left there by the ice. Some of the surface was covered with material that was pushed along underneath the glacier, or just dropped from the top of the glacier when the ice melted away (the "ground moraine" making up much of the flat areas of Hamilton). In places, the rocks and earth left in the channels which carried meltwater in or under the ice, were dropped in long, narrow, meandering mounds (eskers - good examples are on the Pingree Reservation in northwest Hamilton and adjacent to Taft Woods Row in the eastern part of town). Hamilton's most notable hills have a long axis trending from northwest to southeast, in the inferred direction of flow of the glaciers, and are presumed to have been shaped by them ("drumlins").

Hamilton's geological surface can be roughly divided into:

- Swampy areas in topographic depressions and floodplains along watercourses, where sediments and plant matter accumulate over other materials deposited by glacial action. Some of the depressions are "kettleholes" where the melting of large pieces of remnant ice left a void now filled by a pond or vernal pool.
- Low, flat areas in the eastern half of town covered with sediments deposited in beach and nearshore environments during a period of higher sea level (or lower land level, or both) after the last glacial episode. Hard to envision now, but many Hamilton properties were at these times beachfront, or indeed, submerged.
- Low flat to rolling terrain covered a mixture of deposits laid down when the last glacial ice was wasting away. These areas include irregular, bumpy deposits like eskers and kames created in contact with the ice itself, contrasting with flat sandy areas made up of materials carried by moving outwash water running out from the ends of the glaciers. The sandy outwash areas drain quickly after rain, sometimes so much so that many kinds of plants and crops make poor growth on them. They tend to be left to pitch pine and oaks that do well

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COMMUNITY SETTING:

on drier soils. The ice-contact deposits generally drain more slowly and support different vegetation.

- Drumlin hills and other high spots mantled in older glacial till - deposited directly by the glacier, not reworked or sorted out in size by flowing water. Tills contain grains of all sizes (sometimes called "boulder clay" because they contain boulders, clay and everything in between), and tend to be relatively impermeable and slow to drain, sometimes creating problems for those wanting to build septic systems in them.

Beneath all this, and in spots (scattered and mostly small) showing on the surface, is the "Cape Ann granite" bedrock already mentioned.

Each of these terrains has its own quite different characteristic soils, vegetation, visual qualities, land use patterns and potentials.

#### **Geology and soils in Hamilton wetlands and floodplains**

The most extensive area of swamp deposits is the Great Wenham Swamp, which extends into the southwest part of Hamilton near Asbury Grove. At several places nearby, uplands surround or nearly surround smaller areas of swamp (as north of Linden Street and near Day Avenue in South Hamilton). Similar conditions and soils prevail in flat areas bordering the Ipswich River and its larger tributaries such as the Miles River, Long Causeway Brook and Black Brook.

On the US Natural Resources Conservation Service maps, the characteristic soil shown is Freetown muck, made up chiefly of organic material to a depth of 5 feet or more. The water table is near or at the surface; consequently the soil is very poorly aerated and only supports vegetation particularly tolerant of wet conditions (red maple swamp, shrub swamp). The high organic content and lack of oxidation give the soil a very dark color.

#### **Marine sediments**

Post-glacial marine sediments are at the surface in a band a mile or two wide roughly parallel to Bay Road. The railroad line to Ipswich corresponds more or less to its western edge. These sediments are clayey to silty in texture, and develop soils that are typically classified as Merrimac soils on the soil map, therefore differing little from the soil characteristics of

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COMMUNITY SETTING:

the ice contact-outwash deposits discussed below, except perhaps in being on the average in lesser slope categories.

**Ice contact deposits and outwash**

These deposits can have a complicated history of deposition in winding channels inside or underneath the glacier (giving the sinuous form of an esker, like those which give interest to the terrain in several parts of Hamilton) or between the side of a glacier and an adjacent hill, perhaps with subsequent slumping. There are sizeable areas of such deposits developed in contact with the ice of a wasting glacier in the low-lying areas of Hamilton outside of the area of marine deposits. These deposits are in many places thick enough and permeable enough to be important aquifers.

Sand and gravel outwash deposits accumulated downstream from a melting glacier, and will show the earmarks of having been deposited from moving water, typically including stratification. There is an area mapped by USGS geologists as outwash in the south central part of the town, west of Bay Road and south of Savin Hill.

All these processes around a waning glacier can give rise to complex patterns of grain size distribution, stratification and field relationships that can be deciphered with some subtlety (though not necessarily with certainty) by experts, but for our present purposes, most of these variations can be grouped together.

These parts of town are mapped by the US Natural Resource Conservation Service in the Merrimac-Hinckley-Urban land association. The Merrimac and Hinckley soils are characterized by a sandy subsoil underlain by sand and gravel.

**Till uplands**

Several drumlins (Brown's Hill, Vineyard Hill, etc.) make up the town's most conspicuous high ground. The highly characteristic material of these and adjacent areas is "till", with its widely varying assortment of particle sizes from sizeable rocks down to silt and clay. Till is distributed over a wider area than the drumlins in Hamilton, but it is often associated with "foothill" areas close to the drumlins, as in the area between Vineyard Hill and Willowdale Hill in the west of

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COMMUNITY SETTING:

the town. Another sizeable till area is near the lakes in East Hamilton.

Hamilton's till soils are mapped in the following soil associations :

1. Paxton-Montauk-Urban land association ("hills and sloping uplands" (US Natural Resource Conservation Service description); Willowdale-Vineyard Hill area, Brown's Hill area, and Sagamore Hill area; often with a relatively impermeable substratum).
2. Canton-Woodbridge-Freetown association ("low irregular hills"; Pigeon Hill area and the till area south of Sagamore Hill)
3. Chatfield-Hollis-Rock outcrop association ("low irregular hills, ridges and plains with frequent bedrock exposures"; eastern Lakes District from Gravelly Pond west to Route 22 and Essex Street; often shallow to bedrock)

**Effects on Community**

The glacial outwash sediments giving rise to Merrimac and related soils make Hamilton's best agricultural land, and it also is favorable for building residences and septic systems. Many of Hamilton's residential subdivisions are built on this type of material. The sandy texture makes for fast drainage (sometimes faster than a farmer would prefer from the point of view of keeping water in the root zone after rain).

In the glacial till areas, the matrix of superfine grains in till often makes for "tight", relatively impermeable soils, resulting in the design and installation of more complex and expensive septic systems. Because of the frequent occurrence of till around bedrock hills and drumlins, high slope is also sometimes a limitation for residential development in the till areas. Additionally, many of the areas of Hamilton where soils have a shallow depth to bedrock are on glacial till.

Concerning the development potential for Hamilton's areas on wetlands and floodplain soils, the limitations for buildings and septic systems are obvious and severe using traditional septic system designs. However, many of the areas that were

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COMMUNITY SETTING:

formerly considered undevelopable because of limitations for traditional septic systems become feasible (if expensive) to build on with recent advances in septic system technology and an increasing acceptance by state regulators of such systems.

**B Landscape Character**

A first time visitor driving through Hamilton sees farmland, and large open fields, lining some of the major thoroughfares, such as along Route 1A. If the visitor hikes the forested areas, such as Bradley Palmer State Park, Appleton Farms Grass Rides, or Willowdale Mill Reservation, they see that the essential landscape character of Hamilton is one of upland forests with numerous hiking and bridle paths. However, if the visitor flies over the town, they see that much of town consists of wetlands, lakes, and streams and they would notice a number of drumlin hills with distinctive oval shapes, generally oriented northwest to southeast. The true character of the landscape in Hamilton is therefore one of diversity, ranging from large open fields, upland forests, lakes and streams, and wetlands.

All of these landscape characteristics are important and contribute to what makes living in the Town of Hamilton so enjoyable. Properly planned development will help preserve these landscape characteristics, which gives the Town of Hamilton its special character. If the large open fields are subdivided into residential lots, existing hiking and bridle trails should be preserved as much as possible. Wetlands, lakes and streams continue to need protection and existing state and local statutes need to be vigorously enforced. Lake protection and cleanup programs can restore the lakes in town that have been degraded.

**C Water Resources**

The water resources in the Town of Hamilton consist of surface water and groundwater, and are used primarily for drinking water and recreation. There are no water resources being used for hydroelectric generation. The existing farms use the water resources for irrigation. The Myopia Hunt Club has a state issued water withdrawal permit to irrigate their polo fields

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COMMUNITY SETTING:

and golf course. An inventory of groundwater and surface water resources is presented below. (See also the "Water Resource Map".)

Should begin by describing watershed(s) within Hamilton. Identify any watershed protection efforts and groups or associations. see: <http://www.mass.gov/eea/docs/dep/water/drinking/swap/nero/3119000.pdf>

**Surface Water**

Rivers and Streams

*Ipswich River*

The Ipswich River and its watershed have been classified as a severely threatened public water supply. The towns which use the Ipswich River watershed, and Hamilton is one of these towns, are heavily dependent on the public water supplies in the basin. This results in frequent severe low flow conditions, with consequent serious threats to the river as a biological system, and as a scenic and recreational resource, as well as the threat to its continued use as a public water supply.

The Ipswich River serves as the boundary of Hamilton to the west with Topsfield, and to the north with Ipswich. Overall water quality in the Ipswich River Basin can be considered as ranging from good to excellent. According to the use classification promulgated by the Bureau of Water Resources Control, the Ipswich River and its tributary streams are meeting Class A and Class B. The Ipswich River is used for swimming, fishing, and canoeing.

*Idlewild Brook*

Idlewild Brook originates at Pleasant Pond and flows to the Ipswich River through Wenham Lake. Idlewild Brook provides partial drainage for the Wenham Swamp.

*Black Brook*

Black Brook originates at Cutler Pond and flows west to the Ipswich River. Black Brook provides drainage for wetland areas between Highland Street and Bay Road.

*Miles River*

The Miles River has its source in Longham Reservoir and the wetlands at the eastern end of Wenham. The Miles River flows to the Ipswich River in Ipswich. There are numerous minor tributaries entering the Miles River in Hamilton, including Long Causeway Brook on the Hamilton- Ipswich line.

The Miles River is under stress from direct and indirect

**Comment [J32]:** Source ?

**Comment [SB33]:** 314 CMR 4 – Surface Water Quality Standards updated 2013

<http://www.mass.gov/eea/docs/dep/water/laws/i-thru-z/tblfig.pdf> see table 22, starting around page 75



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COMMUNITY SETTING:

human impacts, not the least of which is lawn fertilizer. Beaver habitation also impacts the river. Properly designed and permitted installation of flow control devices (so-called beaver deceivers) have been effective in managing the untoward effects from the resurgence of beaver populations in the Miles River while maintaining habitat.

The Miles River is also much impacted by profuse growth of invasive alien plants, particularly purple loosestrife, *Lythrum salicaria*. It is also likely that relatively recent sedimentation and control structures are influencing the state of the river unfavorably.

**Lakes and Ponds**

*Chebacco Lake*

Chebacco Lake is divided by the Essex-Hamilton boundary with approximately 83 acres located in Hamilton. Some of the recreational uses of Chebacco Lake include fishing, swimming, boating and water skiing. A state boat ramp providing public access to the lake is provided on Chebacco Road. Chebacco Lake has been experiencing unwanted alien aquatic vegetation and water quality problems. The Chebacco Lake Watershed Association remains committed to Lake quality and promises a strengthened program.

*Beck Pond*

Beck Pond is approximately 34 acres. Public access to Beck Pond can be made from Chebacco Road, although parking is limited. Motorized boats are prohibited on Beck Pond.

*Round Pond*

Round Pond is approximately 36 acres. Well points along the shore of Round Pond are used to supply water to Gravelly Pond. The Town of Manchester has a permit to pump up to a million gallons per day (MGD) from the Round Pond well field. The water is treated to remove metals before being discharged to Gravelly Pond.

*Gravelly Pond*

Gravelly Pond is approximately 46 acres and is used as a drinking water supply by the Town of Manchester. The safe yield of Gravelly Pond is reported by the Town of Manchester to be 0.65 MGD per day. A 2.0 MGD water treatment plant near the shore of Gravelly Pond for the Town of Manchester

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COMMUNITY SETTING:

has been built. As noted above, the flow into Gravelly Pond is supplemented by the Round Pond well field.

*Pleasant Pond*

Although Pleasant Pond is located primarily in Wenham, approximately 2 acres extend into Hamilton. Some of the recreational uses at Pleasant Pond include fishing, swimming, and boating. There is no public access to Pleasant Pond in Hamilton. However, Hamilton residents are permitted by Wenham to use the public beach area in Wenham.

*Weaver Pond*

Weaver Pond is located in Patton Park. This one acre pond was originally created in the 1940's by dredging a lowland swamp. The pond is visually the centerpiece of Patton Park, and small children delight in trying to catch frogs and fish there. In 2010, using a grant from Community Preservation Act funds, the Pond was treated with an herbicide and it was also hydro-raked. This resulted in a substantial reduction of invasive plants in the Pond and allowed recreational uses to continue, especially ice skating. Shoreline habitat vegetation was not disturbed during this work preserving the area for the amphibians.

*Cutler Pond*

Cutler Pond has a surface area of approximately 5 acres and is located in Cutler Park. Cutler Park is a tiny slice of land in the Historic District of Hamilton. The park was originally a cemetery and is overgrown in parts and underused. There is a small, inconspicuous sign marking the entrance to the park from Route 1A across from the Town Hall. Cutler Pond is the headwaters of Black Brook. There are presently no recreational uses of Cutler Pond.

**Flood Hazard Areas**

Seasonal flood hazards exist in the lowlands adjacent to Wenham Swamp, the Miles River, Black Brook, the Ipswich River and shores of the many lakes and ponds. Development is restricted and/or discouraged in these sensitive areas where surface waters can rise quickly and/or there is shallow depth to groundwater. The Town adopted the 2012 FEMA/FIRM maps which show the 100 year flood zones in Town. This was the first re-mapping of these FEMA flood zones since 1994.

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COMMUNITY SETTING:

**Wetlands**

Wetlands constitute an integral part of the natural environment, and more specifically, the hydrologic system. In addition to diversifying the landscape, wetlands play a significant role in the storage of water, flood control, and the maintenance of water quality. Wetlands also serve as habitat for a variety of wildlife species. Additionally, wetlands serve as groundwater recharge or discharge areas.

The existence of wetlands depends on the relative stability of a variety of natural influences, including groundwater elevation, soil type, topography and surface waters. The alteration of one or more of these factors may result in profound changes in both the structure and function of wetland communities. For example, the lowering of the water table or the diversion of surface water away from a wetland may result in conditions suitable for upland vegetation, and thus the eventual loss of the wetland.

See map section for the locations of the wetlands in Hamilton. These maps are based on photo-interpretation at a scale of 1:5000 and are subject to the caution that, although they are highly useful for town-scale planning purposes, since they are not based on observations on the ground they are not suitable for site-specific permitting use. The 1965 Master Plan noted there were about 1,870 acres of swamps and wetlands based on the following:

Table 4-1 Swamp and Wetland Areas

Area	Acres
Wenham Swamp	637
South Hamilton	149
Ipswich River	4
Black Brook	827
Miles River	580
Long Causeway Brook	168
Total	1,866

**Aquifer Recharge Areas**

The drinking water resources and associated aquifer recharge areas in the Town of Hamilton were analyzed and mapped in a report entitled "Report on Aquifer Planning Study,"

**Comment [J34]:** The Town GIS uses Mass GIS wetland overlays which I assume are better than what is described here.

**Comment [SB35]:** this is a typical and ok disclaimer. Mass GIS would be similar in most cases

**Comment [J36]:** I don't think these numbers have changed significantly.

COMMUNITY SETTING:

Hamilton Massachusetts" by Haley and Aldrich, Inc., Consulting Engineers and Geologists, 1981. The mapping of aquifer recharge area in this study formed the basis of the Groundwater Protection Overlay Zoning District. As noted above, the Town of Manchester has two surface water drinking supplies in Hamilton: Round Pond and Gravelly Pond. Hamilton does not utilize any surface water for drinking water supplies. An inventory of the groundwater resources in current use follows.:

Comment [J37]: Citing this is OK? It over 30 years old now...  
Comment [SB38]: if no newer resource, this is ok.

