

Kingston Conservation Commission Minutes

January 19, 2010

- 7:00p.m.** The chairman called the meeting to order.
Present: Gary Langenbach (chairman), William Underhill, Marilyn Kozodoy, Sue Chamberlain, Daniel King, Ryan Overholt
Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary
- Discussion regarding Board of Selectmen/Town Administrator memo regarding a website designee for each office
- Daniel King motioned to assign Brandi Gordon as the Conservation Office website designee.
Marilyn Kozodoy seconded the motion.
- 7:01p.m.** **VOTE: 6-0-0**
- Agent Updates:
- Winthrop Street – no work is within Conservation jurisdiction. They are installing a silt fence which will be inspected and the wetland line will be verified.
The chairman stated that he would like to know where the back-up location for the septic system would be located (consistent with Health Department requirements, with the concern that this back-up site might be within a protected area subject to the Commission’s purview).
 - Possible cancellation of the February 16th meeting
- Discussion
- Sue Chamberlain motioned to cancel the February 16, 2010 meeting with the stipulation that if it is necessary to have a hearing during that time frame then the meeting will be re-posted.
Marilyn Kozodoy seconded the motion.
- 7:15p.m.** **VOTE: 6-0-0**
- 7:15p.m.** Opened a Public Hearing for a Request for Determination of Applicability for 63 Summer Street, Map 36, Lot 80
Present: John Cataldi (owner), Laurence Gogarty (representative)
- Laurence Gogarty presented the proposed project to the Commission.

Maureen Thomas stated that there was still room in the Riverfront Area until they meet their Riverfront Area thresholds. The project is proposed on existing impervious areas.

The chairman stated that roof runoff from the vestibule needed to be addressed. He mentioned infiltrating the roof runoff or converting a planting bed into a rain garden.

Maureen Thomas stated that the existing disturbance to the Riverfront Area was 3647 square feet (7.1% of the Riverfront Area) and the proposed project would increase the disturbance to 3893.75 square feet (7.6% of the Riverfront Area).

Laurence Gogarty stated that the proposed vestibule would have a flat roof with a pitch and that the water would be collected by the existing planting bed.

Discussion regarding converting the planting bed into a rain garden for the roof runoff from the vestibule

Discussion regarding Historic Commission letter regarding oversight of design changes in a Historic District, and applicant's response, were determined as not within Conservation Commission responsibility

Conditions for the Determination of Applicability to include:

- Roof runoff from the vestibule shall be handled in an environmentally-sensitive manner (rainbarrel, raingarden, etc.) so as not to add more sheetflow across impervious surfaces at the site; and
- The new structures add 247 square feet of development in the riverfront area of Stony Brook for a total of 3,894 SF and 7.6% of riverfront area alteration at the site.

William Underhill motioned to issue a Negative Determination of Applicability with conditions.

Marilyn Kozodoy seconded the motion.

7:26p.m. VOTE: 6-0-0

Sue Chamberlain motioned to close the Public Hearing.

William Underhill seconded the motion.

7:27p.m. VOTE: 6-0-0

7:30p.m. Continued a Public Hearing for a Notice of Intent for Cranberry Road and Smith's Lane

The applicant requested a continuation of the Public Hearing.

Daniel King motioned to continue the Public Hearing.

Sue Chamberlain seconded the motion.

**7:30p.m. VOTE: 6-0-0
Continued to March 2, 2010 @ 7:30p.m.**

Agent Updates continued:

- Pine Brook restoration project – Commission needs to re-certify it as an emergency project. A revised scope of work has been sent out.

Discussion

Marilyn Kozodoy motioned to re-certify the Pine Brook restoration project as an emergency.

Daniel King seconded the motion.

7:31p.m.

VOTE: 6-0-0

7:34p.m.

