

Kingston Conservation Commission Minutes

June 9, 2009

7:00p.m. The chairman called the meeting to order.
Present: Gary Langenbach (chairman), William Underhill, Marilyn Kozodoy, Sue Chamberlain
Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary

Agent Updates:

- Berrybrook Conservation Restriction – Gary Langenbach disclosed his association with the Wildlands Trust and his inability to vote - unable to make motion to accept the conservation restriction for the portion of Berrybrook Fields that is located in Kingston until there are four members who are able to vote on the project
- 14 West Street – septic system repair – the current property owner has a buyer but the buyer will not buy the property unless they can move in by June 1^{6th} – wanted to allow them to file after the fact and the project will be closely monitored
- 49R Main Street – went to arraignment – pre-trial is July 30th

Marilyn Kozodoy motioned to revise the enforcement order to include the new dumping and permanent conservation posts for the 25' no disturb zone for 49R Main Street.

Sue Chamberlain seconded the motion.

7:13p.m. **VOTE: 4-0-0**

Agent Updates continued:

- 126 Brookdale Street - side yard was the location for a potato and turnip field and the land was still contoured in rows for planting so they wanted to level it off to make it easier to use/walk on. No stones were brought in and only visible when they leveled the area and cut

vegetation growing there. They plan to allow the vegetation bordering on the pond to grow back

- 25 Jones River Drive – request for extension of deadline to the fall for restoration plantings

Sue Chamberlain motioned to extend the deadline for restoration plantings to the fall for 25 Jones River Drive.

William Underhill seconded the motion.

7:15p.m. VOTE: 4-0-0

- 22 Evergreen Street – no one showed up at the hearing for the appellant and the case was dismissed in Superior Court

7:15p.m. Whale and Dolphin Conservation Society informal presentation and slideshow about their organization

7:34p.m. Continued a Public Hearing for a Notice of Intent for 6 Old Orchard Lane, Map 68, Lot 9

Present: Mark Guidoboni

Maureen Thomas stated that there was a preliminary review from Norfolk Ram and revised plans and new drainage calculations were just received.

Mark Guidoboni stated that Webby Engineering needed to address eleven points from Norfolk Ram. He presented the Commission with a point by point handout addressing the eleven points from Norfolk Ram and reviewed it with the Commission. He stated that they decided to go with soil type C to be conservative so that they wouldn't have the added expense of having to have a soil analysis.

The chairman asked if the Commission wanted soil sampling performed on site.

Marilyn Kozodoy stated that they should wait and see how Norfolk Ram responds first.

Discussion regarding the Notice of Intent process

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

7:45p.m.

VOTE: 4-0-0

Continued to June 23, 2009 @ 7:45p.m.

7:45p.m.

Continued a Public Hearing for a Notice of Intent for Wapping Road roadway layout and Map 43, Lot 15

Present: Lisa Goyer

Maureen Thomas stated that they received revised plans with the two water quality units. The haybales were removed and only silt fence is now on the plans. The Operations and Maintenance Plan was revised to include maintenance of the water quality units.

Discussion regarding cleaning of the water quality units

Barry Mathias stated that he would give the town an easement if they wanted to fix the headwall.

The chairman stated that it would not solve any problem.

Maureen Thomas stated that the project could be permitted pending the receipt of a revised Operations and Maintenance Plan to include the manufacturer's recommendations and field experience for the water quality units. Plans with an original stamp also need to be submitted.

Lisa Goyer stated that the water quality units were dependent on funding.

Maureen Thomas stated that there would be a condition in the Orders that if the stormwater units could not be implemented due to funding that the applicant would have to come back to the Commission for an amendment.

Maureen Thomas reviewed the conditions that would be in the Orders.

The chairman asked if a portion of the stormwater treatment units would be in groundwater.

Lisa Goyer stated yes.

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

8:10p.m. VOTE: 4-0-0

Marilyn Kozodoy motioned to issue Orders of Conditions with special conditions subject to the receipt of a revised Operations and Maintenance Plan and original stamped plans.
Sue Chamberlain seconded the motion.

8:11p.m. VOTE: 4-0-0

8:12p.m. Informal meeting with John Moon regarding 21 Pottle Street

John Moon stated that they wanted to see if sewer became available in the next three years.

The chairman asked why they didn't apply to the Board of Health for a septic system permit when the Commission had approved the change with the septic system.

John Moon stated that they wanted to wait and see if sewer became available and avoid the cost.

The chairman stated that if the Board of Health approves the septic system then the Commission could consider extending the Order of Conditions.

Sue Chamberlain stated that if the Board of Health approved the septic system then she would be more inclined to extend the Order.

It was the consensus of the Commission to consider extending the Order of Conditions if the Board of Health approves the septic system.

Agent Updates continued:

- Manhasset Gardens – ask Ron Maribett to submit the maintenance/harvest data for office records
- Nobadeer Village Homeowners Association – Who should hold the Conservation Restriction
- Soil borings at the Landing in the parking lot and ramp area
- 40R Planning Board Site Plan Review Hearing postponed until June 8th

- Tree Farm Landing – submitting ANRAD and tentatively scheduled for July 7th

Reviewed the minutes of April 21, 2009

Sue Chamberlain motioned to accept the minutes of April 21, 2009 as corrected.

Marilyn Kozodoy seconded the motion.

9:36p.m. VOTE: 4-0-0

Discussion regarding an MACC workshop that Marilyn Kozodoy attended

Sue Chamberlain motioned to adjourn.

Marilyn Kozodoy seconded the motion.

9:45p.m. VOTE: 4-0-0