Table 4-2 Hamilton's Municipal Water Wells

Well	Yield, GPM	Construction
Idlewood	500	40 ft., deep, gravel packed
Pine Tree	500	34 ft. deep, caisson
School Street	185	26.5 ft. deep, gravel packed
Patton	205	35 ft., deep, gravel packed

Comment [SB39]: note that this was taken off, if held as back up or emergency note that as well.  
Comment [J40]: Patton taken off line in 2013-2014

The Idlewood and Pine Tree wells provide water to meet normal demands. Peak demands are met by supplemental pumping of the School Street wells. There is also a well field of numerous small diameter wells and two gravel packed wells located adjacent to Bridge Street. This well field, however, has been abandoned.

The Chebacco Lake watershed also contains two groundwater wells in Essex which supply water for Essex. The Town of Ipswich has three wells north of the Ipswich River near the confluence of Black Brook. Although the Essex and Ipswich wells are not located in the Town of Hamilton, their cones of depression may extend into the town.

D Vegetation

Forest Land

Northern hardwoods, typified by red oak in well-drained areas, and red maple in wet or poorly drained areas are the predominant forest cover in Hamilton. Northern hardwoods include soft and hard maple, beech, birch, cherry, oak, hickory

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COMMUNITY SETTING:

and sassafras. Other dominant species of vegetation include white pine, red pine and eastern hemlock.

**General Inventory** (put this first in this section)

There is much work needing to be done in characterizing Hamilton's natural environment. Studies that are specific to the town are not generally available in the published literature. This Plan acknowledges that some of the generalizations about to be made are based on somewhat dated and scanty field observation and are subject to the flaws inherent in those facts. We encourage others to do better.

Hamilton has a small range of elevations, not enough for elevational differences to make a material difference in habitats from the point of view of temperature. But since another effect of elevation is that on average, the surface at higher elevations is farther away from the water table, the phrase "high and dry" exactly describes an important factor in plant communities.

Another easily observable and important factor in moisture availability is overall soil texture: the sandy soils of glacial outwash areas drain rapidly and plants growing in them are subject to drought conditions more frequent and severe than you see further down the slopes. Hamilton has relatively few areas with characteristic dry sandplain vegetation dominated by pitch pine, bear oak, as well as tree-sized oak species.

At the lower, wetter end of the range, Hamilton has large areas of forested swamp and shrub swamp with abundant red maple, arrowwood viburnum, sweet pepperbush, winterberry, highbush blueberry, and swamp azalea. Cinnamon fern, skunk cabbage and tussock sedge are characteristic of the lower layers. Along the Ipswich River, there are areas of floodplain with characteristic silvermaple dominated vegetation. Some wetland areas, notably on the Miles River floodplain, have been extensively invaded by purple loosestrife.

In upland areas, a major and growing threat to biodiversity is the proliferation of troublesome invasive plants, such as Japanese knotweed, buckthorn, Oriental bittersweet, multiflora rose, Japanese barberry, and Morrow honeysuckle and Japanese honeysuckle.

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COMMUNITY SETTING:

There are some fairly extensive areas of upland currently under cultivation, in some cases grading down into wet meadow and wetland. Of course the preponderance of the current woodland areas were formerly cultivated, and show characteristic New England "old field" vegetational patterns.

Hamilton has significant areas of particular habitat types that are relatively uncommon and declining in the face of development in the region: for example, floodplain forest, wet meadow, fresh water marsh, grassland and red maple swamp.

**Public Shade Trees**

This is a brief description of street trees, trees within cemeteries, parks and other public areas. Note who cares for these trees, generally a tree warden, dpw, if you have any others involved. State their importance to character of town (if true).

**Agricultural Land**

Note general type and amount of agricultural land that remains. Identify how much is partially (ch 61) or fully protected (CRs or APRs). state importance if it is.

**Wetland Vegetation**

note its importance as habitat, identify large wetland areas, include list of some wetland species if known.

**Rare, Threatened and Endangered Species**

The rare plant species recorded in the Hamilton area include the showy lady's slipper, pale green orchis, terrestrial starwort and the river-bulrush. The first two are orchid species and have been historically reported to occur in the area.

The terrestrial starwort is a rare plant likely to be found on muddy flats and trails near lakes in the area. The tidal river shore species, the river-bulrush, is rare but recorded in the vicinity.

**Comment [SB41]:** Not sure this is current. See: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/species-information-and-conservation/town-species-viewer.html>

**E Fisheries and Wildlife**

**The Protected Open Space Map** displays areas of terrestrial and aquatic habitat, and gives an indication of which areas should be a priority in securing contiguous undeveloped tracts for wildlife.

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COMMUNITY SETTING:

**Inventory**

**Aquatic Habitats**

The ponds, streams, and marshes provide habitat including food and cover for black duck, mallard duck and wood duck in addition to many migratory species of waterfowl.

Muskrat, otter, mink and raccoons may be found in wetland areas. Major game fish include brook trout, brown trout, rainbow trout, largemouth bass and chain pickerel. Chebacco Lake and Round Pond are spawning ponds for alewives, an anadromous fish species living in salt water but requiring special freshwater habitats for its breeding. Miles River is historically a spawning area for alewives and eels.

**Vernal Pools**

Include any information on vernal pools, known or certified.

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COMMUNITY SETTING:

**Terrestrial Habitats**

Songbirds indigenous to the area include various sparrows, wrens, chickadees, titmouses, cardinals, doves, woodpeckers, bluejays, juncos and mockingbirds. Whitetailed deer are the only large game animal found in Hamilton. Small game includes ring-neck pheasant, quail, ruffed grouse, woodcock, cottontail rabbits, raccoons, fisher, opossum, grey squirrel, red squirrel, coyotes, otters, grey fox and red fox.

**Corridors**

Protected corridors of open space for wildlife habitat are an important goal of Hamilton's planning process. Properly functioning wildlife habitat corridors require substantial contiguous open space, and require a site-specific and ecological community-specific analysis.

The Hamilton Conservation Commission's Discover Hamilton Trail project, the greenway extending from Patton Park and Myopia Hunt Club area through the Devon Glen Farm conservation restriction, the Harvard Forest, the Pingree Restriction and the Ipswich River conservation restrictions of the Arbella Land Company and G. Horne are a critically important wildlife corridor.

Continuous with this greenway is a section of the Hamilton bank of the Ipswich River extending from a portion of the Wenham Swamp within the Massachusetts Audubon Ipswich River Wildlife Sanctuary through Bradley Palmer State Park, with a side branch in Topsfield at Willowdale State Forest, through Essex County Greenbelt's Willowdale Dam reservation and through restrictions granted by the Winthrop family, and by George Horne almost to the Mill Street-Highland Street bridge. This corridor complex also connects to the Appleton Farms Grass Rides and adjacent open spaces.

On the eastern side of this complex, the corridor extends via the wooded parts of the Myopia Hunt Club to open spaces in East Hamilton, Wenham and Manchester in the "Lake District" including the wooded areas adjacent to Meadowbrook Farm, Chebacco Woods, the Town of Manchester water supply area surrounding Round Pond and Gravelly Pond, the Iron Rail area, and the wooded part of the



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COMMUNITY SETTING:

capped landfill site on Chebacco Road.

**Rare, Threatened and Endangered Species**

The Massachusetts National Heritage and Endangered Species Program (NHESP) considers several animal and four plant species recorded in Hamilton to be rare, uncommon, or ecologically sensitive.

Scarce plant species include featherfoil and the river-bulrush.

The rare blue-spotted salamander may occur near wooded swampy areas or moist woods. The spotted salamander, although more common, is considered ecologically sensitive and may be found in similar areas around Hamilton. The four-toed salamander, a state Special Concern species, also occurs in the town.

The eastern box turtle is considered by some experts to be declining and threatened in Massachusetts. It prefers open woodlands and wet meadows and was sighted in Hamilton in 1977. Hamilton is also believed to provide habitat for Blanding's turtle, a threatened species,

The Massachusetts Division of Fisheries and Wildlife lists the golden-winged warbler as "State Rare." This species has been sighted infrequently in the area. It prefers overgrown fields of wet shrubby deciduous thickets.

The rare Coppery Emerald dragonfly occurs in Hamilton. The New England medicinal leech, a rare invertebrate, has been found in local vegetated freshwater ponds and streams within the coastal plain. Habitat alteration or pollution have severely threatened the status of this animal.

The special habitats, particularly grasslands, at Appleton Farms provide nesting areas for bobolinks and eastern meadowlarks, significant because of sharp declines in the populations of these species with habitat loss. This site is included in Massachusetts Audubon's Important Bird Area Program. This program also identifies an "Eastern Essex County Forests" Important Bird area that includes Ipswich

**Comment [SB42]:** check on web site to see if this is current

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COMMUNITY SETTING:

River Wildlife Sanctuary and Bradley Palmer State Park, both partially in Hamilton.

**F Scenic Resources and Unique Environments**

Hamilton has an abundance of scenic resources and unique environments which blend together to give the town it diverse character. These resources include rivers, lakes, parks, reservations, wetlands and historic areas, as shown on the Unique [Places-Features Map](#).

**Rivers**

The portion of the Ipswich River adjacent to Hamilton is proposed for possible inclusion as a Massachusetts scenic and recreational river. The river is widely used for fishing, swimming and canoeing. The river will experience reduced flows in the future as upstream communities need to increase their drinking water supplies.

**Lakes**

Hamilton has several lakes and ponds which contribute to the scenic character of the town. Of these, Chebacco Lake is the largest, and Beck's Pond, Round Pond, Gravelly Pond and Cutler Pond round out the list.

**Parks, Reservations and Open Space**

Hamilton also has several parks and reservations which contribute to the scenic character of the town. These include Bradley Palmer State Park, Appleton Farms Grass Rides, Willowdale Mill Reservation and Patton Park. The parks and reservations are protected and will not be developed.

There are other open space areas in town which are quite scenic but are not public lands or protected by formal restrictions. These include the Myopia Schooling Fields, the portion of Iron Rail property in Hamilton and Pingree School lands.

**Comment [SB43]:** see the Hamilton Reconnaissance Report regarding scenic landscapes for this section:  
<http://www.mass.gov/eea/docs/dcr/stewardship/histland/recon-reports/hamilton-with-map.pdf>  
I will also send to you. State loves to see this study cited.

**Comment [J44]:** I don't have independent knowledge that this designation is a "real thing", or, if it is, that Ipswich River is included.

**Comment [SB45]:** While it may have been proposed at some point it has not been designated (Federal Designation) according to website:  
<http://www.mass.gov/eea/agencies/dfg/der/technical-assistance/wild-and-scenic-rivers.html>

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COMMUNITY SETTING:

These resources are mainly concentrated in the western part of the town, with a smaller number in the eastern part (including Chebacco Woods).

**Wetlands**

Hamilton has several very scenic wetland areas, most notably: Wenham Swamp, Miles River and Black Brook, and on the fringe of Chebacco Lake. Development pressure is constant in these areas. As the availability of buildable land decreases, house lots are put pressure on the edge of the wetlands and adjacent sensitive buffer zones. Negative impacts on statutorily protected wetland functions need to be prevented, and development in wetland buffer zones is closely regulated by the Hamilton Conservation Commission.

**Unusual Geologic Features**

One of the most striking geologic features of Hamilton is its sharply rising hills, which afford spectacular views from their tops. Examples are Candlewood Island, Sagamore Hill (and surrounding hilltops such as Eveleth Hill), the Hamilton Ski Hill, and Cilly's Hill, which is close to the business center of town. Also attractive are the expansive bedrock outcroppings below and to the south of Sagamore Hill and the rock ledges and outcroppings in and around Chebacco Woods.

**Historic Areas**

Hamilton is fortunate to have a well defined and protected historic district. In addition, an historic feature of the town which is protected, is the burial site of Chief Masconomet on Sagamore Hill.

**Areas of Critical Environmental Concern (ACEC)**

There are currently no ACECs in Hamilton, as defined by the Commonwealth's ACEC process.

## G Environmental Problems

### Hazardous Waste Sites

Presently, there is only one DEP hazardous waste site in Hamilton. The site is on town property behind the town hall where diesel and gasoline fuel tanks are stored. The tanks store 5,000 gallons each. There was leakage from the original tanks and they were replaced in 1986. In addition monitoring wells were put down. Shortly thereafter a plume of hydrocarbons was discovered on the surface of the groundwater. In 1987, a vapor recovery system was installed as a precaution. The town has an on-going contract to monitoring the tanks and the groundwater.

**Comment [J46]:** There is more than one 21E site in Town.....do we care to list them?

### Landfill

Hamilton's town landfill, located at the end of Chebacco Road in the Gravelly Pond watershed, was closed in 1983. In 20xx the Town approved, by Town Meeting vote, an expenditure of funds to cap the Town's Landfill. The capping will be in compliance with all state and federal laws and regulations. At the time of this writing the capping is almost complete. The Town is investigating uses of the capped landfill area, including the possibility of a solar energy field.

### Erosion and Sedimentation

Where bare earth is exposed storms are liable to wash loose silt down-gradient. If left uncontrolled, this erosion can lead to streams and water bodies where the silt dirties the water, harming fish and other organisms and eventually accumulating and interfering with water flow. This harm can be greatly reduced by relatively simple measures, such as minimizing the amount of land disturbed by construction, putting down straw or fabric to stabilize the soil, and putting up lines of hay bales, filter socks, or fabric silt fences downhill from the work. These engineering best management practices are straightforward and well-known. In Massachusetts the Wetlands Protection Act provides a legal basis state-wide for requiring these precautions, but the Act is only applicable within 100 feet of a wetlands resource area protected under the law. Federal Clean Water Act governs erosion control in larger projects. In 20xx the Town adopted a Stormwater Management Bylaw which requires erosion control measures.

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COMMUNITY SETTING:

in projects that disturb more than one acre of upland.

**Chronic Flooding**

Seasonal flooding is a concern in many low lying areas, of Town including parts of Highland Street, Howard Street and Linden Street where water overflows from a small stream which is shallow and has a large bordering wetland. Properties along the Miles River also experience substantial seasonal flooding.

There have been episodes of flooding associated with beaver dams in streams crossing roads in the eastern part of town, for example on Moulton Street. The Hamilton FEMA flood maps indicate numerous other areas subject to flooding.

**Water Overuse**

The Ipswich River watershed is increasingly overused. The watershed serves all or a portion of 21 communities. Hamilton water use has averaged between 50 and 90 gallons per person every day. The communities of Ipswich, Manchester, Hamilton and Wenham could be facing chronic and severe water shortages in the next thirty years.

Lawn watering is a major concern throughout the watershed. The Town annually institutes a watering ban during low flow months in the summer. Water constraints make the historic pattern of development in Hamilton, the large single family home with much lawn, not sustainable as we move forward. We cannot afford the loss of diverse and relatively intact biologically functioning areas in order to continue an aesthetically pleasing but ecologically dysfunctional use of land.

**Wetlands Resource Impacts New Development**

Development is more and more constrained to be near wetlands and in adjacent upland areas that formerly provided wildlife habitat and corridors. Applications for construction of single family homes which, although they do not actually fill wetlands directly, include structures or grading that are close to resource areas and this will affect the functioning of the wetlands and which leave wildlife no effective “wetlands fringe” area that has been shown to be as essential to many species as the wetland itself. The Conservation Commission regulates such new construction strictly. A “no-build”, and a “no-disturb” zone of varying widths exist adjacent to wetlands. Additionally the 100 foot buffer zone, known locally as the Associated Upland Resource Area (AURA) has performance standards which each project must meet. Proposed projects

**Comment [J47]:** Need to check this...?BOH Agent?

**Comment [SB48]:** It is useful to use heading as defined in Guidebook.

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COMMUNITY SETTING:

within the AURA are considered in light of the ecological function of the AURA in its entirety. Wetland areas protected under the Bylaw include isolated wet areas which, though not necessarily state-certified as vernal pools, showed significant biological signs of functioning as vernal pools and the 100-foot zone around such vernal pools.

