**Town of Hamilton**

**Conservation Commission**

Meeting Minutes of August 27, 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 27, 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:*

V. Cookson, N.Baker, D.Kelly, S.Codding, J.Foster (joined at 7:33PM).

Also present: Bethany Barstow, Conservation Agent. Others present as noted in the minutes.

**PUBLIC MEETINGS & HEARINGS:**

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

**Applicant: Lorraine & Leo Kulhavy**

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

The Commissioners conducted a site visit the previous week. D.Kelly reported the Commissioners saw where the proposed work would be and the proximity to the wetlands; it was observed the properties in this area are tight together. Chair Baker questioned the qualifications of the person who evaluated the wetlands, and L.Kulhavy responded she checked with B.Barstow before having the soil evaluator delineate the wetlands. She also reported the measurements B.Barstow took closely aligned with what the soil evaluator computed, in terms of distance from the wetlands. Chair Baker asked for more information on the proposed erosion controls, which need to be close to the construction site so no contaminants, debris, etc. get into the wetland area, and outside the 25 foot no disturb zone. The main issue this project needs a waiver is because the building is within the 50 foot no build zone. D.Kelly asked said there needs to be a plan from a wetland scientist, and the credentials of the soil evaluator used is not clear. The homeowner needs to follow the criteria in requesting a waiver, and show the project would be consistent with and maintaining the resource area quality and function. Also, the plan should avoid and minimize the impacts to any resource areas determined to be significant, and provide mitigation, if appropriate. Removing the cement block and putting it on pilings is not specifically a mitigation, but considered benefit, as is removing the pipe dischargingwastewater from the sink to the ground. Mitigation plantings would also help to stabilize the soil.

The applicant submitted additional materials but the Commissioners had not been able to review prior to the meeting. The applicant will look into hiring a wetland scientist before the next meeting.

**Vote:** *The Commissioners voted unanimously by roll call to continue the public hearing for 45 Central Place to September 10, 2025.*

**Request for an Amended Order of Conditions #172-0641 135 Bridge Street & #172-0640 155 Bridge Street Applicant: Jack Sullivan & Angus Bruce**

**Project: The application includes proposed reconstruction/ redesign of an approved plan.**

Jack Sullivan, the project engineer, gave an overview of the project. He discussed the plan to pull the houses forward into the 75 foot buffer, to enable them to reduce the impervious surfaces significantly, reduce the site alteration, and retain the wooded nature of the site. The approved plans have not been submitted yet, but will be prior to the next meeting. The plan is to stay out of the 50 foot buffer, although invasive species will be removed. V.Cookson pointed out the two sites cannot be grouped under one application but each property needs it’s own application and have separated orders of conditions. The applicant is requesting an amendment to the plan approved previously by a prior owner, and A.Bruce explained if he has to submit a new application, he would not be able to take on the project because of the coming winter and the complications that would add to the construction. He believed his plan was much less impactful than the original plans that were put forward, that included significant stone walls. S.Codding commented he found it helpful to see both plans on one site map, and questioned whether the wetland being discussed is actually a drainage ditch along Bridge St. J.Sullivan confirmed that was the case, but it had some vegetation and was classified as a wetland. There is drainage from the upper parking lots that comes through the sites. S.Codding stated he is in favor of the reduced imperviousness. Chair Baker noted the quality of the wetland is a factor, but the narrative for the application should explain this and why this plan is more consistent with the bylaw.

The Commissioners agreed to two separate amended orders for the two sites.

**Vote:** *The Commissioners voted unanimously by roll call to continue the public hearing for 135 & 155 Bridge St. to September 10, 2025.*

**Request for a Certificate of Compliance #172-633 8 Villa Road**

**Applicant: Silas Nary**

**Project: Construction of a garage, driveway & implantation of a mitigation plan**

S.Nary reported that three years ago they applied to build a barn on the property. He explained the plantings he has done and some of the challenges he has had, but noted the site was stable. The Commissioners reviewed the plans as submitted, and S.Nary further explained some of the difficulty in getting the plants to grow, and noted he exceeded the square footage of plantings required.

**Vote:** *The Commissioners voted unanimously by roll call to issue a Certificate of Compliance for 8 Villa Rd.*

**ENFORCEMENT ORDERS/VIOLATIONS:**

* **Bridge St** – B.Barstow has not heard back from the Town Manager yet.
* **Other Violations –** *There were none.*
* There was brief discussion about the MACC conference this fall, and who might be interested in attending, and what the town pays for.

**New/Other Business:**

* The next Conservation Commission meeting is currently scheduled for September 10, 2025.

**Adjournment –** *The Commissioners voted unanimously to adjourn at approximately 7:30pm.*

*Documents:*

1. 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)
2. 135 Bridge Street & 155 Bridge Street
   1. [Amended Order of Conditions Plan](https://hamiltonma.gov/wp-content/uploads/2025/08/Amended-OOC-Plan-8.12.25.pdf)
3. 8 Villa Road
   1. [Certificate of Compliance Request](https://hamiltonma.gov/wp-content/uploads/2025/08/COC-Request-Letter-8-Villa-Rd.pdf)

*Respectfully submitted by D. Pierotti, Recording Secretary, 8.30.25.*

*The minutes were prepared from video.*