

Kingston Conservation Commission Minutes

July 7, 2009

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

Agent Updates:

- 42 Indian Pond Road – water not going thru outlet control structure, outlet changed and control structure was being bypassed. An RDA should be filed for continued maintenance
- 49R Main Street – facts of the case to be submitted to Sergeant Wells, trying to get Bill O'Brien to comply with his enforcement order by July 30th
- 18 Brook Street – sedimentation to Lucas Pond, already has three silt fences and was asked to install another one, new deadline of July 30th
- 9 Smelt Pond Road – property owner came in to office stating that he was going to send the commission the bill for clean-up of the property and said he was going to take the town to court
- 1-13 Old Orchard Lane – probably going to begin driving piles for the dock tomorrow
- Route 27 mitigation – put in stream diversion pipe

Reviewed the draft minutes of May 19, 2009

Sue Chamberlain motioned to accept the minutes of May 19, 2009 as submitted.

William Underhill seconded the motion.

7:22p.m. **VOTE: 5-0-1 (Daniel King abstained)**

Reviewed the draft minutes of June 9, 2009

Marilyn Kozodoy motioned to accept the minutes of June 9, 2009 as corrected.

William Underhill seconded the motion.

7:25p.m. VOTE: 5-0-1 (Daniel King abstained)

Open discussion

7:36p.m. Continued a Public Hearing for a Notice of Intent for 187 Summer Street, Map 20, Lot 3

The applicant requested a continuation to September 22, 2009 @ 8:30p.m.

William Underhill motioned to continue the Public Hearing.

Marilyn Kozodoy seconded the motion.

**7:37p.m. VOTE: 6-0-0
Continued to September 22, 2009 @ 8:30p.m.**

Discussion regarding rescheduling the regular meeting of September 15, 2009 to September 22, 2009

Daniel King motioned to reschedule the regular meeting of September 15, 2009 to September 22, 2009.

William Underhill seconded the motion.

7:40p.m. VOTE: 6-0-0

Agent Updates continued:

- Letter from Ron and Connie Maribett dated June 12, 2009 stating that lot 17b, 21 and 22 have been operated continuously. Maureen Thomas read the letter that was submitted. She also read an email response from Gary Makuch at DEP.
- property owner would have to file an RDA to get a determination as to whether Ron Maribett has an agricultural exemption
- Gary Makuch will be performing a site visit to see if the administrative consent order had been followed

7:50p.m. Opened a Public Hearing for an Abbreviated Notice of Resource Area Delineation for Off Parting Ways Road, Map 105, Lot 7

Present: Christian Farland, Brian Cushing, Brooke Monroe

Christian Farland discussed history of the property along with approvals and permitting. He reviewed the plans with the Commission.

The chairman asked if the Commission had the review from Michelle Grenier.

Maureen Thomas stated that she had a phone conversation with her but did not receive the review.

Christian Farland presented the letter from Michelle Grenier and submitted it for the record.

Maureen Thomas asked if the confirmation of the Bordering Vegetated Wetlands (BVW) in the Abbreviated Notice of Resource Area Delineation included isolated wetlands.

Christian Farland stated yes.

Maureen Thomas asked if there were BVW data sheets.

Brooke Monroe stated that she could submit BVW data sheets.

The chairman asked where the detention basins were in relation to the wetlands.

Christian Farland showed the location of the detention basins on the plan.

Sue Chamberlain asked if they were traditional detention basins.

Christian Farland stated that they were traditional detention basins with water quality inlets.

Maureen Thomas read the letter from Michelle Grenier.

The chairman stated that the Commission would probably want the 100' no disturb zone to the potential vernal pools bounded.

Christian Farland stated that bounding the 100' no disturb zone to the potential vernal pools would not be an issue.

Daniel King motioned to continue the Public Hearing.
Marilyn Kozodoy seconded the motion.

8:10p.m. VOTE: 6-0-0
Continued to 7/21/2009 @ 8:15p.m.
Site visit 7/14/09 @ 5:00p.m.

8:13p.m. Opened a Public Hearing for a Request for Deviation/Amendment for 35 Elder Avenue, Map 47, Lot 83
Present: Joe Webby

Joe Webby presented the project to the Commission and the public.

Maureen Thomas stated that at .77 cubic feet per second the detention basin overflows. She asked him to explain this.