**Surface Water and Groundwater Pollution**

Hamilton is completely dependent on groundwater for its drinking supply. In addition, Gravelly Pond and Round Pond, which are used as a drinking water supply for the town of Manchester, are located in Hamilton. The primary environmental problems facing the town are those which could potentially impact these drinking water resources. Preventing or strictly regulating underground storage of fuel, floor drain discharges, septic systems, agricultural practices, household hazardous waste and road salting will remain a high priority.

Educating landowners on best practices for manure management is one of the Town's goals of the DPW in response to the National Pollutant Discharge Elimination System mandate. Stockpiling manure in "back" areas which may be close to adjacent to wetland resource areas and surface water resources clearly causes problems for the wetlands and waters. Proper placement of stockpiles, and use of vegetated buffer strips is required. Likewise best practices for fertilizer use can be helpful.

*Stormwater Management Bylaw and Illicit Discharge Detection and Elimination Bylaw*

As federally mandated, Hamilton adopted the Stormwater Management Bylaw the purpose of which is to protect ground and surface water from degradation through pollution, sedimentation, and other effects.

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COMMUNITY SETTING:

**Underground Storage of Fuel**

Leakage of tanks or piping that are subject to corrosion or puncturing can lead to contamination of water resources. Underground storage tank leaks are caused by a number of factors including defects in tank materials, improper installation, corrosive soils, problems with piping systems, weather conditions or tank fatigue. Unprotected steel tanks have an average life expectancy of 15 years in corrosive soils which are characteristic of much of Massachusetts. Once tanks leak, contents can move through the ground and contaminate large volumes of water, since concentrations as minute as several parts per billion in drinking water are considered unsafe.

Petroleum fuels are mixtures of hydrocarbons. If a fuel such as gasoline is released into the subsurface, the more water soluble components such as benzene dissolve into the groundwater and move with the ground water flow. The drinking water limit for benzene is 5 parts per billion. This problem can also occur to releases of oil, but to a lesser degree. Once an aquifer has become contaminated, it is very difficult and expensive to clean it up. The Massachusetts Contingency Plan [MCP] (*see 310 CMR 40.0000*), in some detail and complexity, regulates the clean-up of hazardous waste releases and sites. The MCP covers oil release and gasoline releases from underground leaking storage tanks. Typically, a groundwater remediation system would be installed to intercept and treat the contaminant plume. If the contaminant plume were to reach the drinking water wells, the town would have to construct a water treatment plant or find a new water source. The cost of either of these alternatives would likely be in the millions of dollars. Therefore, it is important to take whatever steps are necessary to protect the aquifer from contamination.

In addition, residences and institutions are storing fuel oil in 15 underground tanks throughout the study area. The total volume of fuel oil stored underground in Hamilton's water study area is approximately 68,050 gallons. The records do not indicate the ages of these tanks, but many are likely to be at least 20 years old. Almost all of them are unprotected steel tanks.

Comment [J49]: Source?

**Floor Drain Discharge**

Floor drains are often tied to a leaching structure such as a dry well or a septic system. Poor management practices and accidental and/or intentional discharges may result in petroleum and other hazardous materials being released into the subsurface. Depending on the type and amount of contaminant released, the MCP could regulate this type of release as well. Once the contaminants enter the subsurface they can cause aquifer contamination as described above.

**Septic Systems**

With the exception of Gordon Conwell Theological Seminary and the Middle and High Schools, which utilize treatment plants before discharging the treated

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COMMUNITY SETTING:

water to the subsurface, Hamilton relies on septic systems to treat sanitary wastes. A septic system consists of a septic tank and leaching system. Title V of the state's environmental code regulates septic systems. The Town's Health Agent administers Title V and issues permits for septic system construction, subject to the review and approval of the Board of Health.

## SECTION 5 INVENTORY OF LANDS OF CONSERVATION INTEREST

Preserving open space in Hamilton is important for several reasons, and of value regionally as well as locally.

Historically and culturally, Hamilton has been a rural town, agriculture and equestrian use being the primary uses of open space. In recent decades, more attention has been given to open space preservation for the public benefits of habitat and resource protection and for passive recreational use.

Hamilton's open spaces provide the opportunity for residents of our region, many of whose towns have been heavily developed, to connect with the natural environment through various forms of recreation, and even through the simple experience of driving down country roads, along woods and open fields.

"Protected land" as described here includes all state (none federal) lands, all conservation restrictions, and town lands. These are categorized as permanently protected.

The many parcels under agricultural property tax status are not permanently protected, but are shown on the **protected spaces map** for two main reasons: 1. to show their relationship to adjacent protected lands and 2. because they are assumed to be potential candidates for permanent protection. Chapter 61 designated agricultural and forestry lands, must come before the Town for a statutory "right of first refusal" before they may conveyed. These properties may also be of ongoing interest non-profit conservation organizations. Many of the goals and objectives of this plan are particularly relevant to these lands.

### **A Protected Parcels**

The **inventory tables associated with this chapter and in the appendices** list



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COMMUNITY SETTING:

main characteristics of parcels in Hamilton which are protected by the Commonwealth, by the Town as public water supply lands or for other municipal purposes, or nonprofit land trusts. The Protected Open Space Map shows their distribution throughout the town.

Brief descriptions of some of the major parcels follow.

**Bradley Palmer State Park**

The former Bradley Palmer estate, partly in Hamilton, was donated to the Commonwealth and is a major regional recreational resource. It is used intensively for walking, riding, bicycling and cross country skiing as well as for its picnic areas and wading pool.

**Willowdale Mill**

The Essex County Greenbelt Association's 25-acre Willowdale Mill reservation adjoins Bradley Palmer State Park on the north, and its trails connect with those of the park. It protects 1500 feet of the east bank of the Ipswich River, and links the river bank and the park with Winthrop Street. Its features include the ruins of the 19th century mill, a fish ladder (unfortunately in disrepair and not functioning), and walks through forested areas.

**Appleton Farm**

The Trustees of Reservations manage this farm, which dates from 1638, partly for recreation and partly for agriculture. The Appleton Grass Rides section has a network of wide grassy avenues built for carriage driving but now used by cross country skiers, snow shoers, and walkers. The rest of the site has a multipurpose trail network.

**Fee-simple lands of Essex County Greenbelt Association**

The Essex County Greenbelt Association owns some lands outright – Willowdale Mill has been mentioned- but there are several other parcels of varying sizes listed in the tables, the largest being over 150 acres, acquired from J. Pingree.

**Hamilton-Wenham Open Land Trust**

The Hamilton-Wenham Open Land Trust, which in addition to seeking traditional donations of lands for open space, has worked to facilitate the protection of open space in conjunction with new residential developments.

[H-WOLT Reservations, Jan. 2007](#)

Name of Reservation	Location	Acres	Map/Lot
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COMMUNITY SETTING:

Pondview	Boardman Lane	2	31/23
Helen Warren Richardson	Woodbury Street	2	69/25
Riverside	Gardner Street	9	17/4
Whipple	Candlewood Island	2	35/3
Taft Woods	Taft Woods Row	4.4	65/154
Ted & Ella Johnson	Candlewood Island	7	35/2
Tarr/Chute	Bridge St. at Essex St.	9	52/63
Michaela's Woods	Off Appleton Ave.	16.9	64/7.

Comment [J50]: Update HWOLT

Hamilton is grateful to all private property owners who have donated land for conservation and recreation. Their generosity and demonstration of concern for the future are appreciated. The town also recognizes the generosity of landowners who have permitted riders and walkers access to their lands.

**Town of Hamilton Water Supply Lands**

The town owns relatively small parcels surrounding their several water supply wells: Pine Tree (7 acres), Idlewood No. 2 (38 acres), Bridge street (17 acres), School Street and one acre at the reservoir site on Brown's Hill.

**Chebacco Woods**

These extensive tracts in Wenham, Manchester and Hamilton which were formerly part of the country estate of Frederick Henry Prince were later owned by Gordon College. Approximately 115 acres are now protected open space jointly managed by the towns of Hamilton and Manchester, having been bought from the College in a major education, outreach and fundraising effort that involved multiple state agencies and nonprofits as well as the two towns. In southeast Hamilton, the land includes areas adjacent to Gravelly Pond, Round Pond, and Beck Pond. In this irregular terrain, made up of hummocky glacial till often thinly overlaid on rough bedrock, with large ponds as well as smaller water bodies and vernal pools in kettleholes, a variety of habitats and scenery can be found, including between Beck Pond and Woodbury Street, hemlock forest reminiscent of cool rocky ravine microenvironments of further north in New England. This has long been an important regional recreational

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COMMUNITY SETTING:

resource, with its unspoiled lakeside forests and extensive trail network.

**Town of Manchester-by-the-Sea Lands located in Hamilton**

Gravelly Pond and Round Pond are used by Manchester-by-the-Sea for water supply. Manchester also maintains a sizeable area in that part of southeast Hamilton for water supply protection which serves valuable resource and habitat protection purposes. As part of the Chebacco Woods land acquisition, a conservation restriction was granted by Manchester-by-the-Sea providing durable protection and public access to these lands, effectively forming an extension of Chebacco Woods and a total protected area of approximately 365 acres.

The adjacent open space in Wenham and Manchester owned by Gordon College, and the Meadowbrook Farms property in Hamilton remain unprotected.

**Harvard Forest**

This property straddles the Boston-Ipswich commuter rail right of way in the center of Hamilton, and is land formerly planted with hundreds of groups of exotic trees and shrubs and donated by Nathaniel Martin to Harvard College. It is under the management of the Harvard Forestry School headquartered at Petersham, Massachusetts. There are periodic managed harvests of trees. It has trails that are used for riding, hiking and cross-country skiing. Harvard maintains all rights to this land. The assumption is that Harvard Woods will be preserved as it is, but it is not technically protected land now.

**Essex County Greenbelt Association less-than-fee interests**

The Essex County Greenbelt Association (ECGA) seeks various types of Chapter 187 Conservation Restrictions and other less-than-fee interests in land which are listed in the inventory.

COMMUNITY SETTING:

**Public Lands protected by Conservation Restrictions**

Area	Owned By	Managed By	Current Use	Condition	Recreation Potential	How Acquired	Degree of Public Access	Zoning	Degree of Protection
Idlewild Brook Well Area	Town of Hamilton	Board of Selectmen	Well Only	Good	None	Town Land	None	R 1 A	
Bridge Street Well Area	Town of Hamilton	Board of Selectmen	Well Only	Good	Unknown	Town Land	None	R 1 A	
School Street Well Area	Town of Hamilton	Board of Selectmen	Well & Recreation	Good	Already Being Used	Town Land	Full	R 1 A	
Asbury Street/ Patton Well Area	Town of Hamilton	Board of Selectmen	Well Use Only	Excellent	Possible	Town Land	None	R 1 A	
Patton Park	Town of Hamilton	Board of Selectmen	Recreation/ playing fields, tennis, basketball, playground, concert area, etc.	Excellent	Already Being Used	Gifted	Full	R 1 B	In Perpetuity
Chebacco Woods	Towns of Hamilton & Manchester	Chebacco Woods Land Management Association	Recreation	Natural State with Trails	Already Being Used	Self-Help, Town Conservation Funds, Contributions	Full	R A	In Perpetuity

INVENTORY OF LANDS OF CONSERVATION INTEREST:

Area	Owned By	Managed By	Current Use	Condition	Recreation Potential	How Acquired	Degree of Public Access	Zoning	Degree of Protection
Moulton Street Conservation Area	Town of Hamilton	Conservation Commission	Habitat Protection	Good	Already Being Used	Gifted	Full	R 1 B	Conservation Restriction
Cutler Park	Town of Hamilton	Board of Selectmen	Habitat	Needs Maintenance	Biodiversity Study	Gifted	Full	R 1 B	In Perpetuity
Winthrop Elem School	Town of Hamilton	Regional School District	Education	Poor	Playgrounds	Gifted	Full	R 1 A	Lease Expires in 2015
Cutler Elem	Town of Hamilton	Regional School District	Education	Fair	Playgrounds	Partially Gifted & Partially eminent domain	Full	R 1 A	Lease Expires in 2015

**Private Lands protected by Conservation Restrictions**

	Grantor	CR Holder	Location	Acres	Date	Notes	Book/Page	Map/Lot
1	F. Winthrop (Arbella Land Co.)	ECGA	Off Highland and Winthrop St.	84	1971 Apr	Along Ipswich River and Black Brook	5492/777	8/1
2	G. Horne (M. Massey)	ECGA	Off Highland St.	11.7	1977 Mar	Two pieces along Ipswich R.	6107/257	4/15(2.7) 4/9(9.0)
3	G. Horne (M. Massey)	ECGA	Off Highland St.	10	1977 Mar	Woodland near Ipswich R.	6302/463	4/16
4	G. Horne (M. Massey)	ECGA	Off Highland St.	10	1977 Mar	Woodland near Ipswich R	6351/102	4/13
5	E C Trust	ECGA	Boardman Lane	25.3	1978 Dec	Sears Park	6550/529	23/2

INVENTORY OF LANDS OF CONSERVATION INTEREST:

6	D. & S. Bradford (J. Donovan)	ECGA	Cutler Rd.	36.6	1982 Dec	Cilly Hill, abuts Harvard Forest	7023/563	48/12 (57/109)
7	G. & R. Patton	ECGA	Asbury St.	59.3	1987 Dec	Vineyard Hill (rest if CR in Topsfield)	9339/558	19/2
8	G. & R. Patton	ECGA	Between Asbury and Highland Sts.	72.7	1987 Dec	Totten Farm	9339/558	20/4
9	S. L. Phippen	ECGA	Essex Street	2.9	1993 Dec	Rest of CR is in Wenham	11728/290	68/1
10	Arbella Land Co. (Winthrop)	ECGA	Highland Street	84.3	1994 Nov	Winthrop Fields	12866/20	13/9(40.6) 8/7 (7.3)

	Grantor	CR Holder	Location	Acres	Date	Notes	Book/Page	Map/Lot
			(both sides)					14/2(8.1) 13/3(28.3)
11	R.E.P. Totten	ECGA	Off Highland	58.5	1993 Nov		12215/189	20/4.5.11. 12
12	G. Horne	ECGA	Highland St.	18.2	1995 12		13311/51	4/12
13	F. & B. Sears	ECGA	Gardner St.	56	1999	1800 ft. along Miles R.	16023/25	24/26 24/36
14	J. & D. Pirie	ECGA	Off Bay Road	31.88	1997 Dec	2 pcs. 1530 ft along Miles R.	14512/288	49/21 (26.6) 49/22B (5.28) 49/52
15	S., F., & F. Colloredo-Mansfeld	ECGA	Winthrop St.	11.9	2002 Nov	Adj. Bradley Palmer	19748/169	6/5
16	Joshua Lerner	ECGA	108 Moulton St.	12.47	2002 Dec	Miles R.	19794/409	32/7
17	Kevin Donovan Michele Stecyk	HWOLT	494 Essex St.	9.09	2003 Dec		22222/64	59/39 59/99
18	F.F. Colloredo-Mansfeld	ECGA	Winthrop St.	5.79	2004 Sep	Lot F	23345/212	13/11

INVENTORY OF LANDS OF CONSERVATION INTEREST:

19	S. Lawrence Nominee Trust	ECGA	Winthrop St.	12.7	2004 Sep	Lot G	23345/226	13/12
20	S. Colloredo-Mansfeld & S. Lawrence Nominee Trust	ECGA	Winthrop St.	8.48	2004 Sep	Lot H.	23345/240	13/13
21	D. Lawrence Nominee Trust	ECGA	Winthrop St.	8336 sq. ft.	2004 Sep	Parcel A	22345/199	7/1
22	Colloredo-Mansfeld	ECGA	Winthrop St.	1.8 3.16	2004 Sep		7021/558	13/10
23	Osgood	ECGA	675 Bay Rd.	5.18	2005 Dec		24040/502	40/31
24	Shane	ECGA	Essex St.	14.68	2006		5801/44	69/1
25	Colloredo-Mansfeld	ECGA	Winthrop St.	9.48	2007 Sep	Lot 1-A	25712/115	6/2.4.7.8

	Grantor	CR Holder	Location	Acres	Date	Notes	Book/Page	Map/Lot
26	Richey	ECGA	Bridge St.	14.2	2007 Sep	Miles River	10350/95	57/13
27	Clark	ECGA	823 Bay Rd.	20.5	2007 Nov	Miles River	12155/86	32/16
28	Moseley	ECGA	861 Bay Rd.	61.2	2007 Nov	Miles River	5369/127	32/15
29	Winthrop	ECGA	Winthrop & Highland	83 new	2007 Nov		23811/347 24055/71	8/1.8.13

## B Unprotected parcels

### Miscellaneous town holdings

Many parcels, mostly quite small, are held by the Town of Hamilton for various purposes. One of the larger and more significant pieces is the recently capped landfill site in the extreme southeast corner of the town, on the Manchester town line and across Chebacco Road from the Manchester town water supply land around Gravelly Pond. The process of capping the landfill to the standards set by state law and regulations issued by the Department of Environmental Protection is almost complete. Capping the landfill has substantially denuded the western part of the site, but the hilly and forested eastern part and adjacent wetlands retain open space and wetlands value.

