

Kingston Conservation Commission Minutes

March 2, 2010

7:00p.m. The chairman called the meeting to order.

Present: Gary Langenbach (chairman), Sue Chamberlain, Marilyn Kozodoy, William Underhill, Daniel King

Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary

Request for Extension of the Orders of Conditions (OOC's) – Bears Farm

Present: Irene Dwyer

Irene Dwyer stated that no work has been done on the property and that they are planning on installing the road in late summer.

The Commission approved an extension of the OOC's for 3 years.

Agent Updates:

- Cranberry Watershed Preserve – spoke with the father of one of the young men that were caught cutting trees on the property. All four men involved in the cutting are in favor of performing community service in place of a fine.

7:06p.m. William Kavol arrived.

Agent Updates:

- 6 Prospect Street – did not receive a Request for Determination of Applicability (RDA), will issue an Enforcement Order for filing of an RDA
- 18 Brook Street – court date March 4, 2010
- Foster Lane – performed site visit with Gary Langenbach and William Underhill for location of the shed
 - discussion re: history of activity on property and performing work on land owned by someone else, and discussion of the difficulties of issuing such a permit
- Camp Nekon – jury trial for illegal tree cutting on property - March 30, 2010
- Tarkiln Road appeal – Town Counsel is now handling the case
- 14 Blair Drive – mitigation of shellfish condition on Orders of Conditions
 - The Commission decided to keep the mitigation condition because they believed that there would still be a take with the amendment of the boat lift
- Nobadeer Village – Conservation Restriction still in progress
- Pine Brook culvert removal – emailed Paul Basler about performing a site visit next week with Fred Nava (contractor)
- Sampson Fund – \$1550 was awarded to the Conservation Land Review Committee for signage for Camp Nekon, the Conservation Commission was not awarded \$1500 for land maintenance of Conservation properties or \$300 for the mailing of the floodplain brochure for next year
- Coastal Zone Management grant applications for funding on the Jones River at Wapping Road and Landing Road were denied

- MACC Conference – February 27, 2010
- Upcoming filings – Main Street and Baker Avenue (The Mews), Off Elm Street (Tall Timbers), Parting Ways Road (water main looping), 39 Landing Road (Holmes-Watson boat building restoration)
- Senior Center – out to bid next week
- Wapping Road Dam - request from JRWA for support letter for waiver of filing EIR with MEPA

Daniel King motioned to issue a letter of support in favor of requesting a waiver from filing an Environmental Impact Report with MEPA.

Marilyn Kozodoy seconded the motion.

7:30p.m.

VOTE: 6-0-0

Agent Updates:

- 70 Indian Pond Road – 7 – 8 bidders attended the auction of the property but no one bid on the opening request
- Elm Street Bridge Repair – Division of Marine Fisheries review letter

Reviewed the draft minutes of February 2, 2010

Daniel King motioned to accept the minutes of February 2, 2010 as corrected.

Marilyn Kozodoy seconded the motion.

7:43p.m.

VOTE: 6-0-0

Discussion regarding Community Preservation Committee (CPC) / Calista Property – management plan or statement for appropriate use of the property

Maureen Thomas read the letter addressed to the Community Preservation Committee on October 28, 2009 supporting the CPC application for the Calista property

The Commission discussed possible uses for the Calista Property including:

- passive recreation with development of parking area
- family and neighborhood activities
- no turf fields
- not an appropriate location for affordable housing

8:00p.m.

Continued a Public Hearing for an Abbreviated Notice of Resource Area Delineation (ANRAD) for Off Parting Ways Road, Map 105, Lot 6 & 7

Present: Christian Farland – representative

Christian Farland re-presented the ANRAD and the history of the ANRAD to the Commission.

Maureen Thomas reviewed what would be included in the Order of Resource Area Delineation. She stated that potential vernal pools are assumed vernal pools until determined otherwise.

Maureen Thomas stated that she received an estimate from Nover- Armstrong to evaluate the isolated wetlands and some of the bordering vegetated wetlands that may function as vernal pools which totaled \$1360.00.

Discussion regarding when to request funds for observation of potential vernal pools

Christian Farland stated that Michelle Grenier had determined that two of the areas were vernal pools and had the data from that time frame.

Daniel King motioned to close the Public Hearing.

Marilyn Kozodoy seconded the motion.

8:15p.m.

VOTE: 6-0-0

Daniel King motioned to issue an Order of Resource Area Delineation.

William Underhill seconded the motion.

8:15p.m.

VOTE: 6-0-0

Discussion regarding Marshall Joyce Conservation Restriction

The chairman stated that the Conservation Agent was asked to write the Conservation Restriction (CR) for the Marshall Joyce Property. He stated that Town Counsel, special counsel or the entity that would hold the Conservation Restriction should write the CR. The cost of writing the CR should be added as part of the purchase cost of the property as part of the application to the CPC.

The chairman disclosed his affiliation with the Wildlands Trust.

The chairman stated that Scott MacFaden from the Wildlands Trust was willing to make a presentation about CR's to the Community Preservation Committee (CPC).

Maureen Thomas stated that Craig Dalton (Chairman of CPC) would ask for stewardship money at the next Town Meeting.

Maureen Thomas stated that she had written a draft CR for the property when it was going to be developed and provided a copy via email to Pine duBois.

Marilyn Kozodoy stated that Pine duBois was of the opinion that it was the Conservation Agent's responsibility to write the CR since it would be town owned land.

The chairman stated that the Conservation Agent / Commission did not write the CPA application.

Discussion

The agent said that she would contact the CPC Chairman regarding a possible presentation by Scott MacFaden to the CPC about CPA CR's on the South Shore.

Daniel King motioned to adjourn.

Marilyn Kozodoy seconded the motion.

8:30p.m.

VOTE: 6-0-0