**Town of Hamilton**

**Conservation Commission**

Meeting Minutes of July 23, 2025

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Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Commissioners, a remote meeting of the Hamilton Conservation Commission was posted for July 23, 2025 at 7PM via Zoom. *This meeting was recorded.* Commissioners: Sandy Codding, Virginia Cookson, Denise Kelly, Nancy Baker, Jeremy Foster.

**CALL TO ORDER: The Chair convenes the meeting pending the establishment of a quorum. The following items shall be addressed in order, subject to the discretion of the Chair and the Members**

*Chair Nancy Baker called the meeting to order at 7:00 PM and identified the meeting was being recorded and those present:* N. Baker,

V. Cookson, S.Codding, N.Baker, D.Kelly, J.Foster. Also present: Bethany Barstow, Conservation Agent. Others present as noted in the minutes.

**PUBLIC MEETINGS AND HEARINGS:**

**Continued Order of Conditions: MassDEP #172- 0625, Bridge Street & Miles River Road, Hamilton, MA.**

**Applicant: Timothy Olsen**

**Representative: Matthew Perry, The Engineering Corp**

**Project: Minor changes to the layout and location of the drainage system and to detail proposed pavement maintenance activities. Most of the proposed work is located within the 100-foot Buffer Zone, and the 200-foot Riverfront Area.**

William Byrne and Jason Brezowski presented the project, which was initially approved in 2021. There were design alterations since the approval and they have come back to present those. At the prior meeting the Commission asked about the sizing and sizing calculations and total suspended solids (TSS) removal rates for the water quality unit proposed on Bridge Street. They also asked about the maintenance requirements the DPW (Department of Public Works) would have to perform on the water quality unit, and asked for confirmation from the DPW Director that these maintenance requirements could be met. DPW Director Tim Olson confirmed the DPW would be capable of handling the required maintenance. There was also an outstanding question about confirmation the Planning Board approved the tree removal. Confirmation was received from Mark Connors, Planning Director, approval was granted. Chair Baker questioned the sizing of the water quality unit. W.Byrne explained the calculations, including that because of the addition of the leaching catch basins the size of the unit could be reduced. He used a 100-year storm event measurement of 8 inches of rainfall in 24 hours as the queue and flow rate.

**Vote:** *The Commissioners voted unanimously by roll call to close the public hearing for MassDEP#172-0625.*

**Vote:** *The Commissioners voted unanimously by roll call to issue an amended order of conditions for MassDEP#172-0625.*

**Continued Notice of Intent: MassDEP #172- 0660, 186 Echo Cove Road, Hamilton, MA.**

**Applicant: Daniel Kowalski**

**Project: Proposed razing of an existing single-family dwelling and construction of a new single-family dwelling and garage. Most of the proposed work is located within the 100-foot buffer zone.**

Wetland scientist Thor Akerly spoke regarding the application. A revised plan was submitted along with a waiver request for the proposed activities in the no-disturb and no-build zone. Town Counsel opined a 25/50 foot delineation made more sense for this situation. T.Akerly explained the changes in the plan, including changing the size and location of the great room, reducing the footprint of the deck, and changing it to through flow decking. They also reduced the size of the kitchen slightly and the grading on the site. There is mitigation proposed, including bayberry shrubs and other native shrubs. An infiltration trench along the house was proposed to recharge groundwater and reduce runoff. As described previously, some of the existing structures will be removed, e.g. float, kayak shed, etc. The Commissioners asked questions about the grade, deck, decking materials, drainage plan, and other elements of the site plan. They also discussed the trees slated to be taken down, and confirmed abutters were notified of the plans. Chair Baker expressed concern that the amount of impervious surface has increased by 10%, citing damage to the resource area, noting there is still 9 feet of the house in the 25 foot no disturb zone. She noted the seriousness of a waiver request and the criteria need to be followed that there are no possible alternatives.

She also raised concern regarding the specifics of the bylaw have not been followed. She would like to hear from the Chebacco Lake Association on what they would like to see in protecting the watershed. The applicant, D.Kowalski disagreed, stating they already have a professional engineer and the Commission was involved in reviewing the project. He stated his perceived difficulty in dealing with the town and the moneyhe has had to spend as a result. He also discussed the difficulties in designing the house on this small lot. Nevertheless, he agreed to make some adjustments to the plan and return to the Commission at the next meeting.

**Vote:** *The Commissioners voted unanimously by roll call to continue the public hearing on 186 Echo Cove Road to August 3, 2025.*

**Request for Determination of Applicability: 951 Highland Street, Hamilton, MA.**

**Applicant: Heidi Murphy**

**Project: The application includes proposed installation of a fence. Some of the proposed work is located within the 100-ft Buffer Zone of a Bordering Vegetated Wetland and the 200-ft Riverfront Area.**

Heidi Gaffney of DeRosa Environmental presented the application to the Commission. This is the installation of a fence for a horse paddock, partially in the outer buffer zone. She referenced the site plan, showing the fence that is partially in the 100-foot buffer and on lawn area. They are seeking a negative determination and an exemption under section 10.022b and 10.586b. There are no horses there yet, but there will be a small number and the manure disposal will be managed appropriately. V.Cookson noted there is a specific policy on disposal of pet waste in town. J.Foster questioned why the fence couldn’t conform to the 100-foot buffer zone boundary, instead of crossing over it.