Joe Webby stated that he could not explain it until he spoke with their drainage specialist.

The chairman asked Joe Webby to explain the design of the detention basin.

Joe Webby explained the design of the detention basin.

Maureen Thomas stated that they were creating the detention basin because the infiltration trench does not function properly due to ledge and a lack of infiltration.

Sue Chamberlain asked if a detention basin was the only alternative.

Maureen Thomas stated that the applicant did not think that they had any room for rain gardens because of the ledge, existing structure and railroad layout.

Marilyn Kozodoy motioned to continue the Public Hearing.
William Underhill seconded the motion.

8:28p.m. VOTE: 6-0-0
Continued to 7/21/2009 @ 7:45p.m.

8:28p.m. Continued a Public Hearing for a Notice of Intent for 6 Old Orchard Lane, Map 68, Lot 9

Present: Joe Webby, Mark Guidoboni

Joe Webby stated that they tried incorporating a rain garden into the plans but ended up going back to the detention basin. He stated that they needed to enlarge it slightly to handle an additional .04 cubic feet of stormwater.

Sue Chamberlain asked if porous asphalt instead of impervious area would handle the .04 cubic feet of stormwater.

Joe Webby stated that it was possible but it would be easier to maintain if the area was paved. He discussed the differences between the Department of Environmental Protection and the Town of Kingston regarding handling a 100-year storm.

The chairman asked about the depth of the basin.

Joe Webby stated that the bottom would be at an elevation of 25.5'.

Discussion regarding amount of fill used if the Commission had considered their earlier proposal

Marilyn Kozodoy motioned to continue the Public Hearing.

William Underhill seconded the motion.

8:43p.m. **VOTE: 6-0-0**

Continued to 7/21/2009 @ 8:30p.m.

8:45p.m. Continued a Public Hearing for a Notice of Intent for Route 3 Northbound ramps at Exit 8 and Cranberry Road, Map 76, Lots 4 and 8

Present: Lloyd Geisenger, Lindsay Wilson, David Eastridge, David Pickart, Matt Hayes

David Eastridge reviewed their last meeting with the Conservation Commission and information that had been submitted. He reviewed each watershed area on the plan with the Commission and where drainage would flow pre and post construction.

Sue Chamberlain asked if there was any other option for moving the discharge away from the wetland.

David Eastridge stated that he did not want to cut off the flow to the wetland and the vernal pool.

Sue Chamberlain asked if the discharge would be treated.

David Eastridge stated that there would be a swale but no structural Best Management Practices (BMP).

Marilyn Kozodoy stated that the use of salt was also a concern.

David Pickart stated that there would be vegetated swales with possible check dams.

David Pickart described the process with Mass Highway.

Tom Bott stated that dealing with total suspended solids (TSS), the biggest issue was the use of salt.

Maureen Thomas asked if it would be beneficial to send letters to Mass Highway voicing the concerns of the Conservation Commission once the 25% plans were reviewed and approved by Mass Highway.

Lloyd Geisenger stated that it would be beneficial and he could set up a meeting with Mass Highway.

The chairman asked during what size storm the drop inlets would overflow.

Matt Hayes stated that there was no storage and that they were designed to discharge immediately.

Lloyd Geisenger stated that it might be appropriate to meet with Mass Highway and incorporate the Commission's concerns early in the process.

Maureen Thomas asked if the swale from watershed 26 to wetland 2 was natural and not constructed.

David Eldridge stated that it was a bit of a constructed swale.

Lloyd Geisenger stated that the area up by the ramp was extremely porous.

David Pickart stated that the Cranberry Road upgrade qualified as a limited project. The project was not considered redevelopment in the Riverfront Area but was considered redevelopment in regards to stormwater. As he explained he referred to a graphic of the roadway.

The chairman asked about the status of the peer review consultant.

Maureen Thomas stated that Scott Turner of BSC Group was almost finished with a response letter.

Daniel King motioned to continue the Public Hearing.

Marilyn Kozodoy seconded the motion.

9:50p.m.

VOTE: 6-0-0

Continued to August 4, 2009 @ 7:30p.m.

Marilyn Kozodoy motioned to adjourn.

William Underhill seconded the motion.

9:55p.m.

VOTE: 6-0-0