

HAMILTON CONSERVATION COMMISSION
MINUTES OF MEETING
September 26, 2018
Memorial Room, Hamilton Town Hall

Members Present: Virginia Cookson, Bob Cronin, Chris Currier (7:27), Richard Luongo (Chairman), and George Tarr.

Coordinator: Jim Hankin

This meeting was called to order at 7:27 pm with a quorum established.

Notice of Intent Public Hearing. 354 Highland St. (Canterbrook Farm) Construct a 23 unit residential development continued from September 12, 2018

Virginia Cookson was not present at the first session of the public hearing and so she could not be a voting member. Attorney Jill Mann for the 354 Highland Street applicant said the hearing could not be opened until a voting member quorum had been established, according to the Mullin rule. The Chairman re-opened the public hearing at 7:27 after Chris Currier arrived and a quorum of voting members was established.

Ms. Mann and Charlie Wear for the applicant were present. The applicant submitted revised plans. Mr. Wear addressed issues that were raised at the previous hearing for further discussion at this hearing session. These include adding landscaping procedures in the open space area to the Operations and Maintenance plan. Mr. Wear indicated that the applicant was happy to include the language if the Commission conditioned it. Sheet 5 (utilities and drainage), which had been missing was added to the filed set of plans. The project file number (172-0603) had been issued with no comments from DEP. Mr. Wear addressed the questions on the use of road salt by recommending calcium chloride or magnesium acetate as described in letter he provided the Commission dated September 19, 2018.

Mr. Wear noted that a separate lot will be created for the open space land, which would be conveyed to the Town Conservation Commission through a Conservation Restriction. Mr. Wear stated that permanent boundary markers delineating the line between the development land and the Open Space parcel could be included as a condition in the permit. He suggested using cedar posts with a decal marker on the top of them indicating the area was a conservation area with no cutting allowed. The Homeowners' Association would be responsible for the management of the open space. Richard Luongo suggested markers for the entire open space area. In response to a question by Jim Hankin, Jill Mann stated that the new trails shown on the Open Space landscaping plans would be accessible to the public. Jim Hankin suggested signage to direct the public to entrance points for these trails. Parking areas are shown on the plans for public access to the trails. The trails would be maintained by the Homeowners' Association. according to Mr. Wear. Virginia Cookson suggested putting spikes in the ground but Mr. Wear cautioned about mowing and vegetation covering them up. Mr. Luongo wanted posts that would stand up. Ms.

Cookson wanted features that would last. Jim Hankin suggested posts similar to those used at a site on Miles River Rd. Mr. Wear said the posts could be 8' long cut in half on an angle and put 1' in the ground. A decal would be placed on each one.

Jim Hankin described his e-mail to Charlie Wear regarding the Conservation Restriction (CR) and that an Order of Conditions could still be issued on CR Land. Ms. Mann said the applicant had to go to the Planning Board, Selectmen, the Conservation Commission and eventually the state for CR approval. The Conservation Restriction would be in perpetuity and be recorded.

Tammy Hickcock (46 Morgan Drive Haverhill, MA) said she was worried about salamanders and wetlands. She had spoken to the state's Natural Heritage agency. She showed a video of yellow and blue spotted salamanders seen outside her horse stall. Charlie Wear said he knew they were present and explained that the proposed project would significantly improve the habitat for the amphibians. Nitrogen and other storm-water run off currently heads directly into vernal pools with no pre-treatment. The engineering features of this project treat all run off from impervious surfaces with infiltration systems and rain gardens so the quality of the water ending up in the wetland and vernal pools will be substantially improved. Mr. Wear said the horse paddock was not the ideal habitat for the species while a wet meadow and rain garden would be much better.

Charlie Wear said that he had discussed the vernal pool situation with wetlands scientists Greg Hochmuth and Mike DeRosa both of whom agreed with his assessment. Mr. Hochmuth had written a letter, which was submitted. Jill Bowden (Georgetown, MA) was also concerned about the amphibians' safety. Virginia Cookson responded that the proposed project would create an improved environment for the amphibians. Ms. Cookson was concerned about the adult amphibians during the construction phase. Jill Mann said the area was already disturbed and that the Commission would have the right to inspect the open space to ensure the amphibians were being protected. Mr. Wear said the next generation would be protected by the improved water quality. Richard Luong noted that the houses being constructed would be better for the current wetlands than the existing environment, which was built on top of pre-existing wetlands before the Wetlands Protection Act was enacted. Mr. Wear added that Natural Heritage would allow the project to pass even if the vernal pools were identified.

