

Kingston Conservation Commission Minutes

May 6, 2008

- 7:05p.m.** The chairman called the meeting to order.
Present: Gary Langenbach (chairman), Sue Chamberlain, Marilyn Kozodoy, William Underhill, James Dehner
Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary
- Reviewed the draft minutes of March 4, 2008
- The chairman abstained from the Elm Street portion of the minutes.
- James Dehner motioned to accept the minutes of March 4, 2008 as corrected.
Marilyn Kozodoy seconded the motion.
- 7:07p.m. VOTE: 5-0-0**
- 7:07p.m. William Kavol and William Whitehill arrived.**
- Reviewed the draft minutes of March 18, 2008
- James Dehner motioned to accept the minutes of March 18, 2008 as corrected.
William Underhill seconded the motion.
- 7:10p.m. VOTE: 7-0-0**
- Discussion regarding a Request for Extension of an Order of Conditions for Evergreen Street, Map 35, Lot 28
- Marilyn Kozodoy motioned to extend the Orders of Conditions for Evergreen Street, Map 35, Lot 28 for a period of one year.
William Underhill seconded the motion.
- 7:12p.m. VOTE: 7-0-0**
- Agent Updates:
- 49R Main Street – wetland restoration work has not begun
- Sue Chamberlain motioned to issue a fine to the property owner of 49R Main Street for not beginning the wetland restoration work by the previously issued deadline and issue a new two week deadline for work to commence. Fining will begin (after the two week deadline) and continue for everyday of no work thereafter.

7:17p.m. Marilyn Kozodoy seconded the motion.
VOTE: 7-0-0

Agent Updates cont. –

- 71 Country Club Way – most of sediment removed from the 100' buffer zone, additional silt fence installed at the top of the slope
- 8 Cedar Lane – property owner has not yet planted the shrubs to mark the wetland line, need to issue enforcement order regarding the plantings and 25 foot no disturb zone

Marilyn Kozodoy motioned to issue an enforcement order to the property owner of 8 Cedar Lane.

James Dehner seconded the motion.

7:24p.m. **VOTE: 7-0-0**

Agent Updates cont. -

- 83 Howlands Lane – site visit last Thursday, follow up with a letter to Mr. Camara stating that he needs to file an NOI
- 6 Old Orchard Lane – lot cleared that contains wetlands

Marilyn Kozodoy motioned to issue an enforcement order to the property owner of 6 Old Orchard Lane and have the property owner hire a wetland scientist to delineate the wetland line and develop a restoration plan.

William Underhill seconded the motion.

7:33p.m. **VOTE: 7-0-0**

Agent Updates cont. –

- Route 27 – monitoring project
- Crop Circle Cranberries – ENF comment letter
- Camp Nekon – Andy McCormack, volunteer from Tread Lightly – blocking off dead end trail with boulders, etc.
- Cranberry Agriculture Workshop – June 4, 2008
- Volunteer internship – summer work on conservation land

7:45p.m. Continued a Public Hearing for a Notice of Intent for 37 East Avenue, Map 49, Lot 114 & 115

Present: Kevin Grady

Maureen Thomas stated that the public hearing had been continued to allow Coastal Zone Management to review the project. She stated that she had sent copies of the plans and an email to CZM. They responded that they had received the information but did not have time to review it by the next meeting.

Maureen Thomas stated that the proposed cabana, outdoor kitchen, infinity pool and patio were partially within the 100' buffer zone. She stated that the applicant could submit a Request for Amendment to add these activities as opposed to filing another Notice of Intent.

Discussion regarding additional activities

Kevin Grady stated that drywells would not work on the site because the area was clay and would not infiltrate.

Maureen Thomas stated that the foundation drain drains to the top of the coastal bank. She stated that they could easily direct the pipe to discharge water to planting beds on the lot lines.

James Dehner was concerned that if the drainage on the lot was kept on site that it would go along the wall and undermine the wall.

Kevin Grady stated that the revetment was self draining.

Maureen Thomas stated that the idea was to reduce impervious area.

James Dehner stated that he believed pavers would speed up sheet flow.

Maureen Thomas asked the commission if they wanted the applicant to file a Request for Amendment, Notice of Intent or a Request for Determination of Applicability.

James Dehner stated that the applicant should file a Request for Amendment which would allow the Commission to look at the changes as part of the filing.

William Underhill motioned to consider the additional proposed work as an amendment to the Notice of Intent.

James Dehner seconded the motion.

8:04p.m.

