

HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

June 13, 2018

Memorial Room, Hamilton Town Hall

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

Coordinator: Jim Hankin

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

Jim Hankin reviewed the Commissioners' packets. They contained the agenda and two reports: (1) CDM Smith's Hamilton Landfill Post Closure Order of Conditions Compliance Investigation and (2) the Emergency Certification for a fire damaged building on Gregory Island Road.

**Certificate of Compliance Request for Hamilton Landfill Capping.**

Magdalena Lofstedt of CDM Smith, Inc. present, representing the Town.

Virginia Cookson said she had reviewed the Order and found that the stone level spreader on pages C-3 and D-2 wasn't on site. Ms. Cookson also inquired about a storm-water management plan and asked where it could be found. Jim Hankin commented that a storm-water plan is included in the Notice of Intent which was incorporated into the Order of Conditions.

Ms. Cookson asked about the required as-built plan. She had not seen it. Ms. Lofstedt replied that she thought the previous engineer for CDM Smith had filed the as built plan at the site walk. Jim Hankin believed it might be in the set of plans in the office but was not sure. Ms. Lofstedt mentioned that the DEP division in charge of the regulations covering landfill capping and closure had signed off on the project which they would not do without an as built plan. Mr. Hankin said he would get a copy of the as built for the Commission and for the file.

According to documents on file the DPW would maintain the property for 30 years but Virginia Cookson wondered if a plan for perpetuity would be appropriate. Annual reports were discussed as a vehicle to alert the ConsCom regarding maintenance compliance. The contractor had re-hydro seeded the site after the previous site walk where bare spots on the slopes outside jurisdiction were noted. Ms. Cookson mentioned adding new conditions to the site now. Mr. Hankin noted that an Enforcement Order would need to be issued or a new Notice of Intent would need to be filed to establish new conditions. Mr. Hankin added that the latest revisions to the Wetlands Act regulations provide that maintenance of properly engineered and permitted Storm-water management structures would not need further Commission review. Ms. Cookson noted that the documents on file provide that the Town would have the landfill cover inspected by a Professional Engineer once a year as part of the Storm-water Management Regulations.

Mr. Hankin added that other general language for the maintenance schedule was incorporated into the Order of Conditions by reference in the Notice of Intent.

The discussion turned to the phragmites restoration project. The CDM Smith Compliance request report states that the restoration area as of now does meet the DEP Guidelines. Jim Hankin noted that a permit or an enforcement order for further restoration work would be required because the Order of Conditions has expired. Ms. Lofstedt noted that the area for restoration was perhaps too small to be successful. Richard Luongo and Virginia Cookson commented that it might not be possible to 100% eradicate the problem.

Jim Hankin suggested looking at other landfill sites to determine how they eradicated phragmites. Ms. Lofstedt would supply a list of landfill sites that CDM Smith had worked on which had phragmites infestation that could not be eliminated.

Motion made by Virginia Cookson to continue discussion on the Certificate of Compliance request until Wednesday July 11 at 7 pm Hamilton Town Hall which will be after the Commission's site walk of the landfill on July 7.

Seconded by George Tarr.

Vote: Unanimous in favor.

**Notice of Intent. Gordon Conwell Theological Seminary. Underground utility work and repaving existing driveway.**

Evin Guvendiren of DeRosa for Applicant.

Jim Hankin noted the DEP file number (172-0600), had been received for the Notice of Intent filing, and that the legal notice had been published. Gordon Conwell was proposing to do utility repair and replacement work and resurface a driveway in the buffer zone. The work would occur in previously disturbed areas; with lights being replaced and utilities being buried under the roadway. The trench would be 1,400 linear feet, one utility bucket wide, and 18 to 24" deep. Erosion control included a siltation sock as noted on the plan along the buffer on both sides of the road. Disturbed soil would have loam and be seeded.

A preconstruction meeting and erosion control would be in the Order of Conditions. George Tarr mentioned the Dark Sky By-law currently being drafted by the Open Space Committee. In the spirit of that initiative he asked if lighting hoods could be added to the structures so that light spills downward.

Richard Luongo opened the public hearing.

Motion was made to close the public hearing by Virginia Cookson providing that all the information discussed regarding the Gordon Conwell project be considered part of the public hearing.

Seconded by George Tarr.  
Vote: Unanimous in favor.