INVENTORY OF LANDS OF CONSERVATION INTEREST:

**U.S. Air Force**

The Air Force site on Sagamore Hill is owned by the United States and is not open to the public.

**Other significant unprotected parcels**

Institutions including Pingree School and Gordon-Conwell Theological Seminary have significant amounts of undeveloped land which is not protected. Private recreational lands owned by the Myopia Hunt Club and Myopia Schooling Field Trust land are significant in size as well but they too are not subject to any legal restriction on future development.

There are about 35 unprotected unrestricted privately owned parcels of at least 20 acres in Hamilton that have qualified for reduced property tax status under Massachusetts General Laws Chapter 61 (forestry), 61A (agriculture) and 61B (recreation and wildlife). This status is granted by the Hamilton Board of Assessors.

The maps accompanying this report identify areas which, because of their resources, position in relation to greenways, importance as aquifer recharge areas, etc., are of particular priority to keep as open space. The appendix has lists of owners, areas, and map and lot locations for many parcels, to serve as a resource for future planning about potential open space acquisition parcels in addition to those already identified in this plan.

**Chapter 61, 61A and 61B Lands – As of Jan. 2007**, assessors records show an additional 270 acres for which a simplified list as below has not yet been compiled.

	OWNER	LOCATION	TYPE	ACRES	MAP/LOT
1	D. Pirie	Off Bay Road	Ch. 61 Forestry	27.6	49/52
2	P & B Britton	466 Highland Street	Ch. 61 Forestry	127.2	20/11
3	Arbella Land Co.	Winthrop Street	Ch. 61 A Agriculture	50	2/4
4	Arbella Land Co.	Highland Street	Ch. 61 A Agriculture	7.3	8/7
5	Arbella Land Co.	Highland Street	Ch. 61 A Agriculture	36	8/13
6	Arbella Land Co.	Highland Street	Ch. 61 A Agriculture	28	13/3
7	Arbella Land Co.	Highland Street	Ch. 61 A Agriculture	40.6	13/9
8	Arbella Land Co.	Cutler Road	Ch. 61 A Agriculture	8.1	14/2

**Comment [J51]:** This is confusing to me, the table below list parcels, are these the same parcels as are described here?? I don't think they are, so...what is this paragraph about?

**Comment [J52]:** Update owners and map lot numbers

**Comment [J53]:** I don't think any parcels have been identified in this text up to now...? Confusion .

**Comment [SB54]:** update as of 2015 with assessor's data. I am happy to help with formatting tables.



INVENTORY OF LANDS OF CONSERVATION INTEREST:

9	John Donovan	Sagamore Hill	Ch. 61 A Agriculture	29.7	26/2
10	John Donovan	Sagamore Hill	Ch. 61 A Agriculture	10.6	26/4
11	P&M Clark	Off Bay Road	Ch. 61 A Agriculture	~15	32/22
12	Focus Focus R.T.	Sagamore Street	Ch. 61 A Agriculture	104.5	26/1
13	M. Plum, ML Cabot	27 Woodland Mead	Ch. 61 A Agriculture	1.1	47/222
14	M. Plum, ML Cabot	112 Woodland Mead	Ch. 61 A Agriculture	2.7	47/223
15	Devon Glen L.P.	482 Bay Road	Ch. 61 A Agriculture	8.8	48/11
16	John Donovan	Sagamore Hill	Ch. 61 A Agriculture	24	34/2
17	Patton Family L. P.	650 Asbury Street	Ch. 61 A Agriculture	89.7	19/2
18	J. Culverwell	336 Bridge Street	Ch. 61 A Agriculture	9.5	51/32
19	Devon Glen L. P.	Bay Road	Ch. 61 A Agriculture	2.9	48/10
20	D. Pirie	Off Bay Road	Ch. 61 A Agriculture	7.3	49/53
21	J. Lawrence	Winthrop Street	Ch. 61B Recreation	26	6/5
22	D. Lawrence	Winthrop Street	Ch. 61B Recreation	14.6	7/1
23	F. Colloredo- Mansfeld	Highland Street	Ch. 61B Recreation	5.7	13/11
24	S. Colloredo- Mansfeld	Winthrop Street	Ch. 61B Recreation	12.9	13/12
25	S. Colloredo- Mansfeld	Winthrop Street	Ch. 61B Recreation	8.3	13/13
26	J. & J. Moseley	Moulton Street	Ch. 61B Recreation	9.7	13/11

Total

~708

Acres

Comment [J55]: update

## SECTION 6 COMMUNITY GOALS

### A Description of Process

As a means of obtaining public opinion on open space issues, the Town of Hamilton's Planning and Inspections Department conducted two public forums to obtain comment on a draft version of this updated OSRP. A legal notice of time and place for the forums was published in several local newspapers. The Draft was posted on the Town website several weeks prior to the forums. Anyone interested in providing written comment could do so by email to the Town's Conservation Coordinator. All written comments are shown in Appendix X to this Plan. The Town's responses to all the written comments are included in that appendix as well. Public comments made at the forums are also contained in this appendix and the Town's responses to them.

Much information more specifically targeted to determining recreation needs, particularly for active recreation for all age groups, is closely analyzed in the separate 2012 Hamilton- Wenham Recreation Master Plan, which the reader is urged to study closely. It contains a great deal of invaluable information that is included as an Appendix in this revised Open Space and Recreation Plan.

### B Statement of Open Space and Recreation Goals

The town of Hamilton has in its undeveloped space an array of agricultural and woodland landscapes which are highly valued by the residents of the town and by visitors. In addition, these spaces provide protection for water resources and biological diversity. Preserving and enhancing these features while at the same time maintaining the Town's ability to meet its fiscal demands, is a high priority of the residents of Hamilton.

**Comment [J56]:** update & revise as we move along

**Comment [SB57]:** include names of papers, and otherwise be as specific as possible

**Comment [SB58]:** 2012

**Comment [J59]:** Final text of this paragraph will depend on what the comments are and Town's response but here's some language to start...

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## SECTION 7 ANALYSIS OF NEEDS

### A Summary of Resource Protection Needs

The town's highest priority is to maintain its supply of clean drinking water. Recharge areas must be maintained in a functioning condition, groundwater contamination must be avoided, and additional sources of water meeting quality standards must be sought. Due attention must be paid to the fact that the town's surface waters are public water supplies for adjacent towns and may in the future play such a role for Hamilton as well. The great importance of open space for water resource protection remains an area of strongest agreement among the townspeople.

Further, open space lands preserve habitat for a diversity of animal and plant species that must be maintained and enhanced. All our natural resources must be managed with attention to the connections and spatial relations among them, and their relation to resources in adjacent communities.

### B Summary of Community's Needs

Compared to the Statewide Comprehensive Outdoor Recreation Plan (SCORP) defined Northeast region as a whole, Hamilton is more rural than average. Like much of the area, it experiences the effects of water withdrawal and seasonal drought. It has a fair amount of woodlands, wetlands and agricultural lands available for hiking, mountain biking, trail riding and such, and according to the open space survey, there is demand for still more, and such activities are already valued by a greater percentage of respondents than in the SCORP survey. The demand for true bicycle paths or lanes is far greater than what currently exists in town. Compared to the region, there is many times greater than average appreciation for bridle trails. Though Hamilton has no coast line, it is partly bordered by the Ipswich River, and has several ponds, some shared with neighboring towns, which seem to satisfy the need for canoeing, fishing and boating.

Because it still retains a considerable amount of contiguous open space, along with neighboring towns, it forms part of one of what the SCORP calls "critical ecoregions," and special attention should be given to that status in planning for future development. While a similar percentage of respondents said they especially valued conservation areas as recreational fields, more felt that public funds should be used to preserve open space, while fewer felt public

**Comment [J60]:** SECTION B IS ALL REVIEW OF SURVEY from 2009

**Comment [SB61]:** The State will not want results of previous surveys. This section should be based on NEW information only gathered from public input from forums and stakeholder interviews, and new SCORP

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ANALYSIS OF NEEDS:

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funds should be used to acquire more recreational land.

The following analysis is based on the findings of the open space questionnaire. A summary of the main points of the responses will be followed by a full reproduction of the questionnaire, with summary statistics of the responses.

**Open space**

The survey results tables in Section 6 give the percentages “of”, “for”, “against”, and “no opinion” responses to questions about development and open space planning. For the purposes of this study, in most cases only the percentage of positive responses and the ratio of negative to positive will be reported. The percentage of “no opinion”, usually around 15%, will be noted only when the percentage is high enough to suggest a the result should not be taken at face value. We will for example point up the few cases where the “don’t knows” approached 30%, an indication either of a confusing question or an unusual degree of apathy.

Strong sentiment favoring open space preservation in town is clearly demonstrated by the 74% “yes” to 14% “no” (5.3 to 1) of respondents who said Hamilton should put more effort into protecting open space. 82% favored working with nonprofits to acquire open space land; 55% felt that town financial resources should be expended on this. 36% favored spending town funds to acquire land for recreation; and 90% thought that new developments should include a percentage of permanent open space.

**Growth management strategies**

81% said the town should restrict new development through zoning

59% respondents would use zoning to encourage market-rate housing for elderly (19% no)

Respondents were almost evenly divided on using zoning to encourage multifamily with zoning (41% yes/43% no)

Many feel strongly that the single-family house on a large lot is the defining land use of Hamilton: the proposition of zoning for a mix of single and multifamily housing received 38% for and 48% against.

A plurality of 51% would encourage infill housing versus 27% against.

Two thirds of respondents would increase minimum lot size (68% yes/24% no).

Percent favoring particular types of recreational enhancements for the town: bike trails 61%, conservation areas 57%, sports fields 56%, children’s play areas 53%, hiking and skiing trails 50%, swimming pool 50%, improvements

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ANALYSIS OF NEEDS:

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to Patton Park 47%, tennis courts 46%.

**Action on housing**

Respondents were no more than lukewarm to most propositions that the town should take action in the housing market. While 72% thought that the town should sponsor or encourage housing for senior citizens living on fixed incomes and 56% thought some special provisions should be made to help seniors already living in the town, most other interventions were favored by half or less: 49% wanted the town to sponsor or encourage affordable housing for people with low and moderate income, and a surprisingly low 43% thought the town should sponsor or encourage housing affordable for town employees. In general it seems respondents considered the town to have little or no responsibility for being part of the solution to the Massachusetts housing crisis, an attitude you can consider either “laissez-faire” or “mean-spirited” according to your leanings, but which is certainly at odds with the laws and goals the state has set for affordable housing and injurious to open space goals.

**Other town actions**

66% for and 25% against bicycle lanes on key connector roads

81% for and 8% against the town being more proactive on securing additional water supplies

75% for and 15% against the town being more proactive about encouraging or enforcing more water conservation

60% for and 28% against encouraging private wells for irrigation

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**Table 7-1 Spending of tax dollars**

More:	
66%	drinking water supply and quality
47%	more bicycle and walking paths
43%	land acquisition for conservation or passive recreation
38%	planning and growth management
Less:	
27%	public schools
21%	land acquisition for affordable or senior housing

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ANALYSIS OF NEEDS:

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*Public spending – relative importance of goals*

Respondents were asked to say how important to them, even if it may involve public spending, to:

Table 7-2 Town needs, average importance scores given by survey respondents

Spending purpose	Importance score (see note)
Preserve open space to protect wetland and water resources	4.34
Maintain current recreational areas and facilities	4.27
Preserve open space to protect wildlife habitat	4.10
Preserve farmlands	4.06
Preserve buildings of historical or architectural interest	3.59
Acquire land for recreational needs	3.28

Average score assigning a value of 1 to very unimportant, 2 to not important, 3 to neutral, 4 to important and 5 to very important

**Reproduction of the Questionnaire, with summary of responses**

Comment [J62]: Repro of old survey no longer needed in main body? Maybe as Appendix?

Comment [SB63]: omit

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ANALYSIS OF NEEDS:

### Hamilton Open Space & Master Plan Survey Results

Below are the survey results of responses received as of April 10<sup>th</sup>, 2002. The survey results will also be presented at the April 22<sup>nd</sup> workshop (Miles River Middle School at 7:30 PM) and on the CAPC's web site <http://www.hamiltonmasterplan.com>. The survey results will also be made available to the Hamilton-Wenham Chronicle for publication.

We received 543 responses, out of 3,200 delivered to each household. The percentages presented tallied here are based on the number of people who answered individual questions, since not every respondent answered every question. In certain instances, the percentages are of the entire 543 responses (Part I, Questions 4 & 5; Part III, Question 11; Part VI Question 11).

**Comment [J64]:** Survey runs from pages 5- 5-,  
?) 7-8 thru 7-12

ANALYSIS OF NEEDS:

Part I. Information about you and your household.