Informal meeting regarding the Jones River Landing revetment emergency request

Present: Pine duBois

Pine duBois presented pictures of the seawall from 1983. Soil borings at the boat ramp and wall revealed that there was 2.5' – 3' of sandy fill on top of compressed marsh. She stated that engineering for the wall had occurred in 2003 where a terraced wall was proposed with the restoration of the marsh. The marsh area was not large enough for it to be sustainable. The existing sea wall shifted in August and again in December of this year. She believes that the wall will end up in the river soon which could release large amounts of silt, concrete, and rock into the river, adversely affecting habitat of aquatic species. She stated that she had a contractor that was willing to disassemble and reconstruct 60' of the wall where it was falling. Pine duBois presented more pictures to the Commission. She stated that a machine would be rented to excavate behind the wall. The pieces of the wall would be removed and rebar and Marafi fabric would be used.

Sue Chamberlain asked if an after the fact Request for Determination of Applicability should be filed.

Maureen Thomas stated that it would be good to have a paper trail.

William Underhill motioned to permit an emergency order to certify the temporary repair of the Jones River Landing revetment as presented.

Marilyn Kozodoy seconded the motion.

8:00p.m.

VOTE: 6-0-0

8:07p.m.

Continued a Public Hearing for an Abbreviated Notice of Resource Area Delineation for 25 Tarkiln Road, Map 13, Lot 31

The applicant requested a continuation of the Public Hearing.

Daniel King motioned to continue the Public Hearing.

Marilyn Kozodoy seconded the motion.

8:07p.m.

VOTE: 6-0-0

Continued to March 2, 2010 @ 8:45p.m.

8:15p.m.

Continued a Public Hearing for an Abbreviated Notice of Resource Area Delineation for Off Parting Ways Road, Map 105, Lot 7

The applicant requested a continuation of the Public Hearing.

William Underhill motioned to continue the Public Hearing subject to the receipt of a check for the review engineer by January 22, 2010.

Daniel King seconded the motion.

8:16p.m.

VOTE: 6-0-0

Continued to February 2, 2010 @ 8:15p.m.

Agent Updates continued:

- Marshal Joyce Conservation Restriction – discussion regarding who is responsible for writing a Conservation Restriction for the property

William Underhill motioned to have the Conservation Agent write a letter to the Community Preservation Committee clarifying conservation restrictions.

Daniel King seconded the motion.

8:20p.m.

VOTE: 6-0-0

- Discussion regarding drafting a policy for acquisition of town lands managed by the Conservation Commission which would include responsibilities for land acquired by the town

Marilyn Kozodoy motioned to have the Conservation Agent draft a memo to various boards focusing on communication regarding the acquisition of town lands managed by the Conservation Commission.

William Underhill seconded the motion.

8:30p.m.

VOTE: 6-0-0

Discussion regarding cutting of rotted tree on Sampson Park

Sue Chamberlain motioned to approve the submittal of three bids and the selection of the person to be hired for the cutting of the tree on Sampson Park.

Marilyn Kozodoy seconded the motion.

8:34p.m.

VOTE: 6-0-0

Discussion regarding the Pottle Street ball fields using organic practices

8:38p.m.

Continued a Public Hearing for a Request for Determination of Applicability for 44 River Street, Map 38, Lot 11

Present: Chip Comeau (applicant)

Chip Comeau presented the proposed project to the Commission.

Maureen Thomas requested that the extra soil from digging the post holes be removed from the flooding area.

The Chairman advised the Applicant of possible problems of deterioration if wooden posts are placed in concrete footers without drainage.

Sue Chamberlain motioned to close the Public Hearing.
Daniel King seconded the motion.
8:45p.m. VOTE: 6-0-0

Sue Chamberlain motioned to issue a Negative Determination of Applicability with conditions.
Daniel King seconded the motion.
8:50p.m. VOTE: 6-0-0

Discussion regarding 6 Prospect Street
- An RDA should be filed, Conservation Agent will talk to Town Counsel

Reviewed the draft minutes of December 1, 2009

William Underhill motioned to accept the minutes of December 1, 2009 as written.
Marilyn Kozodoy seconded the motion.
8:57p.m. VOTE: 6-0-0

Reviewed the draft minutes of December 15, 2009

Sue Chamberlain motioned to accept the minutes of December 15, 2009 as corrected.
Marilyn Kozodoy seconded the motion.
9:01p.m. VOTE: 6-0-0

Daniel King motioned to adjourn.
Marilyn Kozodoy seconded the motion.
9:01p.m. VOTE: 6-0-0