Motion to issue an Order of Conditions made by Virginia Cookson referencing the plans presented to the Commission with no special conditions.

Seconded by George Tarr.  
Vote: Unanimous in favor.

**Request for Extension under the By-law. 438 Asbury St.**

The work for the new septic system has not started. The bylaw permit expired but could be extended upon request. The Order of Conditions was still valid.

Virginia Cookson made motion to extend the bylaw permit for work at 438 Asbury St. to accompany the existing Order of Conditions.

Seconded by George Tarr.  
Vote: Unanimous in favor.

**Emergency Certification 146 Gregory Island Road. Fire damaged structure requires asbestos clean-up, non-friable material.**

A fire had occurred at 146 Gregory Island Road and asbestos tiles, which had not broken apart, needed to be cleaned up according to state solid waste regulations. Jim Hankin issued an Emergency Certification and needed the Commission to confirm, amend, or revoke the action. Motion made by Virginia Cookson to ratify in full the Emergency Certification for the structure at 146 Gregory Island Road.

George Tarr seconded.  
Vote: Unanimous in favor.

**Reappoint Jackie Hodge and Zach Peters each to three year terms of the Open Space Committee to expire June 30, 2021.**

Virginia Cookson made motion that the Conservation Commission re-appoint Jackie Hodge and Zach Peters for three year terms to expire June 30, 2021.

Seconded by George Tarr.  
Vote: Unanimous in favor.

**Minutes**

Virginia Cookson had substantive changes to the April 11, 2018 minutes regarding the Bridge St. Notice of Intent. Jim Hankin would revise and submit to the Commission for further review.

Virginia Cookson made motion to approve the minutes of April 25, 2018.

George Tarr seconded.  
Vote: Unanimous in favor.

**Coordinator's Report.**

The next meeting would be held on June 28, 2018 at the COA building.

George Tarr noted the recent Open Space meeting wherein a Scenic Road bylaw was being discussed. He added that the Open Space Committee, as charged by the Planning Board, has been at work on the rewriting the Conservancy District bylaw.

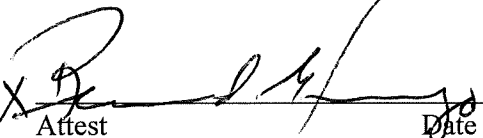

A brief commission discussion ensued regarding the Town Manager Search Committee and the Conservancy District.

George Tarr said he visited the 9.1 acres (Conservation Commission parcel at the Patton Estate) three times to plant six varieties of native plants, which were doing well. Mr. Tarr recalled his encounter with the head of the Patton Ridge Condo Association who was interested in mowing the north field. The south field would not be mowed, but trees would be removed to disallow succession into woodland. As the beech trees were outside the 100' buffer zone, it was acceptable for Mr. Tarr to remove vines and buckthorn from the area.

**Adjournment**

Motion to adjourn made by Bob Cronin.  
Seconded by Virginia Cookson.  
Vote: Unanimous to adjourn at 8:21 pm.

Prepared by:  
Marcie Ricker

X    
Attest Date

7/25/18

HAMILTON CONSERVATION COMMISSION  
MINUTES OF MEETING  
June 28, 2018  
Hamilton Senior Center, 299 Bay Road, Hamilton MA

Members Present: Virginia Cookson, Bob Cronin, Chris Currier (7:05 pm), Richard Luongo (Chairman), and George Tarr.

Coordinator: Jim Hankin

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

**Notice of Intent. Hamilton Landfill, Chebacco Road. Install utility poles as part of the solar facility project. Emily Gardner of AMEC, Chebacco Road Solar PV LLC Applicant.**  
Richard Luongo opened the public hearing.

Emily Gardner was present on behalf of AMEC and Chebacco Road Solar. Ms. Gardner indicated that the Notice of Intent had been filed for five utility poles, four of which would be constructed by the client and one pole by National Grid. The project would impact wetland buffer zones, associated upland resource areas, and bordering land subject to flooding. No work would occur in wetlands. Additional poles would be constructed in Manchester, which would be permitted by National Grid. AMEC was filing for the one National Grid pole in Hamilton to offer a complete application.

