



Conservation Commission Meeting Minutes Wednesday, March 1, 2023

Town of Kingston
30 Evergreen Street, Activity Room
Kingston, MA 02364

Present: Kalina Vendetti (Chairperson), Jim Franklin (Vice-Chairperson), Dorothy MacFarlane, Glen Duffy, Megan Hickey, Natalie Wiegman, Vittorio 'Buz' Artiano

Virtual: N/A

Absent: N/A

Staff: Matt Penella, Conservation Agent

Location: Council on Aging (30 Evergreen Street), Activity Room

Commission Meeting Opened:

Chairperson Kalina Vendetti opened the meeting and took roll call. The date was March 1, 2023, and the time was 6:12 pm.

SIGNING DOCUMENTS: N/A

ACTION ITEMS:

1. Discussion of Conservation-sponsored warrant articles for Annual Town Meeting
 - a. Financial
 - i. MS4 permit compliance contract funding: Discussion re presentation, should begin with explanation of how the MS4 permit program aligns with Kingston's goal of cleaning up the Jones River, Kingston Bay, etc., and that it's the continuation of what we've been doing the last 5 years, with the permit expected to last 10 years. Explain what's been done to date, and that EP has been doing a thorough job with the contracted work. Buz made the motion in support, Glen 2nd, unanimous vote at 6:23 PM.
 - ii. Reed Mill Pond Dam- EAP and Phase I report contracting: Buz made the motion in support of the article as described by the Agent, Glen 2nd, unanimous vote at 6:27 PM.

- iii. Phased return of unused grant match funds: Commission to return up to \$100,000 at Town Meeting, wait until the Elm St BMP project completes before return of the remainder of unused funds- makes sure we have enough money in case project cost significantly increases. Buz made the motion, Jim 2nd, unanimous vote at 6:33 PM.
- b. Land Transfers
 - i. Tax Title: Agent Penella presented the list of parcels to transfer to Conservation and explained the discussion he had with the Town Administrator re parcels disagreed on with the previous Tax Title Custodian. Buz made a motion to add the 4 Hillcrest Road parcels, 56-20, 22, 24, and 26, Jim 2nd, unanimous vote at 6:55 PM. Buz made a motion to add parcel 38-73 to the list, Jim 2nd, unanimous vote at 6:56 PM. For the rest of the parcels, the Commission requested Agent Penella come back with a clean list of parcel numbers for a vote at the March 8th meeting.
 - ii. Evergreen Parcel: Agent Penella explained the case to transfer parcel 35-53 from General Municipal to Conservation, since it abuts conservation land, and great capacity for trail building from the Town House complex. Buz made a motion in support, Jim 2nd, unanimous vote at 7:15 PM.
 - iii. Camp Nekon: Agent Penella explained the case for affirming protection of habitat in and around Camp Nekon by transferring the "Offal Pit" parcels 82-5 and 6 to Conservation, and altering the language of the 2014 Town Meeting article 40 to remove any stipulations other than keeping the developed area around the old scout camp building under General Municipal, for continued management by the Recreation Department/Commission. This puts the remainder of parcels 94-3, 4, 5 and 95-2, 3, and 4 under Conservation, and changes the language regarding parcel 88-2 to say "not to include the developed area around the Scout camp building." Discussion re the importance of the pine barrens habitat, vernal pools, rare species. Buz made a motion in support, Jim 2nd, unanimous vote at 7:34 PM.
- c. Regulatory
 - i. Land Clearing By-Law: Agent Penella explained the need for protection from large-scale land clearing on unpermitted projects/properties, and presented a draft By-Law modified for Kingston from the Cape Cod Commission Model By-Law. The changes would not affect the average homeowner, only when clearing more than 40,000 square feet of land would this By-Law take effect. Several Commissioners voiced concern about the level of detail and conditions. Discussion. Commissioners recommended Agent Penella strip the draft down to the basics, mainly Sections 3 and 4, and present it March 8th for Commission review/vote.
 - ii. Rewrite of Wetlands Protection By-Law: Agent Penella presented the case for re-writing the Wetlands Protection By-Law using the MACC Model By-Law as a template. The language in that template is more