**Vote:** *The Commissioners voted unanimously by roll call to issue a negative determination for 951 Highland St.*

**Request for Determination of Applicability: 1028 Bay Road, Hamilton, MA.**

**Applicant: Carolyn Rodio**

**Project: The application includes proposed construction of a sunroom. Some of the proposed work is located within the 100-ft Buffer Zone of a Bordering Vegetated Wetland.**

Heidi Gaffney of DeRosa Environmental presented the application. The applicant is looking to put a sunroom within the 100-foot buffer zone, and believes this qualifies as a small project under the bylaw. They are requesting a negative determination as it is minimum disturbance.

**Vote:** *The Commissioners voted unanimously by roll call to issue a negative determination for the work requested at 1028 Bay Rd, to put in a new sunroom as shown on the plan.*

**MINUTES: May 28, 2025, July 9, 2025**

**Vote:** *The Commissioners voted unanimously to approve the May 28, 2025 minutes.*

**Vote:** *The Commissioners voted unanimously to approve the July 9, 2025 minutes.*

**ENFORCEMENT ORDERS/VIOLATIONS:**

* **Bridge St** – B.Barstow reported she has not been able to reach the Town Manager regarding the outstanding violations. She has informed her supervisor this enforcement needs to move forward.
* **Other Violations**

**New/Other Business:**

* **Bridge Street Preliminary Discussion –** William Bruce was present and spoke on his consideration of developing lots 4 and 5 on Bridget St. He referred to the large blocks used at the Bridge St properties already developed. He showed a site plan of lot 5 and again referenced the rock walls. He would need to request a variance or waiver to put the house in the 50 foot buffer zone and the septic in the back. He would then be able to reduce the stone walls and impervious surfaces by moving the driveway and reducing the pitch. He wouldn’t have to cut as many trees with this configuration. He stated he could get rid of 80% of the concrete walls. He would also like to remove the invasive bittersweet to save the trees, and remove dead trees. If the Commission is not amenable to this proposal, he would not purchase the properties.
* On lot 4 he would also like to get rid of the walls and put the septic in the back of the house. He would like to do a redline change to the existing plans rather than an entire new application. He wanted to get this done before the winter/spring because water issues on the sites would make the project undoable. S.Codding stated it has been a difficult history with these lots, but he believed the review could not be rushed. W.Bruce said he would not build the houses as currently designed even if the land were free. He believes his plan can greatly improve the look of the property, alleviate the water issues, and reduce the walls. The Commission noted the problems they have been having are the result of water overflow into the wetlands across the street. The Commissioners recommended he come back to the next meeting with an amended proposal.
* **MACC Dues –** There is money in the budget to pay for the dues.

**Vote:** *The Commissioners voted unanimously to approve B.Barstow paying the MACC dues.*

* The next Conservation Commission meeting is currently scheduled for August 13, 2025.

**Adjournment –** *The Commissioners voted unanimously to adjourn at approximately 9:35pm.*

*Documents:*

1. [Continued Amended Order of Conditions – Bridge Street & Miles River Road](https://hamiltonma.gov/wp-content/uploads/2025/07/T1093_Request-for-Amended-Order-of-Conditions_Hamilton-ConCom.pdf)
	1. [Attachment A – Bridge Street & Miles River Road](https://hamiltonma.gov/wp-content/uploads/2025/07/Attachement-A-Bridge-Street-and-Miles-River-Road-Revised-NOI-Plans-2021-7-7.pdf)
	2. [Attachment B – Bridge Street & Miles River Road](https://hamiltonma.gov/wp-content/uploads/2025/07/Attachment-B-Hamilton-Bridge-St-and-Miles-River-Rd-2025-2-28.pdf)
	3. [Attachment C – Bridge Street & Miles River Road](https://hamiltonma.gov/wp-content/uploads/2025/07/Attachment-C-OOC-172-0625-WPA-Bylaw-Signed.pdf)
	4. [Stormceptor Maintenance Guide – Bridge Street & Miles River Road](https://hamiltonma.gov/wp-content/uploads/2025/07/stormceptor-stc-maintenance-guide.pdf)
2. [Continued Notice of Intent – 186 Echo Cove Road](https://hamiltonma.gov/wp-content/uploads/2025/07/Proposed-Plot-Plan-186-Echo-Cove-Road_R1.pdf) , [Revised Plot Plan](https://www.hamiltonma.gov/wp-content/uploads/2025/07/Proposed-Plot-Plan-186-Echo-Cove-Road_R2-1.pdf), [Waiver Request Letter.](https://www.hamiltonma.gov/wp-content/uploads/2025/07/Revised-Plan-Waiver-Request-Letter-186-Echo-Cove-Road.pdf)
3. [Request for Determination of Applicability – 951 Highland Street](https://hamiltonma.gov/wp-content/uploads/2025/07/951-Highland-St-RDA.pdf)
4. [Request for Determination of Applicability – 1028 Bay Road](https://hamiltonma.gov/wp-content/uploads/2025/07/1028-Bay-Road-sunroom-RDA.pdf)
5. Minutes for Review
	1. [May 28, 2025](https://hamiltonma.gov/wp-content/uploads/2025/07/CC-Minutes-5.28.25-Draft.pdf)
	2. [July 9, 2025](https://hamiltonma.gov/wp-content/uploads/2025/07/TOH-CC-7.9.25_dp.pdf)
6. Bridge Street [Lots 4](https://www.hamiltonma.gov/wp-content/uploads/2025/07/Fw_-Lot-4-septic-plan.zip) &[5](https://www.hamiltonma.gov/wp-content/uploads/2025/07/Fw_-Lot-5-septic-plan.zip) Discussion
7. [MACC Dues](https://hamiltonma.gov/wp-content/uploads/2025/07/MACC-Membership-Roster-FY2026-Complete.pdf)

*Respectfully submitted by D. Pierotti, Recording Secretary, 8.1.25. The minutes were prepared from video.*