Page 1

1. How long have you lived in Hamilton?  
13 % < 5 yrs    18 % 5-10 yrs    26 % 11-25 yrs    33 % 26-50 yrs    10 % 51+ yrs
2. How old are you?  
1 % 20-24 yrs    6 % 25-34 yrs    48 % 35-54 yrs    18 % 55-64 yrs    28 % 65+ yrs
3. How many people are in your household?  
14 % 1    36 % 2    15 % 3    31 % 4-5    3 % 6+
4. Does your household include (check all that apply):  
41 % Children <18 years old    4 % An elderly parent who lives with you    6 % A person with a disability
5. Do you (check all that apply):  
96 % Own your home    3 % Rent your home    8 % Work in Hamilton    6 % Own a business in Hamilton

Part II. Living in Hamilton. For each statement, check one item that most closely reflects your opinion.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Opinion
1. I am satisfied with the level of town services in Hamilton.	<u>2 %</u>	<u>11 %</u>	<u>18 %</u>	<u>50 %</u>	<u>17 %</u>	<u>2 %</u>
2. Hamilton has experienced too much residential growth.	<u>2 %</u>	<u>11 %</u>	<u>25 %</u>	<u>28 %</u>	<u>29 %</u>	<u>3 %</u>
3. My property taxes have risen too quickly.	<u>2 %</u>	<u>6 %</u>	<u>21 %</u>	<u>23 %</u>	<u>46 %</u>	<u>3 %</u>
4. Hamilton has enough recreation space.	<u>5 %</u>	<u>20 %</u>	<u>16 %</u>	<u>42 %</u>	<u>15 %</u>	<u>1 %</u>
5. Hamilton's roads are adequately maintained.	<u>4 %</u>	<u>22 %</u>	<u>16 %</u>	<u>50 %</u>	<u>7 %</u>	<u>0 %</u>
6. Hamilton has done enough to address the supply and quality of our drinking water.	<u>15 %</u>	<u>31 %</u>	<u>19 %</u>	<u>27 %</u>	<u>4 %</u>	<u>4 %</u>
7. Hamilton provides adequate facilities and services for teens.	<u>7 %</u>	<u>22 %</u>	<u>26 %</u>	<u>17 %</u>	<u>5 %</u>	<u>23 %</u>
8. I am satisfied with Hamilton's public safety services.	<u>1 %</u>	<u>3 %</u>	<u>12 %</u>	<u>58 %</u>	<u>24 %</u>	<u>2 %</u>
9. Hamilton provides adequate facilities and services for seniors.	<u>7 %</u>	<u>19 %</u>	<u>27 %</u>	<u>18 %</u>	<u>5 %</u>	<u>24 %</u>
10. I am satisfied with the quality of our public schools.	<u>2 %</u>	<u>9 %</u>	<u>12 %</u>	<u>41 %</u>	<u>28 %</u>	<u>8 %</u>
11. The Town of Hamilton (excluding land preservation organizations and private citizens) has taken adequate steps to prevent the development of important open space.	<u>13 %</u>	<u>23 %</u>	<u>23 %</u>	<u>28 %</u>	<u>6 %</u>	<u>7 %</u>



ANALYSIS OF NEEDS:

**Part III.  
Preservation**

**Open Space, Recreation & Historic**

Page 2

Should the Town of Hamilton:

	Yes	No	No Opinion
1. Put more effort into protecting open space?	<u>74 %</u>	<u>15 %</u>	<u>11 %</u>
2. Use taxes or other local revenue to buy land or development rights in order to preserve open space?	<u>55 %</u>	<u>34 %</u>	<u>12 %</u>
3. Use taxes or other local revenue to acquire more recreation land?	<u>36 %</u>	<u>50 %</u>	<u>13 %</u>
4. Seek grants or work with existing land preservation organizations to buy land or development rights in order to preserve open space?	<u>82 %</u>	<u>10 %</u>	<u>8 %</u>
5. Put more effort into protecting the historic district and historically significant properties ?	<u>55 %</u>	<u>27 %</u>	<u>19 %</u>
6. Require that large new developments include a percentage of permanent open space?	<u>90 %</u>	<u>6 %</u>	<u>5 %</u>
7. Develop more bicycle paths and/or bicycle lanes?	<u>67 %</u>	<u>20 %</u>	<u>13 %</u>
8. Develop more trails for passive uses such as horseback riding, walking, and cross country skiing?	<u>59 %</u>	<u>27 %</u>	<u>14 %</u>
9. Increase the number of scenic roads which have restrictions on tree cutting, changing stone walls and fence building?	<u>56 %</u>	<u>28 %</u>	<u>16 %</u>
10. Adopt the Community Preservation Act in order to finance open space land acquisitions, affordable housing and historic preservation?	<u>49 %</u>	<u>23 %</u>	<u>28 %</u>

11. Check up to 10 recreational facilities that you think are important to the community, and circle the two that are most important to you.

<u>61</u> %	a. Bike trails or bike lanes	<u>53</u> %	k. Children's play areas
<u>51</u> %	b. Local neighborhood parks	<u>22</u> %	l. Public access to water bodies for boating
<u>25</u> %	c. Family picnic areas	<u>34</u> %	m. Public access to water bodies for swimming
<u>57</u> %	d. Conservation areas	<u>56</u> %	n. Fields for soccer, softball, baseball and football
<u>50</u> %	e. Swimming pool	<u>36</u> %	o. Recreation center building

ANALYSIS OF NEEDS:

<u>18</u> %	f. Skateboard park	<u>32</u> %	p. Teen center
<u>50</u> %	g. Hiking and skiing trails	<u>47</u> %	q. Patton Park improvements
<u>30</u> %	h. Ice skating rink	<u>20</u> %	r. Horse trails
<u>46</u> %	i. Tennis courts	<u>33</u> %	s. Cultural, arts and crafts facilities
<u>1</u> %	j. Other (list)		

Comment [J65]: Nasty image below

**Part IV. Growth Management**

Should the Town of Hamilton:

	<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
1. Restrict new development through zoning?	<u>88</u> %	<u>12</u> %	<u>8</u> %
2. Use tax revenue on bonds to by laid off for the purpose of reducing Hamilton's future growth potential?	<u>52</u> %	<u>34</u> %	<u>14</u> %
3. Adopt zoning to encourage market rate housing for the elderly?			
4. Adopt zoning to encourage townhomes or multifamily units in order to accommodate one person and small households?			
5. Increase the minimum lot size required for new homes to reduce the potential number of lots in town?			
6. Adopt special zoning of the town's planned residential and commercial development in exchange for open space preservation on large estates as a service did			

recently?

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ANALYSIS OF NEEDS:

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7-9

**Comment [J66]:** formatting

ANALYSIS OF NEEDS:

**Part V. Housing**

Should the Town of Hamilton:

	Yes	No	No Opinion
1. Sponsor or encourage housing Fdu to senior citizens living on fixed incomes?	<u>72 %</u>	<u>16 %</u>	<u>11 %</u>
2. Sponsor or encourage housing affordable to low- or moderate-income people of all ages?	<u>49 %</u>	<u>37 %</u>	<u>14 %</u>
3. Sponsor or encourage housing affordable to town and school employees?	<u>43 %</u>	<u>43 %</u>	<u>13 %</u>
4. Buy land for the purpose of developing affordable housing?	<u>28 %</u>	<u>55 %</u>	<u>17 %</u>
5. Sponsor the development of elderly housing exclusively for seniors already living in Hamilton or whose adult children live in Hamilton?	<u>56 %</u>	<u>28 %</u>	<u>16 %</u>
6. Adopt zoning that requires the inclusion of some affordable housing units in new residential developments?	<u>54 %</u>	<u>34 %</u>	<u>12 %</u>
7. Apply for grants to buy existing homes and sell or rent them as affordable housing?	<u>47 %</u>	<u>39 %</u>	<u>15 %</u>
8. Adopt zoning that encourages "infill" housing in existing developed areas <u>and discourages</u> development on large tracts of open space?	<u>51 %</u>	<u>27 %</u>	<u>22 %</u>
9. Adopt zoning providing for a mix of housing by allowing two-unit or multi-family homes, subject to design review?	<u>38 %</u>	<u>46 %</u>	<u>15 %</u>
10. Should the town relax existing zoning so as to permit a rental unit in a single family home?	<u>49 %</u>	<u>40 %</u>	<u>11 %</u>

**Part VI. Community Facilities and Services**

Should the Town of Hamilton:

	Yes	No	No Opinion
1. Sponsor or develop bicycle lanes on key connector roads?	<u>66 %</u>	<u>25 %</u>	<u>9 %</u>
2. Provide more services and programs for youth?	<u>45 %</u>	<u>27 %</u>	<u>28 %</u>
3. Provide more services and programs for senior citizens?	<u>50 %</u>	<u>21 %</u>	<u>29 %</u>
4. Provide services and facilities for cultural activities (art, theatre, music, crafts, etc)?	<u>50 %</u>	<u>28 %</u>	<u>22 %</u>
5. Be more pro-active about investigating and securing additional water supplies to serve Hamilton residents and businesses?	<u>81 %</u>	<u>8 %</u>	<u>12 %</u>

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ANALYSIS OF NEEDS:

6. Be more pro-active about encouraging or enforcing more water conservation?	<u>75 %</u>	<u>15 %</u>	<u>11 %</u>
7. Encourage private wells for lawn watering and other irrigation in order to reduce the use of town water?	<u>60 %</u>	<u>28 %</u>	<u>12 %</u>
8. Increase annual spending on road maintenance and drainage?	<u>31 %</u>	<u>46 %</u>	<u>23 %</u>
9. Improve access for persons with disabilities in public & commercial buildings, parks or other public places? If yes, where?	<u>19 %</u>	<u>31 %</u>	<u>50 %</u>

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10. Build more sidewalks in residential neighborhoods? If yes, where?	<u>27 %</u>	<u>45 %</u>	<u>28 %</u>
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11. Should the town more aggressively enforce regulations to protect surrounding residents from home-based businesses?	<u>54 %</u>	<u>28 %</u>	<u>19 %</u>
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If Yes, for what issues:	a. Noise	<u>40 %</u>	b. Traffic	<u>37 %</u>	c. Aesthetics / Signage	<u>37 %</u>	d. Parking in Residential Zone	<u>37 %</u>	e. Inventory storage	<u>30 %</u>	f. Hours of operation	<u>33 %</u>
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12. Please also tell us:		Yes	No
Do you have a private well?		<u>16 %</u>	<u>84 %</u>
a. If you have a private well, approximately how deep is it? _____ feet			
b. If you have a private well, for what purposes is it used? (check all that apply)			
Landscaping	<u>43 %</u>	Agricultural / equestrian Landscaping & Home	<u>4 %</u>
Landscaping & Agr	<u>13 %</u>	Home Water	<u>23 %</u>
		ALL	<u>3 %</u>

ANALYSIS OF NEEDS:

Part VIII. Trade-Offs

A. How important is it to you, <u>even if may involve public spending</u> , to:	Very Important	Important	Neutral	Not Important	Very Unimportant
1. Preserve buildings of historical or architectural interest?	<u>23 %</u>	<u>33 %</u>	<u>28 %</u>	<u>12 %</u>	<u>4 %</u>
2. Preserve farmlands?	<u>39 %</u>	<u>37 %</u>	<u>17 %</u>	<u>5 %</u>	<u>2 %</u>
3. Preserve open space to protect wetland and water resources?	<u>56 %</u>	<u>30 %</u>	<u>8 %</u>	<u>4 %</u>	<u>2 %</u>
4. Preserve open space to protect wildlife habitat?	<u>45 %</u>	<u>31 %</u>	<u>15 %</u>	<u>7 %</u>	<u>2 %</u>
5. Maintain current recreational areas and facilities?	<u>42 %</u>	<u>45 %</u>	<u>10 %</u>	<u>3 %</u>	<u>1 %</u>
6. Acquire land for recreational needs?	<u>16 %</u>	<u>29 %</u>	<u>29 %</u>	<u>20 %</u>	<u>5 %</u>
7. Increase the supply of parking in downtown Hamilton?	<u>10 %</u>	<u>26 %</u>	<u>32 %</u>	<u>25 %</u>	<u>7 %</u>

B. If you could determine how your tax dollars were spent, would you allocate more, less or the same amount to the following areas?	More	Same	Less	No Opinion
1. Active recreation facilities, e.g., athletic fields, tennis courts	<u>23 %</u>	<u>61 %</u>	<u>12 %</u>	<u>4 %</u>
2. Planning and growth management	<u>38 %</u>	<u>47 %</u>	<u>9 %</u>	<u>6 %</u>
3. Maintenance of streets, sidewalks, and parks	<u>30 %</u>	<u>65 %</u>	<u>4 %</u>	<u>2 %</u>
4. Land acquisition for conservation or passive recreation	<u>43 %</u>	<u>37 %</u>	<u>15 %</u>	<u>5 %</u>
5. Build more bicycle and walking paths	<u>47 %</u>	<u>31 %</u>	<u>16 %</u>	<u>6 %</u>
6. Drinking water supply & quality	<u>66 %</u>	<u>31 %</u>	<u>1 %</u>	<u>2 %</u>
7. Senior services	<u>33 %</u>	<u>44 %</u>	<u>10 %</u>	<u>13 %</u>
8. Public Safety: Staff and Facilities	<u>19 %</u>	<u>67 %</u>	<u>9 %</u>	<u>5 %</u>
9. Public Schools: Staff and Facilities	<u>26 %</u>	<u>44 %</u>	<u>27 %</u>	<u>3 %</u>
10. Land acquisition for affordable or senior housing	<u>25 %</u>	<u>43 %</u>	<u>21 %</u>	<u>11 %</u>
11. Other (identify):	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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Public Comments:

## **C Management Needs, Potential Change of Use**

### **Management needs**

Ongoing attention to open space and recreation concerns falls to several departments of town government: the volunteer boards (the Recreation Committee, the Conservation Commission and the other land use boards), the Town Manager, the Public Works Director and professional town staff. The continued diligent oversight of Town open space and recreation needs by all these entities as well as contributions by dedicated volunteers, non-profits, state and federal governments agencies will be crucial to achieving the goals of this OSRP.

Active communication and interaction with local land trusts is beneficial. An additional strategy, and one employed by these non-profit groups, is to investigate pre-planning for Chapter 61, 61A, and 61B lands. The time frame for the option to purchase these lands after conversion is almost always impractical for the town to act on, with Town Meeting votes typically needed. Decisions on specific parcels made ahead of this tight timeframe would allow faster, and considered, municipal action. In 2005, Town Meeting adopted the Community Preservation Act, which can provide funds enabling the town to buy chapter lands as they come on the market.

A specific management challenge is the maintenance of the quality of Chebacco Lake. The Chebacco Lake Watershed Association, the Selectmen, the Board of Health, the Conservation Commission and the Harbormaster have all expressed concern about pathogen threats, nutrient overload and nuisance aquatic weeds, inappropriately intensive boating use of the lake, petroleum product releases, noise pollution, interference with access by anadromous fish, and related problems. A variety of task forces and study groups have come and gone, but the problems need more extensive and intensive work than they have so far received. This may be beyond what can be expected from volunteer efforts.

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Public Comments:

Furthermore, the town faces the political difficulty of being able to spend considerable funds on a project which other residents may view as being of benefit only to lakeside residents.

**Potential change of use**

The priority open space challenges lying ahead are to influence development in a way that preserves, as much as is practicable given all municipal factors that may come into play as regards any parcel, lands most valued for their scenic, recreational, wildlife and natural resource qualities. A Town goal is to pursue smart-growth type development which will assist avoiding development in high-quality open space areas.



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Public Comments:

## SECTION 8 GOALS AND OBJECTIVES

The broad goals of this plan are similar to those stated in the previous versions of this Open Space and Recreation Plan, with changes in wording and emphasis to reflect new conditions and ideas about the most urgent needs.

The town's strategy for active recreational facilities such as playing fields have been very fully laid out elsewhere in the Recreation Master Plan, [see Appendix "--"](#)

As discussed in Section 5, undoubtedly the most significant achievement in open space preservation was the acquisition from Gordon College of the Chebacco Woods parcel by Hamilton, together with Manchester-by-the-Sea, state Self-Help funds and the participation of several nonprofit organizations and numerous private individuals. This was a major goal of the first Open Space and Recreation Plan. Together with new rights in the Manchester water lands and a set of interlocking conservation restrictions, this puts a major portion of the southeast corner of the town under durable protection.

Work continues by the Chebacco Lake Watershed Association and others to improve the quality and usability of Chebacco Lake as a recreational and ecological resource.

After approval of funding by Town Meeting in [20xx](#) the abandoned town landfill is in the end phases of state mandated capping at the time of this writing. The capping of the landfill is a long standing goal of the Town and its achievement is now clearly in sight. The environmental benefits provided by the full regulatory review and compliance with all the complex and technical regulations covering landfill capping are beyond dispute. The Town remains the owner of the parcel and is investigating new productive uses of the property, once the capping process is finished, such as a solar energy farm.