VOTE: 7-0-0

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

Marilyn Kozodoy suggested getting an opinion from CZM for the next Public Hearing.

8:05p.m. VOTE: 7-0-0
Continued to June 3, 2008 @ 8:00p.m.

8:10p.m. Continued a Public Hearing for a Notice of Intent for 20 Evergreen Street, Map 35, Lot 28
Present: Dana Junior

The chairman stated that the Commission had voted to extend the existing Orders of Conditions for one year.

Dana Junior presented revised plans to the Commission.

Maureen Thomas stated that the Building Department considers the first 10' of pipe coming from the dwelling as plumbing. The Board of Health considers the entire pipe as plumbing.

James Dehner asked if the septic system would be level or mounded.

Dana Junior stated that the septic system would be level.

Discussion regarding the septic system

James Dehner suggested installing a seamless barrier on the entire side of the septic system closest to the wetland.

William Whitehill asked if a seamless barrier would affect the capacity of the septic system.

Dana Junior stated that there were no calculations to suggest that the seamless barrier would affect the capacity of the system.

Marilyn Kozodoy stated that she was surprised at the slope and pitch of the driveway when the commission performed their site walk.

Dana Junior stated that they had not finished the bottom of the slope. He stated that the bottom of the hill was lower than what it would be when it was finished.

Maureen Thomas asked if the applicant was proposing to install settling basins.

Dana Junior stated that he planned to place rip rap at the beginning and end of the corrugated pipe.

James Dehner suggested recessed water bars (spacing to be determined) that would flow into rain gardens.

Maureen Thomas suggested vegetating the steep slope coming off of Evergreen Street to keep the area from eroding.

James Dehner suggested that the applicant submit a detailed planting plan and that creeping juniper be planted on both sides of the driveway where applicable.

The chairman requested the installation of conservation bounds.

William Underhill motioned to close the Public Hearing.
Sue Chamberlain seconded the motion.

8:52p.m. VOTE: 7-0-0

William Underhill motioned to issue Orders of Conditions with special conditions as discussed.

Sue Chamberlain seconded the motion.

8:53p.m. VOTE: 7-0-0

8:54p.m. Opened a Public Hearing for a Notice of Intent for 24 Evergreen Street, Map 35, Lot 28

Present: Dana Junior

Dana Junior presented revised plans to the Commission.

Dana Junior presented the proposed project to the Commission.

James Dehner asked how a driveway larger than the proposed house would protect the eight interests of the Wetlands Protection Act.

Maureen Thomas asked what the applicant could propose to address the run off from the driveway.

Dana Junior stated that he could propose plantings, curbing and drywells.

Maureen Thomas stated that the Commission needed to schedule a site visit.

James Dehner requested that the scale on the current plan be increased, lawn and drainage areas be defined with lines depicting flow and a detailed planting plan be submitted.

William Underhill suggested a pervious driveway.

William Underhill motioned to continue the Public Hearing.
Sue Chamberlain seconded the motion.

9:07p.m.

VOTE: 7-0-0

Continued to 6/3/2008 @ 8:30p.m.

9:09p.m.

Opened a Public Hearing for a Notice of Intent for 22 Evergreen Street, Map 35, Lot 28-2

Present: Dana Junior

William Underhill motioned to continue the Public Hearing per the applicant's request.

Sue Chamberlain seconded the motion.

9:10p.m.

VOTE: 7-0-0

Continued to 6/3/2008 @ 8:45p.m.

9:11p.m.

Continued a Public Hearing for a Request for Determination of Applicability for 399 Elm Street, Map 79, Lot 2

Present: Brad McKenzie, Peter Opachinski

Maureen Thomas stated that the Commission had reviewed Peter Fletcher's soils review and site visit. She stated that the conclusion was that the cranberry bog was an upland with managed hydrology.

James Dehner motioned to close the Public Hearing.

Marilyn Kozodoy seconded the motion.

9:14p.m.

VOTE: 7-0-0

Sue Chamberlain motioned to issue a Negative Determination of Applicability and a revised Order of Resource Area Delineation.

Marilyn Kozodoy seconded the motion.

9:14p.m.

VOTE: 7-0-0

Sue Chamberlain motioned to return the remaining funds from account number 14100-26615 to Tall Timbers Estates, LLC.

Marilyn Kozodoy seconded the motion.

9:16p.m.

VOTE: 7-0-0

William Underhill motioned to adjourn.

Marilyn Kozodoy seconded the motion.

9:18p.m.

VOTE: 7-0-0