

Kingston Conservation Commission Minutes

April 21, 2009

7:00p.m. **The chairman called the meeting to order.**
Present: Gary Langenbach (chairman), Marilyn Kozodoy, James Dehner, William Underhill, William Kavol
Staff: Maureen Thomas, Conservation Agent

Discussion regarding:

- Cole Avenue – need to respond by May 3rd, discussion regarding response
- Certificates of Compliance
- L. Knife & Son basin
- 22 Evergreen Street – hearing on May 5th

7:15p.m. Opened a Public Hearing for a Request for Determination of Applicability for Route 3A & Route 53
Present: Tom McGuire

Tom McGuire discussed the following aspects of the project with the Commission:

- Gypsy moth damage to trees
- Overhang removed
- Clearing brush 8' back
- Pruning and trees to be removed

James Dehner motioned to close the Public Hearing.
Marilyn Kozodoy seconded the motion.

7:28p.m. **VOTE: 5-0-0**

James Dehner motioned to issue a Negative Determination of Applicability.

Marilyn Kozodoy seconded the motion.

7:28p.m. **VOTE: 5-0-0**

Discussion regarding:

- Camp Nekon, scheduling site visit
- The agent and Commission discussed recommendations and special conditions for Senior Center

8:15p.m. Continued a Public Hearing for a Notice of Intent for 26 Evergreen Street, Map 35, Lot 27 & 56

Present: Bob Clark, Bob Rego, Brian Yergatian, Phil Burnham, Ruthann Cassidy

Brian Yergatian recommended approval of the Notice of Intent filing.

Bob Rego submitted revised plans with rain garden plantings revisions and wet stamps.

Bob Rego reviewed the existing and proposed disturbance on the plans. He stated that they extended the restoration area around the vernal pool using the wetland line at the vernal pool. Conservation posts will be installed at the restoration area and the Senior Center site. There will be a 2' strip of grass along the side of the Senior Center Building closest to the vernal pool. Wildflower mix will also be used on the site. Erosion controls will include mulch socks with silt fence. Grass seed will include fescue and perennial rye grass (no Kentucky Bluegrass). The proposed rain garden will treat the water coming off the initial part of the parking overflow and will include an under drain and emergency overflow.

Maureen Thomas stated that the planting list would be revised in the Orders of Conditions.

The Operations and Maintenance Plan needed to be revised to include the rain garden.

The 50' no disturb zone to the vernal pool would extend up to the Senior Center parking area, excluding the two foot strip to be mowed adjacent to the cape cod berm. Posts will be placed next to the no mow area but will allow room for a lawn mower.

James Dehner motioned to close the Public Hearing.
Marilyn Kozodoy seconded the motion.

8:15p.m. VOTE: 5-0-0

James Dehner motioned to issue Orders of Conditions with special conditions as discussed and will include mitigation.

Marilyn Kozodoy seconded the motion.

8:15p.m. VOTE: 5-0-0

8:18p.m. Opened a Public Hearing for a Request for Determination of Applicability for off Grove Street, Map 33, Lot 31 and Map 43, Lot 1

Present: Pine duBois

Pine duBois presented the project to the Commission. She stated that pallets were purchased to place along the path which would be tied together. The path would need to be widened to 4' and hand tools would be used by volunteers. Zip ties would be used to connect the pallets on the top and bottom and large rebars would be used to secure the pallets.

Discussion as to whether ruts would need to be filled

William Underhill motioned to close the Public Hearing.

William Kavol seconded the motion.

8:30p.m. VOTE: 5-0-0

William Underhill motioned to issue a Negative Determination of Applicability.

William Kavol seconded the motion.

8:30p.m. VOTE: 5-0-0

8:30p.m. Opened a Public Hearing for a Request for Determination of Applicability for 21 Drew Avenue, Map 38, Lot 140

Present: Roger Kernozicky, James Scollins

Roger Kernozicky presented the proposed project to the Commission. He stated that 12" sono tubes would be used and that there would be a footing for the step.

Marilyn Kozodoy and the chairman discussed their concerns with the applicant about constructing stairs within the 25' no disturb zone.

James Dehner motioned to close the Public Hearing.

William Underhill seconded the motion.

8:45p.m. VOTE: 5-0-0

James Dehner motioned to issue a Negative Determination of Applicability with conditions.

William Underhill seconded the motion.

Discussion regarding conditions

8:45p.m. VOTE: 4-1-0 (Gary Langenbach opposed)

8:45p.m. Opening of a Public Hearing for a Notice of Intent for Wapping Road, Map 43, Lot 15

Present: Paul Basler, Paul Gabriel, Lisa Goyer, Barry Mathias

Paul Gabriel explained the existing conditions to the Commission and public. He stated that the proposed outlets would be in the same location but in a more controlled manner for water flow with 4' deep sumps. He stated that there would be a couple of additional pipes to Fountainhead Brook and would be used in a more controlled fashion. He stated that the proposed project would eliminate wash out, sedimentation, flooding, icing, sheet flows and salting of bog owner's property. There would also be more removal of suspended solids than previously.

The chairman asked if there were easements for the outfalls.

