

HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

June 14, 2017

Memorial Room, Hamilton Town Hall

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

Coordinator: Jim Hankin

Others Present: Shawn Farrell (Selectmen Liaison), Tin Olson DPW Director, Zach Peters, Open Space Committee, Dan Hamm of 35 Miles River Road, Chris Gajeski, Meridian Associates

This meeting was called to order at 7:00 pm with a quorum established.

**Patton Park Pool Parking Area.**

Tim Olson described the issue at Patton Park with the recent rain storms. Mr. Olson said he had spoken with the Town Manager about resolving the flooding issues of the playground area. The previous DPW Director Bill Redford had previously presented a plan to the Commission which allowed water to flow to the area of the playground, which was a low depression area. Mr. Olson wanted to solve the problems after numerous complaints. The Request for Determination of Applicability (RDA) the Commission issued in 2015 is still open.

Before the pool parking lot was paved, the rainwater was shed off or percolated into the soils. Currently the asphalt parking lot directs the drainage into one spot. Tim Olson suggested removing the berm for about a length of eighty feet, to allow some of the surface water to drain onto the grass area and percolate into the ground before it headed towards the pond which is more than 50 feet from the parking area.

Tim Olson hoped the Conservation Commission would allow the design change under the current RDA. Virginia Cookson noted the approved plan and compared it to the existing situation as shown on an As Built plan. The original plan did not show water directed to the playground. Zach Peters, of the Open Space Committee said the November 2016 memo with the As Built Plan from Bill Redford was a response to Mr. Peters' questions regarding why drainage was being discharged to the playground. The memo said it was a result of lost state funding resulting in a reduced project that could not meet the original plan's specifications. This reduced plan was constructed to have water flow toward the playground, according to Mr. Peters.

Richard Luongo asked if the pond could be used to water the fields. Tim Olson said he would need to look into that. Mr. Olson wanted to make minor improvements under the current RDA. Future plans would be to eliminate additional flow with additional catch basins and drain pipes but that would be a Notice of Intent filing.

Virginia Cookson asked about draining to the pond from catch basins or dry wells. Tim Olson would not direct the catch basins to the pond but would direct them to the headwall, getting water underground quickly. Richard Luongo would not want it to go into the pond because it may contain gasoline. Ms. Cookson did not have a problem mitigating problems immediately but wanted to have Mr. Olson look at the plan that the Conservation Commission had signed off on. Ms. Cookson wanted to compare what the solution looked like compared to what the Commission had approved.

Jim Hankin noted that procedurally, the RDA was issued on May 21, 2015 and was good for three years. The RDA was still open and the current situation was not functioning as part of the negative determination, according to Mr. Hankin. Tim Olson was looking for a modification of the RDA to do the work he intended but would return with a Notice of Intent to do the work he was considering.

Virginia Cookson made motion to allow the DPW to modify the edge of the curbing on the Patton Park pool parking lot on the side by the pond in order to allow for sheet flow and allow a modification of the drainage proposal to alleviate the water problem as described by Tim Olson. Seconded by George Tarr.

Zach Peters was concerned about putting storm-water directly into the pond and that in winter or when the ground was saturated, there would be no infiltration. Mr. Peters did not think it was a good solution and wanted a long term fix as water should not go directly to the pond or the children's playground.

Tim Olson said his future plan would be to have catch basins and pipes. The original RDA had storm drains that were not present, according to Richard Luongo. The DPW Director indicated his desire to come to the Commission with a Notice of Intent for a more comprehensive approach to the drainage problem. For the present time, there would be a removal of the berm and an understanding that a more comprehensive solution to the drainage problem would be forthcoming.

Vote: Unanimous to approve.

**Sagamore Hill – Essex County Greenbelt. Enforcement Order.**

The survey plan with existing conditions as drawn by the engineer had not been reviewed by Mary Rimmer and Essex County Greenbelt by the time of the meeting so the Enforcement Order would be continued until June 29, 2017.

Motion to continue the Enforcement Order for Essex Country Greenbelt at Sagamore Hill until June 29 2017 made by Virginia Cookson.

Seconded by George Tarr.

Vote: Unanimous in favor.

**35 Miles River Road. Dan Hamm landowner and applicant. Request for Determination.**

Mr. Ham wanted to expand a mud and laundry room within 75' of a pond with a large maple tree located between the house and the pond. The addition was 6' x 10'. Virginia Cookson noted the need for heavy equipment to construct the foundation. No erosion control was shown on the plan, but Mr. Ham said the plan was to include a silk sock for erosion control. Site soils would need to be stored on the other side of erosion control, which Ms. Cookson would have preferred to be listed on the plan.

Virginia Cookson made motion to issue a negative determination under the Wetlands Protection Act and the Town By-law.

Seconded by George Tarr.

Vote: Unanimous in favor.

