

Kingston Conservation Commission Minutes

September 18, 2007

- 7:00p.m.** The chairman called the meeting to order.
Present: Gary Langenbach (chairman), Marilyn Kozodoy, William Underhill, James Dehner, Sue Chamberlain
Staff: Maureen Thomas, Conservation Agent
- Discussion regarding maintenance plan for Hewlett Packard digital camera and use of \$370.00 Wetlands Gift Account 15171-67284 to purchase a new camera
- Sue Chamberlain motioned to use Wetlands Gift Account 15171-67284 for the purchase of a new digital camera and possible purchase of a maintenance plan.
Marilyn Kozodoy seconded the motion.
- 7:03p.m.** **VOTE: 5-0-0**
- Discussion regarding use of money in Wingate escrow account to review drainage for Lake Street / Chipman Way filing
- Marilyn Kozodoy motioned to use the escrow account established for review of the wetland delineation to review the revised drainage for the Lake Street / Chipman Way filing
William Underhill seconded the motion.
- 7:06p.m.** **VOTE: 5-0-0**
- 7:10p.m.** **William Kavol arrived.**
- Discussion regarding plan for improving Bay Farm Access from Bayside Lane
- 7:18p.m.** Opening of a Public Hearing for a Request for Determination of Applicability for 147 Lake Street, Map 21, Lot 4
Present: Bob Carmody

Bob Carmody presented the proposed project to the Commission.

Discussion regarding general problems with hemlocks

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

7:32p.m. VOTE: 6-0-0

Marilyn Kozodoy motioned to issue a Negative Determination with conditions.

William Underhill seconded the motion.

7:33p.m. VOTE: 6-0-0

7:35p.m. Continued a Public Hearing for a Request for Determination of Applicability for 20 Brentwood Road, Map 92, Lot 8

Applicant and representative not present

Maureen Thomas gave an update of the situation.

The chairman stated that the applicant should file a Notice of Intent to attempt a percolation test.

Sue Shortman from 26 Brentwood Road asked for clarification on what was being determined.

The chairman explained a Positive Determination of Applicability.

Laurel Cheever from 25 Brentwood Road asked what the process was.

The chairman stated that if the Commission issued a Positive Determination of Applicability, the applicant would need to decide whether or not they were willing to file a Notice of Intent after the Positive Determination was issued.

Sue Shortman asked if the applicant could file anytime within 1 – 6 years.

The chairman stated yes.

Sue Shortman asked who would be notified for a Notice of Intent filing.

The chairman stated that the abutters would be notified.

- Sue Chamberlain motioned to close the Public Hearing.
William Underhill seconded the motion.
- 7:40p.m. VOTE: 6-0-0**
- Sue Chamberlain motioned to issue a Positive Determination of Applicability.
Marilyn Kozodoy seconded the motion.
- 7:40p.m. VOTE: 6-0-0**
- Discussion regarding Conservation Partnership Grant – collaborative with Jones River Watershed Association
- Sue Chamberlain motioned to support the Conservation Partnership Grant.
Marilyn Kozodoy seconded the motion.
- 7:47p.m. VOTE: 6-0-0**
- 7:48p.m. Continued a Public Hearing for a Notice of Intent for 12 Shore Drive, Map 38, Lot 220**
Present: Karen Joyce, John Fitzgerald, Rob Meader
- Discussion regarding drainage from roof runoff
- Rob Meader stated that the infiltration trench could handle a 3” storm in 24 hours without an overflow.
- Rob Meader stated that there were three downspouts on the existing building and two of them would go into the infiltration trench as well as the downspouts from the new building.
- Maureen Thomas stated that most of our storms are 2.5” or less so the proposal would handle most of the storms.
- James Dehner asked what was in the design that would keep it from silting and freezing.
- Rob Meader stated that he was not sure, but the new material would allow for more infiltration than if no trench was installed.
- The chairman stated that he would rather have it outside of the 25’ no disturb buffer zone.
- The chairman requested that the silt fence be installed from the middle of the existing house to the other side of the house and then to the patio.

Sue Chamberlain motioned to close the Public Hearing.
Marilyn Kozodoy seconded the motion.
7:58p.m. VOTE: 6-0-0

James Dehner motioned to issue an Order of Conditions with special conditions.
William Underhill seconded the motion.
7:58p.m. VOTE: 6-0-0

Discussion regarding the Conservation Land Review Committee

Marilyn Kozodoy stated that she would need to resign from the Conservation Land Review Committee due to an upcoming course that she would be taking.