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Public Comments:

Hamilton, as is generally the case in our neighboring communities faces two main challenges to open space protection. The first is sprawl, resulting from conventional development of single-family houses, typically with large lawn areas. Such development can, depending on the specifics of the project, negatively affect open space and natural resources. The second is the state's affordable housing crisis. With so much unprotected land and so little affordable housing (roughly 3.3% of housing stock in Hamilton is "affordable" as defined by state regulations. Several of our abutting municipalities are much closer to the 10% target), it will be challenging to increase the availability of affordable housing while minimizing impact on Hamilton's scenic and natural qualities.

Developers can take advantage of Chapter 40B's provisions for bypassing many local land-use regulations when a town hasn't met affordable housing requirements. One of the key objectives of this plan will be to work on applying Smart Growth principles and best practices to the town. This type of development can often work in concert with affordable housing projects, often with express Town participation as in the concept of a "friendly 40B" project.

Following are the goals and objectives considered to be of greatest importance and urgency, concentrating here primarily on actions that are possible with resources known to be available, mainly volunteer effort. It is obvious that the range of possibilities becomes greater the more financial resources can be brought to bear, i.e. as would be the case through an Open Space bond issue, but this is a very uncertain political endeavor and we will not make it a precondition for further planning and action.

### Town of Hamilton Open Space Plan Goals and Objectives

Goal 1: Preserve and Enhance Open Space and Scenic Qualities

Objective: *Improve cartography of Hamilton with open space overlays, including protected open space, steep slopes, prime agricultural lands,*

**Comment [J67]:** Sue???? What do we do here...I stayed with the prior format but I'm not sure I like it....I'm also not sure I want to invent something new

**Comment [SB68]:** Your choice, we can discuss reformatting options.

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Public Comments:

scenic vistas. Provide map as resource to planners and property owners in creation of town no-build zones.

**Comment [J69]:** This Goal is basically done with GIS function now in Town

Objective: *Educate owners of large parcels* on advantages of preserving open space. Meet with individual landowners to discuss conservation strategies.

Objective: *Facilitate Smart Growth.* Conduct forums with other town boards, including Planning Board, Board of Selectmen, Finance Committee, Housing Authority, Board of Health and Board of Appeals to influence development to preserve open space, contribute to affordable/senior housing options.

**Comment [J70]:** Not sure what the "header" "Public Comments" refers to ? unclear to me, ...

Objective: *Coordinate open space initiatives.* Hold yearly meetings with Community Preservation Committee and other land use boards to review specific conservation goals and to develop policies for long term acquisition strategies.

**Comment [J71]:** Formattin g

Goal 2: Protect Water Resources

Objective: *Prepare overlay map* showing town well site, aquifers, rivers, streams, and wetlands.

**Comment [J72]:** GIS can do this we have all these layers...

Objective: *Promote education of residents* on sustainable use and seasonal watershed conditions. Hold informational workshop and write newspaper articles. Encourage school programs about local water resources.

Objective: *Coordinate with adjacent towns* to stay current with condition of watershed and water resources.

Objective: *Prioritize watershed protection and water conservation in development planning.* Conduct forums with Planning Board to further low impact development to reduce runoff and increase groundwater recharge. Investigate "Water Bank" demand mitigation program.

Objective: *Foster individual water conservation use.*

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Public Comments:

Investigate the feasibility of the following: meters for private wells, natural lawn care program, acquisition strategies.

Goal 3: Protect Wildlife Habitat

Objective: *Prepare overlay map* showing bio-core areas, wildlife corridors, vernal pools, significant plant communities and other ecologically vital areas. Work with wildlife professionals to identify wildlife habitat areas.

**Comment [J73]:** GIS again...

Objective: *Support school programs* to educate youth about local ecology and wildlife.

Objective: *Promote interpretive education.* Promote passive recreation and provide interpretation of natural areas to educate residents as to their importance.

Objective: *Propose programs to reduce wildlife habitat degradation.* Develop programs to minimize non-point pollution from field and lawn applications of pesticides and fertilizers. Propose by-law that would limit land clearing in new development.

**Comment [J74]:** PB's storm-water mgmt bylaw addresses this somewhat

Goal 4: Support Agricultural and Forestry

Objective: *Prepare overlay map* showing parcels in current agricultural and forestry use and those that are potentially suited for such practices.

**Comment [J75]:** GIS again...can give this information

Objective: *Coordinate with town boards and committees,* to develop incentives for open space preservation to landowners with current and potential agricultural/equestrian lands.

Objective: *Provide information for local landowners* regarding land use restrictions, sound environmental practices, state programs, and local by-laws.

Goal 5: Preserve, Maintain and Enhance Trail System and

Passive Recreation Facilities Objective: *Prepare overlay map* showing all trails and existing areas for passive

Public Comments:

recreational use.

**Comment [J76]:** This would be a difficult add-on to GIS...

**Objective:** Promote public use of passive recreational areas. Hold walks where appropriate with local wildlife interpreters on local trails em.

**Comment [J77]:** Trail Advocacy is overemphasized in this document. I don't say eliminate it but it needs to be reduced

**Objective:** Enlarge inventory of passive recreational areas. Identify landowners with land suitable for seasonal recreational use and provide assistance regarding options for public use.

## SECTION 9 FIVE- YEAR ACTION PLAN

**Comment [J78]:** Yikes!

**Comment [J79]:** Sue: How much of this needs to be "new"

**Comment [SB80]:** eliminate anything already accomplished , keep what is still relevant and add anything new identified throughout process. We can meet and go over if needed.

The five-year action plan for the Town of Hamilton Open Space and Recreation Plan establishes priorities and various tasks to be undertaken for each year. If a certain task is not completed in the designated year, it will be carried forward to the following year. By implementing this action plan, the Town of Hamilton can improve the status of open space conservation, water resource protection, wildlife habitat, and passive recreation opportunities. Its adoption will assist the town in preserving its rural character in the face of growth. .

### Year 1

#### Goal 1: Preserve and Enhance Open Space and Scenic Qualities

**Objective:** Improve Hamilton's GIS website with new open space overlays, steep slopes, and scenic vistas. Begin assembling data for creation of overlays.

**Comment [J81]:** Again GIS exist now so this Objective can be modified.

**Objective:** Implement Smart Growth. Conduct a forum with Planning Board, Board of Selectmen to introduce concept of Smart Growth.

**Comment [J82]:** I think this was done not that it went anywhere...

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Public Comments:

Goal 2: Protect Water Resources

Objective: Prepare overlay map showing town well site, aquifers, rivers, streams, and wetlands. Begin assembling data for creation of overlays.

Comment [J883]: GIS has all these layers

Objective: Coordinate adjacent towns to stay current with condition of watershed and water resources.

Goal 3: Protect Wildlife Habitat

Objective: Prepare overlay map showing bio-core areas, wildlife corridors, vernal pools, significant plant communities and other ecologically vital areas. Identify groups and coordinate with them to locate and identify significant plant communities and wildlife habitat areas.

Comment [J884]: state produces this map: biomap 2

Comment [J85]: Certified vernal pools are on GIS, but the remainder would be a difficult add-on to GIS...I suppose it could be kept as a goal

Goal 4: Support Agricultural/Forestry and Equestrian Land Use

Objective: Prepare overlay map showing parcels in current agricultural and forestry use and those that are potentially suited for such practices.

Comment [J86]: Should we "pick favorites" among land uses...? Why get into this at all. But if it common in the OSRP's around the state then ok...

Objective: Coordinate with town boards and committees to develop cooperation between boards, committees and landowners.

Comment [J87]: Chapter lands like these are shown on GIS

Goal 5: Preserve, Maintain and Enhance Trail System and Passive Recreation Facilities

Objective: Prepare overlay map showing primary trails and existing areas for passive recreational use.

Comment [J88]: Repeats here

Year 2

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Goal 1: Preserve and Enhance Open Space and Scenic Qualities

Objective: Continue to improve Hamilton's GIS website with refined open space and recreation overlays.

Objective: Educate large landowners on advantages of

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Public Comments:

preserving open space.

Objective: Implement Smart Growth. Hold presentation of successful Smart Growth projects. invite pertinent Town Boards, including Planning Board, Finance Committee, Housing Partnership Committee.

Objective: Coordinate open space initiatives. Meet with CPA Committee to discuss requirements for acquisitions.

Goal 2: Protect Water Resources

Objective: Prepare overlay map Continue to improve Hamilton's GIS website as regards important water resources. s.

Comment [J89]: formatting

Objective: *Promote education of residents* on sustainable use and seasonal watershed conditions.

Goal 3: Protect Wildlife Habitat

Objective: *Prepare overlay map* Continue to improve Hamilton's GIS website as regards significant wildlife habitats.

Objective: *Support school programs and promote interpretive education* to educate youth about local ecology and wildlife. Encourage out of classroom programs. Meet with open space experts to provide interpretation of natural areas to educate residents as to their importance

Comment [J90]: format

**Year 3**

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Goal 1: Preserve and Enhance Open Space and Scenic Qualities

Objective: Educate large landowners on advantages of preserving open space. Meet with individual landowners to discuss conservation strategies.

Objective: Implement Smart Growth. Obtain state grant money to implement smart growth objectives, i.e. downtown revitalization, commercial development at landfill site, affordable housing, etc.

Goal 2: Protect Water Resources

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Public Comments:

Objective: *Foster water conservation use.* Investigate the feasibility of the following: meters for private wells, natural lawn care program, etc.

Objective: *Prioritize watershed protection and water conservation in development planning.* Meet with Planning Board to further low-impact development to reduce runoff and increase groundwater recharge.

Goal 3: Protect Wildlife Habitat

Objective: *Propose programs to reduce wildlife habitat degradation.* Develop programs in conjunction with town boards and state and federal law to minimize non-point pollution from field and lawn applications of pesticides and fertilizers.

**Goal 4: Support Agricultural/Forestry and Equestrian Land Use**

Objective: *Provide information for local landowners* regarding state programs that offer assistance to landowners. Educate horse farm owners regarding sound environmental management of equestrian lands.

**Year 4**

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Goal 1: Preserve and Enhance Open Space and Scenic Qualities

Objective: *Implement Smart Growth.* Use GIS resources of Hamilton in discussions with Planning Board to facilitate smart growth development and discourage development that is damaging to natural resources.

Goal 2: Protect Water Resources

Objective: *Prioritize watershed protection and water conservation in development planning.* Use GIS resources of Hamilton with overlays to create water protection zones. Continue working with Planning Board to encourage low-impact development. Identify land for water resource acquisitions.



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Public Comments:

Goal 3: Protect Wildlife Habitat

Objective: *Propose programs to reduce wildlife habitat degradation. Use GIS resources of Hamilton with overlays to protect critical areas from development. Continue working with Planning Board to regulate land clearing in new development. Promote land uses that minimize non-point source pollution from various activities, including unregulated applications of fertilizers and pesticides.*

Goal 4: Support Agricultural/Forestry and Equestrian Land Use

Objective: ????

Goal 5: Preserve, Maintain and Enhance Passive Recreation Facilities and Trails

Objective: Use GIS resources of Hamilton to detail existing areas of publicly accessible trails and passive recreational areas.

Objective: *Enlarge inventory of passive recreational areas. Identify landowners with land suitable for seasonal recreational use and provide assistance regarding options for public use.*

**Comment [J91]:** Again I question the selection of favored uses...

**Comment [J92]:** Format...ugh...

**Comment [J93]:** Formatting snafu

Year 5

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Goal 1: Preserve and Enhance Open Space and Scenic Qualities

Objective: *Implement Smart Growth. Continue to use GIS resources of Hamilton in discussions with Planning Board to facilitate smart growth.*

Goal 2: Protect Water Resources

Objective: *Prioritize watershed protection and water conservation in development planning. Continue to use GIS resources of Hamilton to investigate creation of water protection zones. Continue working with Planning Board to encourage low-impact development.*

Goal 3: Protect Wildlife Habitat

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Public Comments:

Objective: *Propose programs to reduce wildlife habitat degradation.* Continue to use GIS resources of Hamilton to identify critical areas that may be subject to development. Continue working with Planning Board to regulate land clearing in new development. Promote land uses that minimize non-point source pollution from various activities, including unregulated applications of fertilizers and pesticides

**Goal 4: Support Agricultural/Forestry and Equestrian Land Use**

Objective: *Coordinate with town boards and committees.* Assess recent changes in land ownership, by-laws and land use to maintain preservation and promotion of agriculture.

**Comment [J94]:** Again maybe its OK to pick winners and losers amongst land uses lin these OSRP's....if not then this need to be excised.

**Goal 5: Preserve, Maintain and Enhance Passive Recreation Facilities and Public Trails**

Objective: *Protect existing trails.* Continue to GIS resources of Hamilton to protect public trails and passive recreational areas.

**Comment [J95]:** formatting

Objective: *Enlarge inventory of passive recreational areas.* Continue discussions with landowners with land suitable for seasonal recreational use and provide assistance regarding options for public use.

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Public Comments:

# SECTION 10

## PUBLIC COMMENTS

Letters of comment from town boards and regional planning agency follow

**Comment [J96]:** New text here when we get some comments

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Public Comments:

ECONOMIC DEVELOPMENT COMMITTEE  
Hamilton, Massachusetts

**Comment [J97]:** This committee does not exist any longer. There is now "Hamilton Development Corp". by act of Legislature...I deleted the comment the EDC made in 2009

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## SECTION 11

### MAPS

The following maps are included in this section:

Protected Open Space Map (see also MassGIS 1:25000 Open Space Map)

Land Use/Land Cover Categories

Unique, Scenic, and Special Places

US Geographical Survey Topographic Map of Hamilton & the Surrounding Communities

Water Resources and Regulated Areas

Hydrographic Features

NRCS SSURGO Soil Types

Zoning Map

**Comment [398]:** Update; list and maps...

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References:

## SECTION 12

### REFERENCES

Comment [J99]: Update references?

#### OPEN SPACE

The Bay Circuit Guide to Walks in Hamilton and Wenham. The Hamilton and Wenham Bay Circuit Committee. 1989.

Passport to Greenbelt: A Guide to Open Space in Essex County. Essex County Greenbelt Association, Inc. Essex, MA. 1988.

Massachusetts Scenic Landscape Inventory. 1981 Department of Environmental Management.

Statewide Outdoor Comprehensive Recreation Plan (SCORP).

North Shore trails study. Metropolitan Area Planning Council for the North Shore Task Force, 1995

Dealing with Change in the Connecticut River Valley: a design manual for conservation and development. R D Yaro et al Center for Rural Massachusetts. Lincoln Institute of Land Policy and Environmental Law Foundation. Much thought-provoking material on development for minimum adverse impact on scenery and open space. Fascinating graphic comparisons of traditional and improved development design practices.

#### LAND USE AND PLANNING

Town of Hamilton Master Plan, February 2004. Prepared for Hamilton Planning Board and Citizen's Action Planning Committee by Community Opportunities Group, Inc., Boston, Massachusetts.

Planning for Hamilton Massachusetts, Report for Hamilton Planning Board, prepared by Charles W. Eliot, Planning Consultant, July 1965. "The Master Plan" Comprehensive General Development Plan. HCC. Charles W. Eliot, who died in 1993, was head of the Harvard Graduate School of Design

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References:

and a major figure in American planning. His master plan for Hamilton is a perceptive and thoughtful work and should be studied carefully by anyone interested in land use and development in the town

Zoning By-law, Town of Hamilton, adopted 1954, with amendments. Contains many provisions relevant to resource protection. See especially Sections I.A. Limitations on land subject to flooding, I.B. Limitations on ways across wetlands and floodplains, V.C. Use regulations, Conservancy District, V.D. Groundwater Protection Overlay District, Open Space and Farmland.

**Comment [J100]:** Zoning Bylaw is Undergo9ng substantial revision as we speak..

Subdivision Regulations, Hamilton Planning Board, adopted July 1955, with amendments to September 2005.

Hamilton Conservation Bylaw and Regulations.

