

Kingston Conservation Commission Minutes

June 19, 2007

- 7:00p.m.** The chairman called the meeting to order.
Present: Gary Langenbach (chairman), Sue Chamberlain, Marilyn Kozodoy, James Dehner, William Underhill
Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary
- Discussion regarding rescheduling the regularly scheduled meeting of July 17, 2007 to July 24, 2007
- William Underhill motioned to reschedule the meeting of July 17, 2007 to July 24, 2007.
Sue Chamberlain seconded the motion.
- 7:05p.m.** **VOTE: 5-0-0**
- Discussion regarding 63 Ring Road Request for a Certificate of Compliance
- Reviewed the draft minutes of May 1, 2007
- William Underhill motioned to accept the minutes of May 1, 2007 as corrected.
Marilyn Kozodoy seconded the motion.
- 7:10p.m.** **VOTE: 5-0-0**
- 7:11p.m.** **William Kavol arrived.**
- Agent Updates:
- 75 Wapping Road performing work without enforcement order
- Marilyn Kozodoy motioned to fine Roger Correira \$300.00 and require the installation of erosion controls within 24 hours or receive subsequent fines.
William Underhill seconded the motion.
- 7:21p.m.** **VOTE: 6-0-0**

Agent Updates continued:

- 19 Station Street – invalid plan, enforcement order to remove stock piles of fill
- 70 Indian Pond Road – erosion issues, enforcement order to correct

7:32p.m. Continued a Public Hearing for a Notice of Intent for Lake Street / Chipman Way, Map 14 & 15, Lots 1, 5 & 6 and Lot 2

Present: Alex Spiegel, Theo Kindermanns, Lawrence Winokur Esq, Steve Levin, John Massanro, Doreen Zanrowski, Esq., Kevin Cline

Lawrence Winokur gave an overview of the current and projected use of the site.

John Massanro gave an overview of the drainage.

7:40p.m. **Doug Dondero arrived.**

The chairman requested that the representative identify the areas on the plan that act as rain gardens.

Discussion regarding the pipe going under Chipman Way

Kevin Cline stated that they met with Brian Creed (Water Systems Manager for the City of Brockton) regarding the history and equipment for the treatment plant.

Kevin Cline gave an overview of the wastewater treatment plant.

The chairman asked about the impact of medications being administered to patients and backing into the water supply.

Kevin Cline stated that they could perform annual testing.

Sue Chamberlain asked if it was possible to test the water for medications.

Kevin Cline stated that they could test for specific medications.

Sue Chamberlain stated that they could test for some predominately used medications that were soluble in water.

Pine duBois from the Jones River Watershed Association asked if they would be expanding the leaching field.

Kevin Cline stated that that the original system was built for 65,000 gallons.

Pine duBois requested a copy of monitoring reports.

Pine duBois asked why the roof runoff was not going into drywells.

John Massanro stated that they had a few drywells, but the soils were adequate for infiltration.

The chairman asked about the status of the enhancement areas with Natural Heritage and Endangered Species Program (NHESP).

Doreen Zanrowski Esq stated that NHESP had not provided any written comments and have missed deadlines to issue comments.

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

8:14p.m.

VOTE: 7-0-0

Continued to July 24, 2007 @ 7:30p.m.

8:15p.m.

Continued a Public Hearing for a Request for Determination of Applicability for 86 Longwood Circle, Map 31, Lot 14

Present: Paul Egan

Maureen Thomas stated that Paul Egan had revised the plans with a new location for the pool.

Paul Egan discussed the changes in the plans.

Maureen Thomas stated that the pool house and patio could be a condition in the Determination of Applicability and the restoration could be addressed in an enforcement order or can be included in the conditions.

The Commission agreed to include the restoration in the Determination of Applicability.

Sue Chamberlain motioned to close the Public Hearing.
Marilyn Kozodoy seconded the motion.

8:19p.m.

VOTE: 7-0-0

Sue Chamberlain motioned to issue a Negative Determination of Applicability with conditions.

William Underhill seconded the motion.

8:20p.m.