**Certificate of Compliance for Patton Ridge Development**

According to Jim Hankin, the Commission had conducted a site walk where they saw areas that were mowed that should not have been and areas that were not mowed that should have been. The sense was that it almost balanced out. The Certificate of Compliance was dedicated to the conditions of the Order of Conditions. Richard Luongo suggested planting wild flower seeds beyond the mow line and the Open Space committee could pursue the suggestion.

Virginia Cookson noticed the revegetation but was afraid that in the future, there would be confusion because the line did not line up with their property. Richard Luongo said owners should discuss the line of delineation with the landscapers. George Tarr thought it was reasonable to be flexible. Jim Hankin added that as Town land under the purview of the Conservation Commission, they could visit any time they wanted. Ms. Cookson noted that the boundary markers were missing by a clump of trees.

Motion made by Virginia Cookson that the Conservation Commission issue a Certificate of Compliance for the Patton Ridge Development, DEP file number 172-580, at 634 Asbury St  
Seconded by George Tarr.

Vote: Unanimous to approve.

**Request for Determination for 1 Spingler Way**

Chris Gajeski (Meridian Associates) presented the RDA on behalf of Stacy Scott for soil testing outside of the buffer zone. The property is 5.7 acres. An existing cart path was walked by Jim Hankin and Mr. Gajeski. The cart path was 12' to 14' wide for easy access for an excavator to access the area outside of the buffer zone for testing.

The soil testing was for due diligence for a septic system. Streams were not listed as perennial. Jim Hankin said he reviewed the excavator area to find a gentle slope with a fairly clean pathway. Lot 3 was part of a subdivision approved in 1981.

The cart path was dirt with some areas of compacted gravel. Jim Hankin's opinion was that there would be no adverse impact to resource areas from the machinery moving along the paths to the upland soil testing zones. The alternate path featured stone walls that were protected, impeding the possible choice. George Tarr commented that it appeared from the filed materials that it was possible to access the soil testing area going only through upland. Chris Gajeski agreed that this was possible but would result in much more disturbance to trees and soil than would occur using the buffer zone cart path.

Motion made by Virginia Cookson to issue a negative determination for work at 1 Spingler Way for accessing the property via the cart path within the buffer zone for perc testing.

Seconded by George Tarr.

Vote: Unanimous to approve.

### **Request for Extension for Resource Area Delineation**

Part of the site walk on the previous Saturday was to review a wetland line from 2014 at Patton Ridge to see if it was appropriate to extend that line for another three years. Without an extension, the line would expire in August. The extension allows this line to be used in future applications until August of 2020, according to Jim Hankin. Virginia Cookson recalled that markers were hard to find and the water level was high at the site walk. It would appear the wetland line would be further in but considering the size of the parcel, it would not make a difference and she felt confident in allowing the 2014 line to be extended.

Virginia Cookson made a motion to extend the Order of Conditions of Resource Area Delineation at 650 Asbury St., DEP File # 172-571, for a three year extension, This would extend the wetland line agreed to in 2014 until 2020. The area in question was accessed from Asbury St. at the pump house and along the existing farm road along Patton Ridge.

Seconded by George Tarr.

Vote: Unanimous in favor.

### **Minutes**

Motion to accept the minutes of May 24, 2017 made by Virginia Cookson.

Seconded George Tarr.

Vote: Unanimous in favor.

### **Discussion**

Jim Hankin described the previous site walk stopping by the Central Ave parcel that was not much different with debris scattered about the parcel. The boat was still on site. Someone might have raked leaves out of the land. Mr. Hankin would write a letter to an abutter who might be the cause of the debris. George Tarr said he had walked it the day of the meeting to find no markers for the boundaries to determine the parcel being separate from the abutters' parcels. Mr. Tarr used existing GIS information to estimate the boundaries on site. Mr. Tarr said the boat was on the Town property along with debris and a dilapidated shed. The land mowed on Baker Ave

was in fact on an abutter's land and not part of the Open Space parcel. Mr. Hankin would look at Lot 31 to determine if there was an owner. Mr. Hankin said the vote clearly noted specific lots to be given to the Conservation Commission.

Discussion ensued regarding who owned which lots in the neighborhood. Bob Cronin noted the inadequacy of GIS as it showed a road going through his home. Jim Hankin said the lot needed a survey and would ask Peter Kane how much it might cost and possibly present the project at Fall Town Meeting.

**Coordinator's Report**

Jim Hankin noted that the 2 Sagamore Hill Enforcement Orders were separate items, the Air Force Solar Observatory for the cutting of trees and Essex County Greenbelt on the land where Black Earth Composting was operating. He added that a new filing from Myopia is expected for a plan to treat invasive and nuisance vegetation in golf course ponds.

**Adjournment**

Motion to adjourn made by Bob Cronin.  
Seconded by Virginia Cookson.  
Vote: Unanimous to adjourn at 8:29 pm.

Prepared by:

\_\_\_\_\_  
Marcie Ricker

X Richard [Signature] \_\_\_\_\_  
Attest Date  
7/12/17