Sue Chamberlain volunteered to replace Marilyn Kozodoy on the Conservation Land Review Committee.

James Dehner motioned to appoint Sue Chamberlain to the Conservation Land Review Committee.
Marilyn Kozodoy seconded the motion.
8:03p.m. VOTE: 6-0-0

Discussion regarding the 1-86 well located between the Independence Mall and Lowe's

Discussion regarding Lowe's Conservation Restriction

Discussion regarding Cranberry Crossing's proposal to open views to Mile Brook

8:18p.m. Continued a Public Hearing for a Notice of Intent for 37 & 39 East Avenue, Map 49, Lot 114 & 115

Present: Kevin Grady, Bob Gosselin

Kevin Grady discussed the following with the Commission:

- note added on plans stating that dwelling is located outside of the velocity zone (.15 feet)
- flood storage – displacing 245 cubic feet
- removal of house would equal 990 cubic feet and would increase compensatory flood storage
- proposing non structural fill – only for landscaping
- wall currently allows water thru and improves the amount of area for storm surge or flood storage

- certified that house was located outside of velocity zone

The chairman asked what the wall was for.

Kevin Grady stated that the wall was for the backfill of the foundation.

The chairman asked about stairs.

Kevin Grady and Bob Gosselin stated that they had not reached that point yet.

The chairman asked how high the wall would be.

Kevin Grady stated that it would be 4.5' at its highest point.

Kevin Grady stated that the applicant wanted a patio at house level.

The chairman stated that he was surprised that the steps were not shown on the plans.

Maureen Thomas stated that the stairs were a minor detail and did not really need to be shown if they decide to install stairs later.

Bob and Francis McGillicuddy from 41 East Avenue stated that during the "no name" storm of 1991, rocks about a foot wide landed about 12' in from the waters edge onto land.

Harriet Dunklee from 2 Bay View Avenue stated that the winter storms were worst in March and April. She stated that she lost her steps during a storm last April and they ended up on the applicant's property. She also stated that the water does not go up to where the house is and doesn't believe that the water will go up to the wall.

Bob Gosselin stated that they would file a separate request for the seawall eventually.

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

8:38p.m.

VOTE: 6-0-0

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

Marilyn Kozodoy seconded the motion.

8:39p.m. VOTE: 6-0-0

8:40p.m. Opened a Public Hearing for a Request for Determination of Applicability for 65-79 Summer Street, Map 36, Lot 78 & 79

Present: Derek Affsa

Derek Affsa presented the project to the Commission.

The chairman asked how many existing decks were being replaced.

Derek Affsa stated that they tore down one deck and were in the process of replacing it.

James Dehner asked about adding plantings around the concrete pads used for the condenser units.

Discussion regarding replacing all decks

Discussed conditions for Determination of Applicability

Applicant would like to remove a tree behind the salon.

The chairman stated that the tree cutting would need to be approved by the Conservation Agent after conducting a site visit.

Sue Chamberlain motioned to close the Public Hearing.

Marilyn Kozodoy seconded the motion.

9:06p.m. VOTE: 6-0-0

Marilyn Kozodoy motioned to issue a Negative Determination of Applicability with conditions.

James Dehner seconded the motion.

9:07p.m. VOTE: 6-0-0

9:08p.m. Opened a Public Hearing for a Request for Determination of Applicability for 260 Pembroke Street, Map 8, Lot 51

Present: Bill Jones

Bill Jones presented the restoration plan to the Commission.

The chairman asked why crushed stone was needed on the path and stated that he was not in favor of crushed stone being used.

Marilyn Kozodoy stated that they should fill and smooth any areas on the path that were damaged, use wood chips and let the area come back naturally.

The chairman requested that they eliminate crushed stone near letter C on the plans to the North.

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

9:15p.m. VOTE: 6-0-0

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

9:15p.m. VOTE: 6-0-0

Discussion regarding Silver Lake Regional High School
Enforcement Issue (Sewage Plant Erosion Issues)

Sue Chamberlain motioned to adjourn.
Marilyn Kozodoy seconded the motion.

9:30p.m. VOTE: 6-0-0