

HAMILTON CONSERVATION COMMISSION

MINUTES OF MEETING

October 10, 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 7:20 pm with a quorum established.

Jim Hankin said Commissioners' packets contained the agenda, a copy of the Regulation changes, and information regarding phragmites for the landfill capping.

Public Hearing. Proposed Change to the By-law Regulations.

Richard Luongo opened the public hearing. Jim Hankin announced that the legal notice had been published on September 20, and September 27, 2018 in the Hamilton Wenham Chronicle. Proposed changes were also posted on the Town website and distributed to Commissioners by email.

The change concerns the fact that a new Open Space Committee (OSC) has been appointed by the Board of Selectmen. The Commission's regulations under the Conservation Bylaw contain language authorizing an OSC operating under the Commission. The newly created OSC would be a fully independent body. In order to avoid confusion all references to an OSC are removed from the regulations in the proposed changes.

The Commission reviewed the proposed changes presented by Jim Hankin. The new language reads: "The Commission may appoint subcommittees as the Commission may deem are necessary for the efficient execution of its duties. Subcommittees may be comprised of Commission members or any other residents of Hamilton."

The Chairman asked if anyone was present in the audience to comment on the proposed change. There was no response.

The Chairman asked if any members wished to comment. No comments were offered.

Virginia Cookson moved to close the public hearing for the Conservation Commission By-law Regulations changes.

George Tarr seconded.

Vote: Unanimous in favor.

Virginia Cookson moved to approve the proposed changes in the Conservation Commission By-law Regulations accompanying Chapter 17 of the By-law for the Town of Hamilton.

Seconded by George Tarr.

Vote: Unanimous in favor 4-0.

Certificate of Compliance. Hamilton Landfill capping.

Connor Veeneman (CDM Smith) represented Hamilton DPW in regard to the Certificate of Compliance for the landfill closure. Mr. Veeneman referred to the site walk where Commissioners observed vegetation on the slope of the dunes and phragmites evident in the wetlands. CDM Smith presented photographic evidence of two rounds of phragmites removal that occurred a couple of years ago. The as-built plan had been submitted and was reviewed by the Commission. A list of landfill closures with phragmites problems was submitted to the Commission by Mr. Veeneman.

Jim Hankin noted the on-site discussion regarding the recent growth of locust trees on the eastern side of the northern slope both inside and outside jurisdiction. Landfill capping regulations require that no trees grow on the cap as roots will compromise the integrity of the cap. Mr. Hankin noted this was not relevant to the issuance of a Certificate of Compliance but that DPW, who will be in charge of operation and maintenance of the cap, will need to take the situation into account.

Motion by Virginia Cookson to issue a Certificate of Compliance for the Hamilton landfill capping.

Seconded by George Tarr.

Vote: Unanimous in favor

Notice of Intent 268 Linden St.

Richard Luongo opened the public hearing for 268 Linden St. Rich Kirby from LEC Environment presented the proposal. The applicant was requesting to tear down a garage on a single family dwelling and rebuild a smaller addition in its place. There would be a reduction in impervious area of about 250 sf. The existing house and garage were surrounded by lawn with a sunroom off the back of the house. The applicant would add a small (4' x 6') walkout deck to provide access to back yard. Straw wattle would be installed in the back as erosion control. All demolition would be accessed from the driveway. There would be minimal land alteration and any excavated material not used on site would be taken off site. There would be no change in grade for the concrete slab foundation. DEP had not issued a number. The homeowner gave permission to continue the public hearing.

Motion made by Virginia Cookson to continue the public hearing until October 24, 2018 at 7:00 pm at Hamilton Town Hall.

Seconded by George Tarr.

Vote: Unanimous in favor.

Discussion item: Patton Ridge and 9.1 acres of Open Space vegetation management. The Commission reviewed a plan developed by George Tarr. Jim Hankin noted Mr. Tarr's plan was based on field observations and measurements using a stamped survey plan. Mr. Tarr's plan showed the current mowing lines with portions of the mowed areas clearly within the open space 9.1 acres ("9.1").

Members of the Patton Ridge Homeowners' Association were present looking to "clean up" the area under the beech trees. This area is within the 9.1 and smaller portions are within the Ridge land. The Commission agreed that the beech tree clean-up is a worthy project. Mr. Hankin said there was an opportunity to allow some of the current mowing on the 9.1, design a beech tree clean-up program and also allow a currently mowed area on the 9.1 to return to a meadow. A new mowing line was proposed on the 9.1 with a meadow being allowed to grow behind it. It was agreed that the new mowing line needed to be marked. Ms. Cookson suggested marking the line with cedar posts.

