**Town of Hamilton**

**Conservation Commission**

Meeting Minutes of August 13, 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 August 13, 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. She identified the meeting was being recorded and those present:* V. Cookson, N.Baker, D.Kelly, J.Foster (arrived late). Not present: S.Codding. Also present: Bethany Barstow, Conservation Agent. Others present as noted in the minutes.

**PUBLIC MEETINGS AND HEARINGS:**

**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.**

D.Kowalski stated the house was not being rebuilt, and noted this was his third visit to the Commission. He presented a revised design, he believed would satisfy the Commission. He swapped the position of the deck and the great room, to take the building out of the no disturb zone. His wetland scientist identified a mitigation area to remain vegetated in perpetuity, and slanted the driveway to divert the runoff to a filtration area. Additionally, he created an operations management plan for the mitigation area submitted to the Commission. V.Cookson had some concerns about existing shrubs given that they will now be shaded by the house, and she cautioned a potential channel being created from the runoff along the driveway, which could create a point source discharge.

B.Barstow stated the Commissioners can include perpetual order of conditions to stipulate the vegetated area be maintained. N.Baker requested the applicant to (try to) reduce the impervious surface, such as the driveway, and increase infiltration. D.Kowlaski was reluctant to makes any change for health and safety reasons, and resistant to the request to leave a stag from the tree that is to be removed on the property, which is half on his property and half on the neighbor’s. He did not see the importance of this one tree in a well forested area. N.Baker proposed the stag remain for (two years) until the inspection and re-evaluation. After further discussion, the Commissioners ultimately agreed to allow the full tree to be removed.

**Vote:** *The Commissioners voted unanimously by roll call to close the public hearing for MassDEP#172-0660.*

**Vote:** *The Commissioners voted unanimously by roll call to issue an order of conditions for 186 Echo Cove Rd, MassDEP#172-0660, including special conditions regarding the mitigation area, and an inspection of the stormwater system.*

**Notice of Intent: MassDEP #172-0661, 45 Central Place, Hamilton, MA.**

**Applicant: Lorraine and Leo Kulhavy**

**Project: Proposed dining/den room extension & rebuild of an existing bathroom to an existing cottage. Most of the proposed work is located within the 100-foot buffer zone.**

L.Kulhavy presented the project, which is located in Asbury Grove. The bathroom is rotted and needs to be replaced, and they would like to add a room 12 feet further back towards the wetlands. The construction materials would not be near the wetlands, the room will be on posts and they would surround it with plants. She displayed pictures of the cottage/site. Chair Baker noted according to the bylaw, nothing is allowed within 50 feet of the wetland, and they have submitted a waiver but not explained why what they are proposing is within the intent of the bylaw. She also asked about who did their wetland delineation and what their qualifications are. V.Cookson raised concerns about the footings and foundation, L.Kulhavy responded the addition would be on posts, and the block foundation would be removed, so it will be open underneath. The neighbor’s house is closer to the wetlands than theirs. Chair Baker recommended that the Commission use the state wildlife assessment requirements of appendix A to assess how significant the wetland resource is before they make a decision. The site requires a professional wetland assessment. The Commissioners will conduct a site visit to view the proposed project on August 19 at 3:00PM.

**Vote:** *The Commissioners voted unanimously by roll call to continue the public hearing for 45 Central St. until August 27, 2025.*

**Request for Determination of Applicability: 36 Martel Road, Hamilton, MA.**

**Applicant: Meredith Kline**

**Project: The application includes proposed construction of a deck. Most of the proposed work is located within the 100-foot Buffer-Zone.**

The Klines have a 30 year old deck that needs to be removed, and they would like to enlarge the deck as part of the renovation. The deck is 4x8 feet, and they would like to expand it to 8x10; photos were shown of the deck.

There was brief discussion of decking materials and making sure it would be pervious, and not to allow the storing of construction materials near the wetlands. The Commissioners agreed this was a “de minimis” project.