Paul Basler stated that there was a settlement from Kingston Insurance to Barry Mathias.

The chairman asked when the town would be acquiring the Vactor Truck.

Paul Basler stated that they should have the Vactor Truck by September.

Paul Gabriel stated that there would be no rip rap on the west side because there was no space but there would be rip rap on the east side to stabilize the eroded bank. There would be a splash pad at both outfalls.

James Dehner stated that at the Hathaway Preserve entrance there should be a Cape Cod berm to keep sediment out of the roadway.

Paul Basler stated that he wanted to re-grade the road to change the profile of the easement.

Roger Correira recommended paving a small section of the road.
Discussion regarding a Cape Cod berm with a 10' crushed stone apron

Barry Mathias stated that there would be no separation between the metal pipe and the water main. He stated that the pipe should be addressed and that the headwall collapsed years ago and should be fixed.

Paul Gabriel stated that they did not want to touch the culvert or headwall. He stated that it was not a structural issue right now but a big job that would need to be done eventually. He stated that they were trying to stay off of the road with drainage.

Discussion regarding potential impacts if the water main were to break

Roger Correira stated that they were laying the pipe along the side of the road to a depth of 3' – 4' and would not be digging up the street but would cross the street in a couple of locations.

Pine duBois from the Jones River Watershed Association recommended a leaching trunk line to improve water quality in Fountainhead Brook.

Lisa Goyer stated that there was lots of clay in the area and that the groundwater elevation was high.

Maureen Thomas asked if it was possible to add leaching basins.

Lisa Goyer stated that groundwater was 4' – 5' down and leaching basins would not work in this area. She also stated that there were poor soils in this area.

James Dehner recommended desynchronizing the stormwater system with water quality swales.

Paul Gabriel stated that they would still need conveyance to Fountainhead Brook.

Maureen Thomas explained Low Impact Development techniques but there would not be enough space to implement them.

Pine duBois stated that they were enlarging the watershed and recommended enlarging the holding capacity of the system, pipes, etc. Paul Gabriel stated that they were deep pipes so it wouldn't work.

Maureen Thomas asked if deep sump manholes would work.

Paul Gabriel stated that deep sump manholes wouldn't work on the site. He stated that there were enough catchbasins to hold the total suspended solids.

Marilyn Kozodoy asked if the applicant had exhausted all design options in regard to managing water entering Fountainhead Brook.

Paul Gabriel stated that they had exhausted all options and they were improving existing conditions. He stated that they resolved the bog owner issue not the brook issue.

Marilyn Kozodoy asked if there were any endangered species at this site.

Maureen Thomas stated no.

Barry Mathias stated that Crossman Pond needed to be 9" below by state law so that it would not flood South Street.

Maureen Thomas asked if Barry Mathias could let water out of the pond and bogs during a 100 year storm event.

Paul Gabriel stated that it was a large enough culvert to handle 20 acres of water.

Roger Correira stated that Barry Mathias would contact him if he needed to release water thru the bypass canal.

Maureen Thomas stated that water quality inlets could be used but it is a budgetary issue, (not a design issue).

Marilyn Kozodoy motioned to continue the Public Hearing.

James Dehner seconded the motion.

9:38p.m.

VOTE: 5-0-0

Continued to May 5, 2009 @ 7:30p.m.

9:39p.m. Opened a Public Hearing for a Request for Determination of Applicability for 97 Main Street, Map 58, Lot 40

Present: no representative

Pine duBois stated that smelt were located in this area and they killed smelt the last time they worked in this area.

Maureen Thomas stated that erosion controls would be in place.

Pine duBois stated that the smelt were just starting to come back.

Discussion regarding:

- No dewatering of manhole
- Only spawning habitat left is right next to the Charlie Horse and Pump Station, also below Maple Street dam, Elm Street dam and in First, Second and Third Brook
- Permanent barrier between crushed stone and grass
- Remove silt fences when all areas are stabilized

William Underhill motioned to close the Public Hearing.

Marilyn Kozodoy seconded the motion.

9:44p.m. **VOTE: 5-0-0**

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

Marilyn Kozodoy seconded the motion.

The chairman recommended that start of the project be delayed to June 20th.

9:45p.m. **VOTE: 5-0-0**

9:50p.m. Continued a Public Hearing for a Notice of Intent for 187 Summer Street, Map 20, Lot 3

No applicant or representative

James Dehner motioned to continue the Public Hearing and recommend to the applicant that they withdraw their Notice of Intent.

Marilyn Kozodoy seconded the motion.

9:53p.m. VOTE: 5-0-0

Discussion regarding Camp Nekon / Kingston State Forest

Discussion regarding land grant for Kingston State Forest

Marilyn Kozodoy motioned not to support a land grant for the Kingston State Forest.

William Underhill seconded the motion.

James Dehner stated that a Conservation Restriction could be placed on the property and he was willing to work on it.

The motion was amended to include a Conservation Restriction being placed on the property.

9:58p.m. VOTE: 5-0-0

Marilyn Kozodoy motioned to adjourn.

William Underhill seconded the motion.

9:59p.m. VOTE: 5-0-0