~~Conservation and Recreation Plan, Town of Hamilton, sponsored by the Hamilton Conservation Commission, June 1982~~

~~Conservation and Recreation Plan, Town of Hamilton, sponsored by the Hamilton Conservation Commission, August 1987.~~

~~Conservation and Recreation Plan, Town of Hamilton, sponsored by the Hamilton Conservation Commission, 1997.~~

**Comment [J101]:** Don't we just need the current Master rec. Plan, which will be attached?

#### WATER RESOURCES

Report on Aquifer Planning Study, Town of Hamilton, by Haley and Aldrich, Inc., May 1981. A very important information resource, both for its text and tables on Hamilton's water resources, and its maps, which the ConCom map case has large-format prints of, covering surficial geology, depth to bedrock, aquifer recharge areas, etc.

Hamilton, Massachusetts 201 Facilities Planning Study. Camp, Dresser and McKee, Inc. 1982. HCC, HPL. Valuable source on water resources and more general background information.

Metropolitan Area Planning Council, North Shore Water Supply Protection Study: Beverly, Essex, Hamilton,

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References:

Manchester, Wenham. **June 1988**. Metropolitan Area Planning Council, 110 Tremont Street, Boston, MA 02108.

Inventory and Analysis of Current and Projected Water Use. Vol. 1, Ipswich River Basin, Massachusetts Water Resources Authority, by Massachusetts Department of Environmental Management, Division of Water Resources, **June 1987**.

Preliminary Report Relative to Round Pond, Manchester, Massachusetts, Town of Manchester, by Whitman and Howard, Inc. **July, 1987**.

Guide to Lawn and Landscape Water Conservation. Massachusetts Water Resources Commission. April 2002.

#### SOILS

Soil Survey of Essex County, Southern Part. USDA Soil Conservation Survey, **1983**. Available from the U.S. Natural Resource Conservation Service office in Amherst.

Comprehensive descriptions and tabulations of properties of soils, along with a set of 1:15840 maps of soil boundaries overlaid on aerial photographs. The areas mapped as having hydric soils are a good guide to wetlands resource areas.

#### GEOLOGY AND NATURAL HISTORY

The Physical Geography, Geology, Mineralogy and Paleontology of Essex County, Massachusetts. Salem, MA: Essex Institute, 1905. Quite out of date, of course, but still an interesting view, including comments on many geological features now obscured by development.

Bedrock Geology of the Salem Quadrangle and Vicinity, Massachusetts. P. Toulmin, 3rd, USGS Bulletin 1163-A, 1964.

Surficial Geology of the Salem Quadrangle, Massachusetts. Robert N. Oldale, **1964**, Department of the Interior, USGS Geologic Quadrangle Map GQ-271. A 1:24000 scale map of the Quaternary glacial and marine deposits of part of the town, with a brief overview of the most recent million years of Hamilton geologic history.

**Comment [J102]:** IS there an updated version of this document?

**Comment [J103]:** Academic works, textbook as ancient as this I guess are OK; it's the govt issued docs, state and local, that are too old, IMHO, if they are from the 80's.



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References:

Surficial Geology of the Ipswich Quadrangle, Massachusetts. E. A. Sammel, 1963, USGS Geologic Quadrangle Map GQ-189. The same, for the northeast part of town.

Surficial Geologic Map of the Georgetown Quadrangle, Essex County, Massachusetts. Norman P. Coppels, 1969, USGS Geologic Quadrangle Map GQ 850.

Roadside Geology of Massachusetts. Skehan, James W. 2001 Missoula, Montana: Mountain Press Publishing Co. A nontechnical summary of Massachusetts geology centered around evidence you can see traveling on the highway.

Written in Stone: a Geological History of the Northeastern United States. Raymo, C. and M.E. Raymo 1989 Old Saybrook, Conn.: The Globe Pequot Press. A very readable popular account of regional geologic history.

Core Habitats of Hamilton. 2004. Biomap and Living Waters, Natural Heritage and Endangered Species Program.

#### NON-POINT SOURCE POLLUTION

Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, State Environmental Code, Title 5. 310 CMR 15.00.

Chapter VI of the Rules and Regulations of the Board of Health, Town of Hamilton, June 1, 1982.

Non-point Source Management Manual: A Guidance Document for Municipal Officials. Massachusetts Department of Environmental Management, Office of Watershed Management. Revised May 1994.

**Comment [J104]:** Updated version?

**Comment [J105]:** DEM is not the current acronym and this date is 20 years old

#### EROSION AND SEDIMENTATION CONTROL

Erosion & Sedimentation Control in Site Development, Massachusetts Conservation Guide, Volume I. USDA Soil Conservation Service, Amherst, MA, 1983. HCC. Erosion management recommendations for construction.

Vegetative Practices in Site Development, Massachusetts Conservation Guide, Volume II. USDA Soil Conservation

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References:

Service, Amherst, MA. HCC. Detailed planting methods for erosion management.

Guidelines for Soil and Water Conservation in Urbanizing Areas of Massachusetts. USDA SCS, 1977. HCC. The predecessor to the above series, still worthwhile for its additional information on estimating runoff and soil loss.

GENERAL REFERENCES

Better Not Bigger: how to take control of urban growth and improve your community. Eben Fodor. Stony Creek, CT, New Society Publishers. Though aimed at more urbanized areas, many good observations and suggestions applicable more widely.

The Tragedy of the Commons. Garrett Hardin. Science 162:1243-4. December 1968. Influential classic exposition of the problems of resources held in common

Does farmland protection pay? The cost of community services in Three Massachusetts Towns. American Farmland Trust. Northampton, MA 1992.

Cost of Sprawl Revisited: the evidence of sprawl's negative and positive impacts. Burchell, Robert W et al Washington DC National Transportation Research Board and National Research Council, 1998

Redesigning the American Lawn: a search for environmental harmony. F.H.Bormann et al.1993 Yale University Press.

Preserving Family Lands: essential tax strategies for the landowner. Stephen J. Small Boston: Landowner Planning Center. 2nd ed. 1992

Conservation and Land Use Planning with Massachusetts' Chapter 61 Laws: a primer for cities, towns, and conservation organizations. Mount Grace Land Conservation Trust, Inx.1990 Warwick,, MA

BioMap: Guiding land conservation for biodiversity in Massachusetts. Natural Heritage and Endangered Species

**Comment [J106]:** The listed works are from the 90's, except the last one listed which is 2001, seems dated but....I have no works to add here..Sue?

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References:

Program, Massachusetts Division of Fisheries and Wildlife.  
2001

# SECTION 13 TOWN OF HAMILTON AMERICANS WITH DISABILITIES ACT INFORMATION

## A Town Office of Disabilities Commission

Leigh Keyser (chair)  
David Cooper

**Comment [J107]:** Is this a required part of the OSRP? I assume it is but I guess we can just update the current version this...

**Comment [SB108]:** This is required. Should be updated to reflect current state of affairs. I can send list of required elements. The most important section – assessment of properties appears to be missing.

**Comment [J109]:** Does this exist?

## B Town Section 504 Coordinator

Candace Wheeler

Town does not currently have any disabled employees

~~Changes since 1997 Open Space and Recreation Plan in handicapped access to town owned recreational facilities: – Town Swimming Pool at Patton Park has had a handicapped access lift and accessible bathroom facilities installed.~~

**Comment [J110]:** No longer employed here was Town Mgr predecessor...

**Comment [J111]:** Update this..Town Hall ramps..?

## C Documentary exhibits on Americans With Disabilities Act Compliance in Town of Hamilton

Document	Reference
Town of Hamilton Americans With Disabilities Act Section 504 Equal Access to Facilities and Activities Grievance Policy (adoption pending)	Exhibit 1
Leave Policy: See attached Personnel By-law sections as follows:	

**Comment [J112]:**

**Comment [J113]:** Do we still have all this...?

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Town of Hamilton Americans with Disabilities Act Information:

Section 13.01 Occupational Sick Leave	Exhibit 2
Section 13.02 Non-occupational Sick Leave	Exhibit 3
Section 13.05 Family Medical Leave	Exhibit 4
Section 14.01 Death in the Family	Exhibit 5
Example of employment announcements/advertisements showing no discriminatory content.	Exhibit 6
Statement from personnel bylaw about medical examinations. See Section 5.03 attached.	Exhibit 7
Sample Employment application.	Exhibit 8
Sections relating to (1) grievance procedures and (2) Americans with Disabilities Act compliance from following Labor Contracts	
Personnel Board By-law Section 15.01: Personnel Grievances	Exhibit 9
Department of Public Works - ACSFME labor contract Article 3 Discrimination and Coercion	Exhibit 10
Article 12 Grievance and Arbitration Procedure	Exhibit 11
Police Union labor contract. Article 18 Grievance Procedure	Exhibit 12
Town Hall Union contract. Article 11 Grievance and Arbitration Procedure	Exhibit 13
Article 26 Compliance with the Americans With Disabilities Act	Exhibit 14
Emergency Center Dispatcher contract. Article 10 Grievance and Arbitration Procedure,	Exhibit 15
Article 25 Compliance with Americans with Disabilities Act	Exhibit 16

**Exhibit 1 - TOWN OF HAMILTON ADA SECTION 504**

**EQUAL ACCESS TO FACILITIES AND ACTIVITIES  
GRIEVANCE POLICY**

Maximum opportunity will be made available to receive citizen comments, complaints, and/or to resolve grievances or inquiries. The Town of Hamilton's recreation and open space resources are managed by several departments and boards. Therefore/ any complaints should be directed to the Town Administrator, who will forward the complainant to the appropriate person.

LEVEL 1: The Town Administrator will be available to meet with citizens and employees during business hours. Please contact Candace Wheeler, Hamilton Town Hall, 978-468-5572.

When a complaint, grievance, and/or request for program policy interpretation or clarification is received, either in writing or through a meeting or telephone call, every effort will be made to create a record which will include the name, address and telephone number of the person making the complaint, grievance, or request. If the person desires to remain anonymous, they may.

A complaint, grievance, and/or request for program policy interpretation or clarification will be responded to within ten (10) working days (if the person is identified) in a format that is sensitive to the needs of the recipient (i.e., verbally, enlarged type face, etc.)

Copies of the complaint, grievance, and/or request for program policy interpretation or clarification and the response will be forwarded to the Town Administrator who will forward to the appropriate managing official or department. If the issue is not resolved at this level, it will be progressed to the next level.

LEVEL 2: A written grievance will be submitted to the Town Administrator.

Assistance in writing the grievance will be available to all individuals. All written grievances will be responded to within ten (10) working days by the Town Administrator in a format that is sensitive to the needs of the recipient (i.e.,

**Comment [J114]:** If we need to append this I guess that's what we need to do...this 2009 text was all written under the previous form of town government, we now have Town Mgr., so its not strictly accurate

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Town of Hamilton Americans with Disabilities Act Information:

verbally, enlarged type face, etc.). If the issue is not resolved at this level, it will be progressed to the next level.

LEVEL 3: If the grievance is not satisfactorily resolved, citizens will be informed of the opportunity to meet with and speak to the Board of Selectmen, with whom local authority for final grievance resolution lies.

**Exhibit 2 - PERSONNEL BYLAW SECTION 13.01:**

**Occupational Sick Leave**

Each employee, subject to Chapter 152 of the General Laws Pertaining to Workmen^ Compensation, shall be entitled to receive the same benefits as for employees under this section. If such period exceeds thirty (30) days, continued payment beyond such period shall be subject to approval by the department head which may require periodic written medical testimony supporting the claims of continued incapacity as a condition precedent to its approval.

**Comment [J115]:** Personnel Bylaw has been repealed

**Exhibit 3 - SECTION 13.02: Non-Occupational Sick Leave**

The granting of non-occupational sick leave and the payment of compensation to persons on non-occupational sick leave shall be subject to the following provisions:

A. The head of each department shall investigate and ascertain the validity of any request for non-occupational sick leave made by an employee of his department and shall approve the same if he is Satisfied as to the validity of such request. A certificate may be required by the department head or by the Personnel Board in the case of non-occupational sick leave claimed hereunder.

B. Non-occupational sick leave without pay may be granted to any temporary or part-time employee, but no such employee shall be entitled to non-occupational sick leave with pay.

C. A full-time employee who has more than one (1) year service may be granted non-occupational sick leave with full pay for fifteen (15) days a year. A full-time/part-time employee may be granted same on a pro-rated basis. All

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Town of Hamilton Americans with Disabilities Act Information:

unused authorized non-occupational sick leave may be accumulated to a maximum of one hundred fifty (150) days.

D. A full-time employee may be granted non-occupational sick leave with full pay during the first year employment at the rate of two (2) days for every three (3) months worked for a maximum of six (6) days. A full-time/part-time employee may be granted the same on a pro rated basis. Unused non-occupational sick leave during the first year shall not be accumulated.

E. Payment of non-occupational sick leave benefits under this section, shall not be initiated until the claim thereto by the employee shall have been approved by the department head. If the period of a non-occupational sick leave granted under this section shall exceed fifteen (15) days, a physician's certificate may be required by the department head or by the Personnel Board.

F. Any dispute as to the eligibility of an employee for non-occupational sick leave payments or as to the amount of such payments, may be taken to the Personnel Board by the employee concerned, by the employing authorities or by the Town Accountant, and the decision of the Personnel Board as to such dispute shall be final.

G. The donation of accrued sick leave by a Town employee to another Town employee will only be allowed when the employee receiving the donation has exhausted his/her accrued sick time and has been on sick leave for an extended period of time (for purposes of this Section, "extended" is a month). The donation of accrued sick leave requires the approval of the responsible Board, and the Department Head of the employee donating the time and the Personnel Board. If either the donor or the recipient is a member of a union, the union representative must approve in writing the donation and receipt of the sick leave. Any employee who has used all accrued sick leave and is using donated sick leave from another employee is on special status and not accruing either benefits or seniority toward step increases.



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Town of Hamilton Americans with Disabilities Act Information:

H. Accrual and payment for non-occupational sick leave for Full-Time/Part-Time employees will be based on the number of hours normally worked on the day and used for sick leave. Please note that part time employees are not entitled to paid sick leave.

As an example, if an employee worked four hours on Tuesday, has accrued vacation time, and was out on vacation that day, they would be paid for four hours. If no hours were normally worked on Thursday and the employee was out on vacation that day, they would receive no pay.

**Exhibit 4 - Personnel By-law SECTION 13.05: Family Medical Leave**

The Family Medical Leave Act (FMLA) requires the Town to provide up to twelve (12) weeks of unpaid leave to “eligible” employees for certain family and medical reasons. Employees are eligible if they have worked the Town for at least one year and for 1,250 hours over the previous twelve months. Employee rights are summarized in the U.S. Department of Labor publication available at Town Hall or from a supervisor.

As an employer of more than 50 employees, the Town of Hamilton is a covered employer under the Act. An employee who has worked for the Town for at least one year and for 1,250 hours over the previous 12 months is entitled to up to 12 weeks of unpaid, job protected leave for certain family and medical reasons in a fiscal year. Under the Act, leave must be granted for any of the following reasons:

To care for an employee’s child after birth or placement for adoption or foster care.

To care for an employee’s spouse, son, daughter or parent who has a serious health condition: or

For a serious health condition that makes an employee unable to perform the employee’s job.

The following is a summary of the key points of the Act as adopted by the Town of Hamilton. This is a summary only.

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Town of Hamilton Americans with Disabilities Act Information:

Employees should contact their supervisor or the Personnel Board for additional information.

When the leave is foreseeable, the Town requires advance notification, normally 30 days (employee illness would be an exception to the 30 day notice requirement) and appropriate certification to support the need for leave may be required. The Town may require a second or third opinion (at the employer's cost) and a fitness for duty report to return to work.

The Town of Hamilton or the employees may elect to apply any unused paid vacation or personal leave toward any part of the 12 week leave. A Town employee may also apply accrued sick days toward a leave necessitated by the employee's serious health condition or for maternity leave. Applied vacation, personal days, and sick leave run concurrently with FMLA leave, not in addition to it. In all cases the maximum amount of combined unpaid and/or paid leave under the FMLA will be 12 weeks.