coherent, easier to follow, and provides better support for the language already in KWPR. He pointed out the notable differences, suggested a piece of jurisdictional change that Town Counsel would need to review regarding projects outside of the buffer zone that the Commission feels will adversely affect resource areas- defining jurisdiction in advance of the need for enforcement. KWPR already provides this, adding this language to the by-law would give the Commission more support in these rare cases. Lengthy discussion on specific language. Jim makes motion to include the language re: jurisdiction described above, Dot 2nd. Vote is affirmative, 5 yes, 2 no (Buz and Kalina) at 8:54 PM. The Commission recommended Agent Penella have Town Counsel review the rewritten by-law, hoped to have a reviewed copy to vote on for March 8th.

ENFORCEMENT: N/A

MEETING MINUTES: N/A

PUBLIC HEARINGS: N/A

UPDATES: N/A

CLOSING REMARKS

Chairperson Kalina Vendetti started closing remarks at 9:04 PM.
The next meeting will be held on March 8, 2023 at 6:30pm.

The Commission adjourned at 9:06 PM.

VOTE: Jim made the motion, Glen seconded; PASSED 7-0-0

Prepared by: Conservation Agent, Matt Penella

Approved by Conservation Commission:

Materials Presented at Meeting:

- Agenda
- Agent/Staff Notes and materials related to the warrant articles

*****NOTE – After reviewing the cloud recording of the Zoom meeting, PACTV staff informed us that the microphone had not been working, and the video recording of the meeting had no audio, and therefore would not be posted by PACTV.**



TOWN OF KINGSTON **NOTICE OF MEETING**

BOARD:	Conservation Commission
DATE & TIME:	Wednesday, March 1, 2023 @ 6:00 PM
MEETING LOCATION:	Council on Aging- 30 Evergreen St., Activity Room & VIA ZOOM
AUTHORIZED SIGNATURE:	Matt Penella, Conservation Agent

This meeting notice is being posted on the Official Town House Bulletin Board, pursuant to General Law Chapter 30A, Section 20. Said notice and agenda must be filed in the Office of the Town Clerk at least **48 HOURS** prior to such meeting. Such filing and posting shall be the responsibility of the officer calling such meeting.

For those who want to watch this meeting, it is being broadcast virtually through Zoom.

For anyone wishing to speak during the meeting, you are welcome to join us in person or to join the Zoom call.

This meeting is being recorded. Anyone intending to make an audio or video recording of this meeting should notify the Chair.

AGENDA

6:00 PM – CALL TO ORDER – ROOM 200

SIGNING DOCUMENTS:

ACTION ITEMS:

1. Discussion of warrant articles for Annual Town Meeting

ENFORCEMENT:

MEETING MINUTES:

UPDATES:

PUBLIC HEARINGS:

ADJOURN:

NEXT REGULAR MEETING: MARCH 8, 2023 AT 26 EVERGREEN STREET, ROOM 200

Join Zoom Meeting

<https://us02web.zoom.us/j/88311560368?pwd=cjFLOWduQkgzWG5uS2tNdklJZkJDQT09>

Meeting ID: 883 1156 0368

Passcode: 327381

Dial by your location

+1 646 558 8656 US (New York)

This meeting of the Conservation Commission will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt

the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

The Town of Kingston advises its employees and the public that it does not discriminate based on a person's disability in employment or in access to its programs, services, and activities. This meeting location is accessible to people with disabilities. The Town of Kingston has designated Paul Armstrong to coordinate efforts to comply with the requirements of Executive Order 526, the Americans with Disabilities Act, the federal Rehabilitation Act and various other federal and state laws protecting the rights of people with disabilities.

If you have a disability and require a reasonable accommodation to fully participate in this event, please contact the ADA Coordinator no later than forty-eight (48) hours prior to the event by phone at 781-585-0505 or email parmstrong@kingstonma.gov to discuss your accessibility needs. Requests for accommodations or modifications made within the forty-eight (48) hour window will be honored to the maximum extent feasible, but it may not be possible to fulfill them.