George Tarr said the invasive vegetation under the beech trees would be removed and replanted with appropriate low-growing native vegetation. Virginia Cookson said the Commission would take care of the entire area under the drip line.

George Tarr will prepare a list of plants for under the drip line of the beech trees. Richard Luongo read a list of possible plants but added that soil under beech trees could be poisonous, which was why it was difficult to grow anything under them. Members of the Patton Ridge group would take the concept back to their Board for discussion.

Discussion ensued regarding mowing the north area in the spring and fall. Jim Hankin said he had spoken with Tim Olson regarding mowing the area. Mr. Olson said the DPW could mow the area as they were mowing the Homestead currently. Mr. Hankin added that Mr. Olson was thinking of asking the Commission if overflow parking could be allowed in the northern meadow area if needed. On the south side of the access road there would be no mowing as wetlands are present. The original developers of Patton Ridge reportedly wanted to keep the open feel of the area with vistas. Mr. Hankin noted the land was given to the Commission via a Town Meeting vote and that the Commission wanted to be good neighbors and work the issues out. Mr. Hankin felt the Commission would be firm about the area south of the access road but it was not the intent to allow the area to return to forest.

A list of plant material for under the beech trees would be generated and the type and location of markers for the property line would all be on the agenda for the continued discussion on October 24, 2018.

Certificate of Compliance. 290 Echo Cove Road.

Jim Hankin reviewed the project and noted that the site walk showed it had been done professionally but there were small points of erosion. Mr. Hankin would alert the homeowner.

Motion made by Virginia Cookson to issue a Certificate of Compliance for 290 Echo Cove Road for the retaining walls and dock.

Seconded by George Tarr.

Vote: Unanimous in favor.

Notice of Intent (Public Hearing continued from September 26, 2018). 33 Berrywood Lane.

The Commission had to continue the public hearing due to a lack of a voting quorum, Richard Luongo being recused as an abutter. The hearing would be continued to October 24, 2018 at 7:00 pm at the Hamilton Town Hall.

Request for Determination (To be continued until November 14, 2018 meeting). 142

Gregory Island Road.

The applicant requested the meeting be continued until November 14, 2018 at 7:00 pm at the Hamilton Town Hall due to a scheduling conflict of the design engineer. The request was agreed to unanimously by the Commission.

Request for an Extension of the By-law Permit. 3 Whipple Road.

Walter Miebaum had requested an extension as the bylaw permit for garage and breezeway construction would expire in November. The state order of conditions is valid for another two years. The project is active but not finished. Erosion control is stable and in place, according to Jim Hankin.

Motion made by Virginia Cookson to grant an Extension for the permit under the By-law for 3 Whipple Road for garage and breezeway construction.

George Tarr seconded.

Vote: Unanimous in favor.

Minutes

George Tarr made motion to approve the minutes of September 26, 2018 as amended.

Virginia Cookson seconded.

Vote: Unanimous in favor.

Coordinator's Report.

The Conservancy District repeal would be brought forth at Special Town Meeting as would be the proposal for CPA funding for treating Patton Park pond. DeRosa Environmental would file a Notice of Intent for the pond work once Town Meeting approved the funding. Discussion ensued regarding asking the Community Preservation Committee for funding for open space care. Mr. Hankin recalled there might also be money left from the Patton Homestead sale. Virginia Cookson said funding could be used the first couple of years to remove invasive plants, mowing, or establishing a pathway. Once the work had been conducted, funding would not be needed unless trees fell down. Mr. Hankin noted there would also be wet meadow open space

next to the Canterbrook project, which would be maintained by the Canterbrook Homeowner's Association.

Further title work is being done to establish the ownership of the one acre Central Ave. parcel that had been put under the purview of the Commission at a previous Town Meeting. The original Town Meeting vote to place control over this land with the Commission may need to be placed for reconsideration on a Town Meeting as the information first presented may not have been accurate.

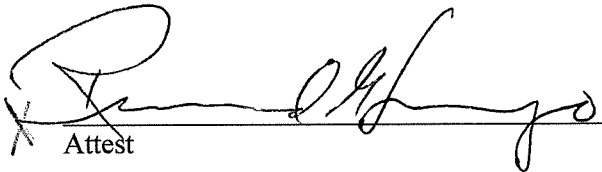
Adjournment

Motion to adjourn made by Bob Cronin.

Seconded by George Tarr.

Vote: Unanimous to adjourn at 8:49 pm.

Prepared by:
Marcie Ricker

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Attest Date 10/24/18