**Vote:** *The Commissioners voted unanimously by roll call to issue a negative determination of applicability for 36 Martel Rd.*

**ENFORCEMENT ORDERS/VIOLATIONS:**

* **Bridge St** – B.Barstow spoke to the Town Manager about the violations on Bridge St., and he will speak to the Police Chief about how to move forward with the enforcement order.
* **Other Violations –** there were none.

**New/Other Business:**

* **Appleton Farm Beaver Control Device Discussion**

Carol Lloyd of the Essex County Trails Association (ECTA) was contacted by Appleton Farms to help with a beaver deceiver permit in a culvert under an existing trail; the culvert is clogged and the trail flooded, which has created an unsafe walking trail. They would like to clean the culvert and protect it with a flow device, that allows the beavers to be in the habitat but not clog the culvert and flood the trails. She talked about the management plan agreement that ECTA has with Hamilton to maintain trails. The ECTA also works with Appleton, Greenbelt, etc. They are requesting to do this activity under the management plan. ECTA does not own any trails, they work on the properties of others. C.Lloyd explained how the management plans work in other towns, such as Wenham.

**Vote:** *The Commissioners voted unanimously to approve ECTA to proceed with the work as proposed, and under the management plan.*

**Next Meeting** - is currently scheduled for August 27, 2025.

**Adjournment –** *The Commissioners voted unanimously to adjourn at approximately 8:55pm.*

*Documents:*

1. 186 Echo Cove Road
   1. [Revised Plot Plan](https://hamiltonma.gov/wp-content/uploads/2025/08/Proposed-Plot-Plan-186-Echo-Cove-Road-1.pdf)
   2. [Operation & Maintenance Plan](https://hamiltonma.gov/wp-content/uploads/2025/08/Operation-Maintenance-Plan-186-Echo-Cove-Road.pdf)
2. 45 Central Place
   1. [Notice of Intent Letter](https://hamiltonma.gov/wp-content/uploads/2025/08/1-Notice-of-Intent-Letter-1909604.pdf)
   2. [NOI State Submission](https://hamiltonma.gov/wp-content/uploads/2025/08/2-NOI-State-Submission-corrected-1909604.pdf)
   3. [Stamped Site Map](https://hamiltonma.gov/wp-content/uploads/2025/08/3-Stamped-Site-Map-1909604.pdf)
   4. [Building Plan](https://hamiltonma.gov/wp-content/uploads/2025/08/4-Building-Plan-1909604.pdf)
   5. [As Built of Septic](https://hamiltonma.gov/wp-content/uploads/2025/08/5-As-Built-of-Septic-1909604.pdf)
   6. [Asbury Grove Acceptance of Plan](https://hamiltonma.gov/wp-content/uploads/2025/08/6-Asbury-Grove-Acceptance-of-Plan-1909604.pdf)
   7. [Parties of Interest Certification Letter](https://hamiltonma.gov/wp-content/uploads/2025/08/7-37-46-38-45-Central-Pl-1909604-certification-letter-7-8-2025-1.pdf)
   8. [Abutters List](https://hamiltonma.gov/wp-content/uploads/2025/08/8-37-46-38-45-Central-Pl-1909604-abutters-list-7-8-2025.pdf)
   9. [Map of Asbury Grove](https://hamiltonma.gov/wp-content/uploads/2025/08/9-Map-of-Asbury-Grove-45-Central-1909604-with-corrections-of-location-1.jpg)
   10. [Proposed Location of Materials](https://hamiltonma.gov/wp-content/uploads/2025/08/10-Proposed-location-of-materials-1909604.pdf)
3. [36 Martel Road](https://hamiltonma.gov/wp-content/uploads/2025/08/36-Martel-Road-RDA-Application.pdf)
   1. [Request for Determination of Applicability](https://hamiltonma.gov/wp-content/uploads/2025/08/36-Martel-Road-RDA-Application.pdf)

*Respectfully submitted by D. Pierotti, Recording Secretary, 8.30.25. The minutes were prepared from video.*