Jim Hankin noted the landscape plan, which detailed species to be planted. The plan would be conditioned in the approval. The proposed wet meadow would be planted and interspersed with a wetlands mix of ground cover and shrubs. Mr. Hankin questioned how far apart the cedar posts should be located and the signage to direct people to the trail. Jill Mann suggested a site visit with the Commission to agree to the spacing on site. Signage could be determined as part of the Conservation Restriction. Clearing could begin this winter with construction commencing in the spring. The common septic system was outside the Commission's jurisdiction.

Motion made by Chris Currier to close the public hearing.

Seconded by George Tarr.

Vote: Unanimous in favor among voting members (Richard Luongo, Bob Cronin, Chris Currier and George Tarr). Virginia Cookson abstained due to missing the first portion of the public hearing (Mullin Rule).

Special conditions would include the finalization of the Conservation Restriction and approval by the state and all the required Boards and then recorded, the spacing of cedar posts for boundaries of the open space area would be set by the Conservation Coordinator and the applicant at a site walk, the use of alternatives to rock salt as indicated in the letter, dated September 19, 2018, the approval of the Operations and Maintenance landscaping plan, and signs for no disturbance in the conservation areas. The Commission noted the standard condition of monitoring the new landscaped area of the project for two years.

Motion made by Chris Currier to issue an Order of Conditions for 354 Highland St. subject to the special conditions discussed.

Seconded George Tarr.

Vote: Unanimous of voting members (Richard Luongo, Bob Cronin, Chris Currier, and George Tarr). Virginia Cookson abstained due to missing the first portion of the public hearing (Mullin Rule).

Notice of Intent 33 Berrywood Lane. Accessory dwelling and grading.

Richard Luongo recused himself from the hearing as he was an abutter. Chuck Johnson was present to discuss the proposal. Bill Patten, homeowner and applicant was present. Bill Manuel flagged the wetlands. Mr. Johnson showed the 25', 50' and 100' buffer zones on the plan. The ZBA has approved the one bedroom accessory unit. Construction of this unit and associated landscaping and grading is the subject matter of this Notice of Intent. The project is within the 100' buffer zone.

Peter Kane located all of the 6" diameter trees in the work area and they are shown on the plan. Six were being proposed to be felled. The 26" oak would be kept. Bill Manuel developed a mitigation plan within the buffer zone to eradicate the yellow invasive bittersweet to include the removal of the bittersweet and planting of a wildflower mix in the area. A bark mulch sock would be used for the limit of work. The area would be kept natural with no patio or grass. Grass would only be in front away from the wetlands. The slope in the rear would have a minimal change. There would be a walkout basement in the back to the existing grade. Richard Luongo noted the potential of ledge in the area.

Jim Hankin said a file number had not yet been issued and the hearing would need to be continued. If no comments were offered by DEP with the file number transmittal, Chuck Johnson would not need to return for the closing of the hearing. The applicant consented to the continuation until October 10, 2018 at 7:00 pm

Motion made by Chris Currier to continue the public hearing until October 10, 2018 at 7:00 pm at Hamilton Town Hall.

Seconded by George Tarr

Vote: Unanimous in favor of voting members (Virginia Cookson, Bob Cronin, Chris Currier, and George Tarr. Richard Luongo abstained as he is an abutter.)

Minutes

Chris Currier made motion to approve the minutes of September 12, 2018.

George Tarr seconded.

Vote: Unanimous in favor Virginia Cookson abstained due to her absence on September 12, 2018.

Discussion Items

Commissioners to list topics for discussion for October 10, 2018 meeting.

Coordinator's Report.

Jim Hankin announced that the pending Certificate of Compliance for the landfill capping would be on the October 10, 2018 agenda and the October 6, 2018 site walk. The Miles River Task Force Army Corp of Engineers project to dredge the Miles River is under review after being dormant for a number of years. Meetings and protocols are just starting to move the project forward. There is a great deal to do but it is hopeful. The Selectmen had gone into Executive Session regarding possible litigation over a trail from Chebacco Woods that allegedly trespasses onto private property. Virginia Cookson noted the Chebacco Woods Land Management Committee was not contacted by Baird of Selectmen.

Adjournment

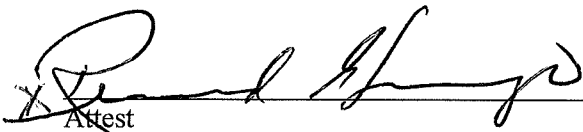
Motion to adjourn made by Bob Cronin.

Seconded by Virginia Cookson.

Vote: Unanimous to adjourn at 8:46 pm.

Prepared by:

Marcie Ricker


Attest

Date

10-10-18