The plan featured red dots for the AMEC poles and blue dots for National Grid poles. Virginia Cookson noted the vernal pools on the plan, which were clear on the site walk. George Tarr questioned why the red dots were closer than the blue dots. Emily Gardner responded that National Grid poles were 30' to 50' apart with the first three poles being 30' then 50' then 140'. The proposed poles would connect to an existing pole, according to Ms. Gardner. Richard Luongo asked what Hamilton would gain from the installation. Ms. Gardner responded that they would receive the lease agreement. Jim Hankin added that they would receive power from the project. While it was questioned how the Town would receive power when it was being directed in the opposite direction, it was considered that it might be metered with a credit received by the Town.

It was noted that green lines indicated wetlands on the plan and buffer zones were also noted. Virginia Cookson said she thought the vernal pools appeared closer on the site walk than on the plan. Jim Hankin said it could be put in the conditions that the Coordinator and/or the Commission would inspect the location prior to work start to determine if a discrepancy existed between the plan and the on-site pole locations.

Virginia Cookson asked how far back from the road the poles would be located. Emily Gardner explained that the area was heavily treed so the poles would be close to the road. Richard Luongo noted the vernal pools were close to the road. While Ms. Cookson noted Stormwater Management enforcement would be conducted by another department, it was agreed that any area within the Commission's jurisdiction would still be under the purview of the Commission. Ms. Cookson noted an error on the street name, which Ms. Gardner would have fixed.

Jim Hankin asked for clarification that the cross hatched corridor shown on the site plan would not be clear cut. Emily Gardner said the area given was a worst case scenario and the applicant would only cut branches that were necessary to keep the area clear for poles and wires. Nothing outside the corridor area would ever be cut.

Motion to close the public hearing made by Virginia Cookson.

Chris Currier seconded.

Vote: Unanimous in favor to close the public hearing.

Virginia Cookson made motion to issue an Order of Conditions for the solar array project poles on Chebacco Road as covered by the Notice of Intent with no special conditions other than the boiler plate conditions.

George Tarr seconded.

Vote: Unanimous in favor.

**Certificate of Compliance, 168 Asbury St. Expired Orders of Conditions and Permit for a septic system. Glenn Johnson, Applicant. Dan Johnson Designer. DEP 172-0392.**

Jim Hankin explained that the septic was installed in 2002. The Orders of Conditions were recorded but a Certificate of Compliance was never recorded. The current owner was refinancing and the title search indicated the lack of a Certificate of Compliance. Mr. Hankin showed photos of the site. Mr. Hankin found no debris in the wetland.

Chris Currier made motion to issue a Certificate of Compliance for 168 Asbury St.

George Tarr seconded.

Vote: Unanimous in favor.

**Minutes**

George Tarr made motion to approve the minutes of April 11, 2018.

Virginia Cookson seconded.

Vote: Unanimous in favor.

May 9, 2018 and June 13, 2018 would be postponed until July

**Discussion**

**Reappoint Marcia Dolce to a three year Open Space Committee term.**

Motion made by Virginia Cookson to appoint Marcia Dolce to the Open Space Committee to expire June 30, 2021.

Chris Currier seconded.

Vote: Unanimous in favor.

**Items for July 11, 2018 agenda.**

Virginia Cookson’s discussion topics (Stormwater Management, vernal pools, Donovan playground policies and other items) could be spread out over several meetings or discussed at the July 11, 2018 meeting.

**Coordinator’s Report.**

The July 7, 2018 site walk would be conducted with the landfill visit at 8:15 am. and 408 Bridge St. 9:00 am. Jim Hankin would send a reminder. Virginia Cookson said the landfill vegetation was growing.

Gretel Clark and the Interim Town Manager were considering having the Open Space Committee become an independent committee. If that happened, a Commission vote to dissolve the Open Space Committee as a Commission subcommittee would be required.

Jim Hankin noted that the cell tower suit had been settled.

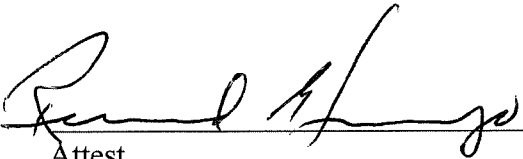
**Adjournment**

Motion to adjourn made by Bob Cronin.

Seconded by Chris Currier.

Vote: Unanimous to adjourn at 7:37 pm.

Prepared by:  
Marcie Ricker

 <hr/> Attest	7/25/18 <hr/> Date
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