Upon return from leave, most employees are guaranteed the same or similar job and will return with no loss of seniority rights or benefits accrued prior to going on FMLA leave. The employee will not continue to accrue seniority rights, vacation or sick leave benefits while out on FMLA leave.

The Town will continue health insurance benefits during the leave under the same conditions as of an employee remained at work; however, if an employee does not return to work after the 12 week period, the Town may be able to recapture health insurance premiums paid during the period.

A husband and wife employed by the Town will have their unpaid 12 weeks apportioned between the husband and wife in a manner which the employees wish to use the time but not to exceed 12 weeks in total in the event of the birth or adoption of a child or the care of a sick parent.

Under certain circumstances, employees may be entitled to intermittent leave or may work a reduced leave schedule.

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Town of Hamilton Americans with Disabilities Act Information:

**Exhibit 5 - Personnel By-law Section 14.01 Death in the Family: Paid Leave**

In case of the death of a member of the immediate family of an employee, he or she shall have a reasonable time out from work with pay; three continuous working days being considered a reasonable maximum time, the last day being the day of the funeral. For the purpose of this article a member of the immediate family shall be restricted to the employee's wife, husband, child, mother, or father, brother, sister, or grandparent or a member of his family living under his roof.

In the case of a mother-in-law or father-in-law of an employee, such employee will have one day off with pay to attend the funeral provided it is a scheduled workday.

**Exhibit 6 - Text of Sample Employment Announcement/Advertisement**

RESERVE POLICE OFFICERS

Join the Hamilton Police Department as a Reserve Officer and build a career in community policing. Serve as a call-in for regular shifts. Estimated start dates are October, January, April and July.

To be fully qualified, you should have a bachelor's degree in criminal justice or a related field, a Mass. certification as an EMT (because the HPD runs the ambulance service) and a Reserve Intermediate Certification from the Mass. Criminal Justice Training Council (this will be required before you can start active duty).

Email your resume to: [mhickey@town.hamilton.ma.us](mailto:mhickey@town.hamilton.ma.us) or mail to Town Hall, P.O. Box 429, 577 Bay Road, Hamilton, MA 01936 to the attention of Maureen Hickey. The selection process will begin two weeks after the date of this notice.

An Equal Opportunity Employer

**Exhibit 7 - Personnel By-law Section 5.03: Medical Examination of Job Applicants**

Applicants for appointive employment by the Town, other than office-only clerical and administrative positions and

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Town of Hamilton Americans with Disabilities Act Information:

emergency help, shall after a Town offer of employment, be certified by a practicing physician as to his or her physical fitness to perform the duties of the position.

The Certification required hereunder, shall be in such form as the said Board shall determine. The cost of any physical examination required by this Section shall, be paid for by the Town, and shall, be charged to the appropriate department, or shall be charged to such special appropriation as the Town may make for the purpose of this Section.

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Town of Hamilton Americans with Disabilities Act Information:

**Exhibit 8 - Employment Application**

**Comment [J116]:** Is all this typically part of an OSRP?



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Town of Hamilton Americans with Disabilities Act Information:

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Town of Hamilton Americans with Disabilities Act Information:

EMPLOYMENT RECORD

Are you employed now? \_\_\_\_\_ If so, may we contact your present employer? \_\_\_\_\_

Previous employers: Please start with current or most recent employer.

Name of employer: \_\_\_\_\_ Date started: \_\_\_\_\_ Date left: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Position: \_\_\_\_\_ Duties: \_\_\_\_\_

Reason for leaving: \_\_\_\_\_

Name of employer: \_\_\_\_\_ Date started: \_\_\_\_\_ Date left: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Position: \_\_\_\_\_ Duties: \_\_\_\_\_

Reason for leaving: \_\_\_\_\_

Name of employer: \_\_\_\_\_ Date started: \_\_\_\_\_ Date left: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Position: \_\_\_\_\_ Duties: \_\_\_\_\_

Reason for leaving: \_\_\_\_\_

MILITARY RECORD

Have you ever served in the military? Yes [ ] No [ ]

If yes, give branch and dates of service: \_\_\_\_\_

Date and place of discharge: \_\_\_\_\_

Do you have any reserve obligations? Yes [ ] No [ ]

If yes, give branch, unit and describe obligations: \_\_\_\_\_

In case of emergency notify: \_\_\_\_\_

Name

Address

Phone

I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT MISREPRESENTATION OR OMISSION OF FACTS REQUESTED IN THIS APPLICATION IS CAUSE FOR DISMISSAL.

FURTHER, I UNDERSTAND AND AGREE THAT MY EMPLOYMENT WITH THE TOWN OF HAMILTON WILL BE "AT WILL", FOR NO DEFINITE PERIOD, AND MAY BE TERMINATED AT ANY TIME WITHOUT ANY PRIOR NOTICE OR WARNING.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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Town of Hamilton Americans with Disabilities Act Information:

**Exhibit 9 - Personnel By-law Section 15.01: Personnel Grievances**

Any employee of the Town may, upon written application, be heard by the Personnel Board and be given a decision by said Board, on any subject such employee feels is within the provisions of this By-law and by which he is aggrieved. Any supervisory employee or official shall have the same right to bring grievances to the Personnel Board for adjudication and decisions with respect to individual workers.

**Exhibit 10 - Department of Public Works - ACSFME labor contract Article 3 Discrimination and Coercion**

Section 1 Neither the Town nor the Union shall discriminate against any employee because of such employee's race, color, religion, sex, sexual orientation, age or national origin.

Section 2 There shall be no discrimination by agents of the Town against any employee because of activity or membership in the Union. The Town further agrees that there will be no discrimination against any employee for adherence to any provisions of this agreement.

Section 3 The Union agrees that neither its officers, members, nor persons employed by the Union, shall discriminate against or coerce any employees for nonmembership in the Union.

Section 4 Enforcement of this article shall exclusively be by the filing of a charge of discrimination or prohibited practice with the state's Commission Against Discrimination or Labor Relations Commission, but not as a grievance.

**Exhibit 11 - Department of Public Works - ACSFME labor contract Article 12 Grievance and Arbitration Procedure**

**ARTICLE 12 - GRIEVANCE AND ARBITRATION  
PROCEDURE**

Section 1 An employee's grievance arising out of a claim of an alleged violation of the terms of this agreement shall be

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Town of Hamilton Americans with Disabilities Act Information:

adjusted in accordance with the following procedure. The grievance procedure shall be confidential at all time.

Step 1. The Union steward or representative, with or without the aggrieved employee, shall take up the grievance or dispute orally with the employee's immediate supervisor outside the bargaining unit. The supervisor, after receipt of the grievance, shall attempt to adjust the matter in an informal manner.

Step 2. If the grievance has not been settled, it shall be presented in writing to the department head within fifteen (15) days of the alleged violation. The Department Head shall hear the grievance within seven (7) management working days of receipt of the grievance and shall respond to the steward or representative in writing within seven (7) management working days after the close of hearing.

Step 3. If the grievance still remains unadjusted it may be presented to the Board of Selectmen. The Board of Selectmen shall hear the grievance and respond in writing within twenty (20) working days.

Step 4. If the grievance is still unsettled, either party may, within fifteen (15) working days after the reply of the Board of Selectmen, by written notice to the other, request arbitration. The grievance shall be submitted to the Massachusetts Board of Conciliation and Arbitration within twenty (20) working days after notice has been given.

**Exhibit 12 - Police Union labor contract. Article 18  
Grievance Procedure**

Section 1. The purpose of the Grievance Procedure shall be to settle employee grievance on as low a level as possible, so as to insure efficiency and employee morale. An aggrieved employee may have an Association representative and/or attorney present at, and participating in; any level of the Grievance Procedure.

An employee's grievance arising out of a claim of an alleged violation of the terms of this Agreement shall be adjusted in

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Town of Hamilton Americans with Disabilities Act Information:

accordance with the following procedure. The grievance procedure shall be confidential at all times.

Step 1. Grievances shall be first presented orally by the employee, with or without his Association representative and/or his attorney, to the Chief of Police, and an earnest effort shall be made to adjust the grievance in an informal manner.

Step 2. If the grievance is not resolved in Step 1, it shall be presented, in writing, by the Association and presented to the Chief of Police within fifteen (15) days of the alleged violation or knowledge thereof. The Chief of Police shall meet with the Grievance Committee within seventy-two (72) hours after the presentation.

Step 3. If the grievance is not resolved in Step 1, the Grievance Committee shall refer the complaint to the Board of Selectmen within five (5) days from the receipt of the Step 2 answer, exclusive of Saturdays, Sundays, and Holidays. The Board of Selectmen shall meet with the Grievance Committee within fourteen (14) days to discuss the grievance, and will answer the grievance in writing within seventy-two (72) hours after the meeting ends.

Step 4. If the grievance is not adjusted satisfactorily in Step 3, it may thereafter be submitted within forty-five (45) days to the American Arbitration Association for arbitration in accordance with its rules. The parties hereto shall share equally in the cost of the arbitration proceedings. However, each party shall be responsible for compensating his own representatives and witnesses. The dispute as stated in the request for arbitration shall constitute the sole and entire subject matter to be heard by the Arbitration, unless the parties agree to modify the scope of the hearing. The award of an Arbitrator shall be final and binding upon the parties covered in this Agreement, provided that no Arbitrator shall have any authority or jurisdiction to add to, detract from, in any way alter the provisions of this Agreement.

Section 2. Grievances shall be presented, in writing, through all the steps of the grievance and arbitration procedure and

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shall state in reasonable detail the nature of the grievance and the remedy requested.

Section 3. Any of the time limits outlined in this Agreement may be changed at any time by mutual agreement of the parties.

Section 4. Each party shall have the right to employ a public stenographer or use a mechanical recording device at any step in the procedure.

Section 5. The Association shall be entitled to submit grievances which affect the entire Association in the name of the Association in the same manner as provided herein initially by at least one employee.

Section 6. Any incident which occurred or failed to occur prior to the signing of this Agreement shall not be the subject of any grievance procedure under this contract. However, any employee may pursue any remedy that he was entitled to prior to the signing of this Agreement.

**Exhibit 13 - Town Hall Union contract. Article 11 Grievance and Arbitration Procedure**

11.1 An employee's grievance arising out of a claim of an alleged violation of the terms of this agreement shall be adjusted in accordance with the following procedure. The grievance procedure shall be confidential at all times, unless otherwise required by law.

Step 1. The union representative, with or without the aggrieved employee, shall promptly take up the grievance with the employee's immediate supervisor outside the bargaining unit within five (5) working days of the occurrence of the matter giving rise to the grievance. The supervisor, after receipt of the grievance, shall attempt to adjust the matter in an informal manner consistent with the supervisor's authority and responsibility.

Step 2. If the grievance still remains unadjusted it may be promptly presented by the Union representative to the Board of Selectmen in writing within five (5) working days of the completion of the procedures under Step 1 above. The Board

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of Selectmen shall hold a hearing on the grievance, within ten (10) working days after their next regularly scheduled meeting. The Union and aggrieved employee shall prepare for presentation at the meeting a statement of the grievance, the facts and circumstances surrounding the occurrence of the grievance and the proposed resolution. The Board of Selectmen will provide a written response within ten (10) working days after the conclusion of the hearing.

Step 3. If the grievance is still unsettled, the Union may, within thirty (30) days after the reply of the Board of Selectmen, by written notice to the other, request arbitration. The grievance shall be submitted to the Massachusetts Board of Conciliation and Arbitration for processing according to their rules.

11.2 The decision of the arbitrator shall be final and binding upon the parties.

11.3 The expenses for the arbitrator's service and the proceedings shall be borne equally by the Town and the Union. Each party shall be responsible for compensating its own representatives and witnesses.

11.4 In the case of a grievance, the function of the arbitrator is to determine the interpretation and application of specific provisions of this Agreement. The dispute as stated in the request for arbitration shall constitute the sole and entire subject matter to be heard by the arbitrator. There shall be no right in arbitration of a grievance to obtain, and no arbitrator shall have any authority or power to award or determine, any change in, modification or alteration of, addition to, or detract from, any of the provisions of this Agreement.

11.5 Any incident, which occurred or failed to occur prior to the signing of this agreement shall not be the subject of any grievance procedure under this contract. However, any employee may pursue any remedy that he was entitled to prior to the signing of this Agreement.

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**Exhibit 14 - Town Hall Union contract. Article 26  
Compliance with the Americans With Disabilities Act**

26.1 As of July of 1992 all provisions of collective bargaining agreements must conform to the requirements of the Americans with Disabilities Act. The parties have attempted to assure that no part of this Agreement will result in unlawful discrimination. In keeping with the recommendation of the Report of the House Committee on Education and Labor (Report No. 101-485), the Town shall take all action necessary to comply with the Act, notwithstanding any discriminatory past practice or provision of this Agreement not in compliance with the Act, which, if maintained or enforced could subject both the Town and the Union to the penalty provisions of the ADA.

**Exhibit 15 - Emergency Center Dispatcher contract. Article 10  
Grievance and Arbitration Procedure**

10.1 An employee's grievance arising out of a claim of an alleged violation of the terms of this agreement shall be adjusted in accordance with the following procedure. The grievance procedure shall be confidential at all times, unless otherwise required by law.

Step 1. The union representative, with or without the aggrieved employee, shall promptly take up the grievance with the employee's immediate supervisor outside the bargaining unit within five (5) working days of the occurrence of the matter giving rise to the grievance. The supervisor, after receipt of the grievance, shall attempt to adjust the matter in an informal manner consistent with the supervisor's authority and responsibility.

Step 2. If the grievance still remains unadjusted it may be promptly presented by the Union representative to the Board of Selectmen in writing within five (5) working days of the completion of the procedures under Step 1 above. The Board of Selectmen shall hold a hearing on the grievance, within ten (10) working days after their next regularly scheduled meeting. The Union and aggrieved employee shall prepare for presentation at the meeting a statement of the grievance, the facts and circumstances surrounding the occurrence of the

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grievance and the proposed resolution. The Board of Selectmen will provide a written response within ten (10) working days after the conclusion of the hearing.

Step 3. If the grievance is still unsettled, the Union may, within thirty (30) days after the reply of the Board of Selectmen, by written notice to the Board of Selectmen, request arbitration. The grievance shall be submitted to the Massachusetts Board of Conciliation and Arbitration for processing according to their rules.

10.2 The decision of the arbitrator shall be final and binding upon the parties, so long as it is not in conflict with applicable law, rule or regulation .

10.3 The expenses for the arbitrator's service and the proceedings shall be borne equally by the Town and the Union. Each party shall be responsible for compensating its own representatives and witnesses.

10.4 In the case of a grievance, the function of the arbitrator is to determine the interpretation and application of specific provisions of this Agreement. The dispute as stated in the request for arbitration shall constitute the sole and entire subject matter to be heard by the arbitrator. There shall be no right in arbitration of a grievance to obtain, and no arbitrator shall have any authority or power to award or determine, any change in, modification or alteration of, addition to, or detraction from, any of the provisions of this Agreement.

10.5 Any incident, which occurred or failed to occur prior to the signing of this agreement shall not be the subject of any grievance procedure under this contract. However, any employee may pursue any remedy that he was entitled to prior to the signing of this Agreement.

**Exhibit 16 - Emergency Center Dispatcher contract. Article 25 Compliance with Americans with Disabilities Act**

25.1 As of July of 1992 all provisions of collective bargaining agreements must conform to the requirements of the Americans with Disabilities Act. The parties have attempted to assure that no part of this Agreement will result in

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unlawful discrimination. In keeping with the recommendation of the Report of the House Committee on Education and Labor (Report No. 101-485), the Town shall take all action necessary to comply with the Act, notwithstanding any discriminatory past practice or provision of this Agreement not in compliance with the Act, which, if maintained or enforced could subject both the Town and the Union to the penalty provisions of the ADA.