VOTE: 7-0-0

8:20p.m. Continued a Public Hearing for a Request for Determination of Applicability for 59 Alpine Run Road, Map 108, Lot 59
Present: Richard Davis

Maureen Thomas stated that she had performed a site visit and the applicant revised the plan to move the stairway back for no further encroachment than the existing conditions.

William Underhill motioned to close the Public Hearing.
William Kavol seconded the motion.

8:24p.m. **VOTE: 7-0-0**

Marilyn Kozodoy motioned to issue a Negative Determination of Applicability with conditions.
William Underhill seconded the motion.

8:24p.m. **VOTE: 7-0-0**

Agent Updates cont.
- Tarkiln Road appeal – letter to selectmen

8:26p.m. **Gary Langenbach recused himself from the discussion regarding Natures Edge as an abutter.**

Marilyn Kozodoy was acting chair.

Maureen Thomas stated that they were proposing a 600' long post and rail fence, five structures on the 100' buffer line and the limit of work was within the 100' buffer zone.

Marilyn Kozodoy stated that she believed they should file a Notice of Intent.

William Underhill motioned to request a Notice of Intent filing for Nature's Edge on Elm Street
Sue Chamberlain seconded the motion.

8:31p.m. **VOTE: 7-0-0**

8:31p.m. **Gary Langenbach returned as chairman.**

8:32p.m. Informal meeting for Trackside Liquors
Present: Ray Monsini, John English

John English presented pictures of the building to be demolished. He stated that they would like to create four apartments above the liquor store, but would need an area for parking.

Maureen Thomas stated that the parking lot would be in a flood plain and the existing structure was in the inner riparian zone. She also stated that something within the existing footprint would normally be allowed.

The chairman stated that they would have to treat precipitation if it was made into parking.

Maureen Thomas stated that any redevelopment would have to be an improvement over existing conditions.

John English asked what should be on the plan when they submit their application.

The chairman stated that he did not believe there were appropriate soils for infiltration. He stated that they could use the existing footprint but could not add fill or stop flood water.

8:50p.m. Opened a Public Hearing for an Abbreviated Notice of Resource Area Delineation (ANRAD) for 45 Howlands Lane, Map 48, Lot 45
Present: John Veracka, Joe Webby, Clive Beasley

John Veracka presented the ANRAD to the Commission and the public.

Maureen Thomas suggested that the Commission hire an outside consultant to review the wetland delineation.

Maureen Thomas summarized the ANRAD process.

The chairman explained to the public why an ANRAD filing was important.

Sandra Cobb, an abutter asked if the commission would tell the applicant where he could build once the wetland line was determined.

The chairman stated that if the applicant filed a 40B, they could build up to the wetland line.

Clive Beasley stated that he had been very open about his application and reassured the public that the wetlands would not be disturbed.

Joe Webby stated that they would like to choose the wetland scientist from the approved list of outside consultants.

Ed Faiella, an abutter, asked who would maintain the drainage on Willow Street.

The chairman stated that the water that was currently on the property would have to remain on the property.

Maureen Thomas stated that the areas dug as mosquito ditch was now considered intermittent streams and resource areas.

Bob Woodward, an abutter, asked how long an ANRAD filing normally would take.

The chairman stated that an ANRAD filing could take approximately 1 ½ months.

Peter Cobb, an abutter, asked if the applicant had considered on site septic systems if sewer was not available.

Clive Beasley stated that they were willing to consider many options.

Jean Bellefeuille, an abutter, asked if there would be any impacts on the water table.

The chairman stated that the project should not affect the water table if the project is engineered properly.

Clive Beasley stated that all of the buildings would be on the uplands facing south.

Sue Chamberlain motioned to request \$1000.00 from the applicant to hire a wetland consultant.

James Dehner seconded the motion.

9:21p.m.

VOTE: 7-0-0

Marilyn Kozodoy motioned to continue the Public Hearing.

William Underhill seconded the motion.

9:25p.m.

VOTE: 7-0-0

Continued to August 21, 2007 @ 7:31p.m.

Sue Chamberlain motioned to adjourn.

Marilyn Kozodoy seconded the motion.

9:30p.m.

VOTE: 7-0-0