

Kingston Conservation Commission Minutes

December 16, 2008

7:09p.m. The chairman called the meeting to order.
Present: Gary Langenbach (chairman), Marilyn Kozodoy, James Dehner, Sue Chamberlain, William Kavol
Staff: Maureen Thomas, Conservation Agent and Brandi Gordon, Secretary

Informal meeting with Bill O'Brien regarding 18 Brook Street

Bill O'Brien stated that 99% of the work had been completed but weather conditions have made it difficult to complete the project. He stated that he placed a berm around the low part of the property but the water still comes down the driveway. The water went through the first silt fence. The second silt fence held but water was going over the top of it. He stated that there was no silt to the pond. He stated that he had done everything possible and did not know what else he could do.

Maureen Thomas stated that Mr. O'Brien had silted up the pond and that it affects the water quality of the pond.

Bill O'Brien stated that he was not going to pay the \$300 fine. He stated that he would have finished the work in two weeks but couldn't because of weather conditions and time restraints.

Sue Chamberlain suggested that the conservation agent perform a site visit to the property and if she is satisfied with the work that has occurred then there would be no fine. If the agent is not satisfied then you would need to work with the weather conditions and complete the work.

The chairman stated that the conservation agent should perform a site visit, assess the situation and report back to the Commission.

Sue Chamberlain motioned to put a hold on the fine (not send it to court) until the next Commission meeting pending work being completed.
Marilyn Kozodoy seconded the motion.

7:24p.m. VOTE: 5-0-0

Agent Updates:

- Earth Removal Bylaw Committee – appoint a member of the Conservation Commission

Sue Chamberlain motioned to appoint Gary Langenbach to the Earth Removal Bylaw Committee.

Marilyn Kozodoy seconded the motion.

7:30p.m. VOTE: 5-0-0

7:30p.m. Continued a Public Hearing for a Notice of Intent for Cole Avenue, Map 58, Lot 105

The applicant requested a continuation.

Marilyn Kozodoy motioned to continue the Public Hearing.

Sue Chamberlain seconded the motion.

7:30p.m. VOTE: 5-0-0

Agent Updates continued:

- Budget issues – may need to cut more than 5% of the budget
- Memo from the Selectmen supporting the Conservation Commission and Superintendent of Streets, Trees & Parks for mitigation for the Senior Center
- 12 Cushman Drive
- 25 Jones River Drive – property owner wants to mow property down to the stone wall, owner would prefer 8 Inkberries and 2 Maples instead of 6 Inkberries and 4 Maples
- 49R Main Street

7:45p.m. Continued a Public Hearing for a Notice of Intent for Wapping Road, Map 51, Lot 1

The applicant requested a continuation.

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

7:45p.m. VOTE: 5-0-0

Agent Updates continued:

- Wapping Road – site walk for CPC application on 12/13/2008, presentation to CPC
- NRCS WHIP grant
- CZM Storm Smart Coasts project with Duxbury and Plymouth
- Wapping Road Dam feasibility study

8:00p.m. Continued a Public Hearing for a Notice of Intent for 26 Evergreen Street, Map 35, Lot 27 & 56

The applicant requested a continuation.

James Dehner motioned to continue the Public Hearing.
Sue Chamberlain seconded the motion.

8:00p.m. VOTE: 5-0-0

Agent Updates continued:

- Manhasset Gardens – potential donation of 3 acres of land, site visit 1/25/2009 @ 9:15a.m.
- Crop Circle Cranberry – Notice of Project Change
- BSC review for 26 Evergreen Street

8:30p.m. Continued a Public Hearing for a Notice of Intent for 8 Braintree Avenue, Map 59, Lot 34

Present: Mark Casey, Walter Foster

Mark Casey presented the revised plans to the Commission.

Mark Casey showed presented the enlargement of the FEMA map with the existing house.

Discussion regarding the velocity zone

Mark Casey stated that he would re-label the 13' contour.

Maureen Thomas asked what portion of new construction within the 25' no disturb was previously impervious area.

Discussion and review of plans

James Dehner asked if the applicant was proposing to expand beyond the already disturbed areas.

Mark Casey stated that the new area would be 12 square feet and that they would be removing 17.29 square feet of sona tubes. He stated that it could be re-designed for the roof runoff. Any sheet flow would have some infiltration with the grass.

Walter Foster stated that the area within the 25' no disturb zone would not have a roof.

The chairman requested that the sump pump be tied into the French drain.

James Dehner stated that the sump pump could not go directly to the ocean.

Maureen Thomas asked what size sona tube would be used for the flagpole.

Walter Foster stated that it would be a 10" sona tube.

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

8:55p.m. VOTE: 5-0-0

Sue Chamberlain motioned to issue Orders of Conditions with special conditions subject to the receipt of revised plans.
Marilyn Kozodoy seconded the motion.

8:55p.m. VOTE: 5-0-0

8:55p.m. Continued a Public Hearing for a Request for Amendment for 37 East Avenue, Map 49, Lot 115

Present: Kevin Grady

Kevin Grady reviewed the plan and previous meeting with the Commission and public.

The chairman asked if the contours would be affected by the change in the parking area.

Kevin Grady showed the area on the plan.

Sue Chamberlain asked if pea stone could be used for the driveway.

Kevin Grady stated that the pea stone would be pushed down the hill with cars driving on it. He stated everything including the trench was kept out of the velocity zone.

Fran McGillicuddy from 41 East Avenue asked how close the infiltration trench was to the other holding area.

Kevin Grady stated that it was about 20' away from the other holding area.

Maureen Thomas asked if the infiltrators for the foundation drain had been installed.

Kevin Grady stated that they had not been installed yet.

Maureen Thomas asked if there were any zoning by-laws for the parking of boats.

Kevin Grady stated that there were no zoning by-laws that would apply to this property.

Sue Chamberlain motioned to close the Public Hearing.

Marilyn Kozodoy seconded the motion.

9:12p.m. VOTE: 5-0-0

Marilyn Kozodoy motioned to approve the minor request for deviation.

William Kavol seconded the motion.

9:14p.m. VOTE: 5-0-0

Discussion regarding Route 27

Sue Chamberlain motioned to adjourn.

Marilyn Kozodoy seconded the motion.

9:30p.m. VOTE: 5-0-0