

Conservation Commission Meeting Minutes

Wednesday, June 11, 2025

Town of Kingston

26 Evergreen Street, Room 200

Kingston, MA 02364

Present: Kalina Vendetti (Chairperson), Jim Franklin (Vice-Chairperson), Marilyn Kozodoy, Megan Hickey, Brian Payne, Dorothy MacFarlane

Virtual: Vittorio “Buz” Artiano

Staff: Julianna Denum

Location: Town Hall Offices, Room 200 & Via Zoom

Commission Meeting Opened: 6:30 p.m.

BUSINESS:

Agenda Amendment:

Prior to signing documents, Chairperson Vendetti called for an amendment to the agenda to add an item for a continuance for 164 Pembroke Street.

Commissioner Payne made a motion to amend the agenda. The motion was seconded by Commissioner MacFarlane.

VOTE: PASSED 4-1-1. (Commissioner Franklin had not yet arrived to the meeting.)

Commissioner Artiano made a motion to continue to July 9, 2025. The motion was seconded by Commissioner MacFarlane. (Commissioner Franklin arrived to the meeting at this point.)

VOTE: PASSED 4-2-1.

I. Signing Documents

The Commission signed the following documents: a Determination of Applicability for 88 Ring Road, an Order of Conditions for 2 Wildwood Circle, an Order of Conditions for 35R East Avenue, an invoice for \$1,618.75 from Beals & Thomas for the Sampson's Brook Headwaters Restoration Project, an invoice for \$998.00 from Cornish Field Farm for rain garden plantings at 45 River Street (Harbor Master's parking lot) and an invoice for \$203.97 from Lowe's for maintenance equipment.

II. Action Items

a) Student Presentation on Cranberry Watershed Preserve trails

Frank Cuzzo, Captain of the Silver Lake Regional High School Cross Country team, and Ryan Cyrus, member of the Silver Lake Horticultural Program, presented their proposal to collaborate with the Commission. They stated that the issues they have encountered while using the Cranberry Watershed trail system are that it is not clearly marked and lacks accessible mapping. They have found it is difficult for trail users to easily navigate as portions of the trails are overgrown. To address these issues, they proposed partnering with the Conservation Department to install a permanent map at the trailhead, add signs or markings to different trails throughout the preserve, and to create small printable maps on the town website. They would like the trail markings to be color coded. Mr. Cuzzo and Mr. Cyrus stated that they are committed to doing most of the physical labor and coordinating volunteer help and they would like the Commission's approval to install maps and signage as well as receive recommendations on the materials and specifications. They further would like guidance on how to apply for small grants from the community to cover the costs. They stated that they hope the Commission will consider their invitation to collaborate. Commissioner Kozodoy thanked Mr. Cuzzo and Mr. Ryan for their time and said that the proposal could go on the agenda for further discussion at a future meeting. Commissioner Franklin said that the Conservation Department has a program for trail stewards that they may want to consider; and in fact there are probably items on the to-do list that were addressed in the proposal. Commissioner Franklin explained that a lot of the conservation land has restrictions regarding work that can be done on them and he recommended that they talk with Agent Penella to coordinate efforts. Commissioner Payne said that he also runs those trails and agrees that it is easy to get lost and said he appreciated that the proposal did not involve physical manipulation of the environment. Commissioner Payne also recommended the stewardship program and suggested looking into electronic mapping that people can download onto their running watches or other fitness devices versus physical signage.

III. Public Hearings

a) Baker Avenue (Map 58, Lot 92-6): Notice of Intent for the construction of a single-family home with a driveway, garage, deck, roof water infiltration system, drinking water well, utilities, grading, and landscaping within the 100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area to an intermittent stream.

Chairperson Vendetti opened a public hearing to discuss the NOI for Baker Avenue (Map 58 Lot 92-6). Brad Holmes, of ECR, representing the applicant said that they have submitted an NOI for development at Map 58, Lot 92-6, to construct a single-family dwelling. The site is currently an undeveloped, forested lot with several resource areas including Bordering Vegetated Wetland (BVW), an intermittent stream, 100-foot buffer zone and Riverfront Area. The plan shows a proposed family dwelling on Baker Avenue with a deck on the easterly side, a small yard with grading, a drinking water well, landscaping, a gravel driveway, a storm water infiltration unit, and a roof infiltration unit associated with the house on the west side. The building is outside the 50-foot buffer. Richard DeBenedictis, Engineer for the project, stated that they propose a subsurface storm water system in place of an above ground basin that had originally been designed for the site. Assistant Conservation Agent Denum said that the new changes to the plan had just been submitted and there had not been time to review them yet, she recommends a continuance to allow time to review the changes. Agent Denum also read from Agent Penella's notes, which state that it is unclear who the property owner/applicant is since the listed property owner is Anne Cropp, R.W. Realty Trust and she also listed as the applicant in this filing. The applicant's signature on Form 3 is not legible, it appears to be Anne Cropp and beneath it William R. Haney is signed as the property owner. The checks submitted for the filing were from Western Truck and Trailer Service, and signed by someone named Raymond Barrett, but it is an unclear signature. Beyond that, Evan Wilde was present at the site visit with representative, Brad Holmes, and when asked if he was the property owner he replied that he would be soon. A quick search of the Massachusetts' Corporations turned up no relevant search results for R.W. Realty Trust, which is concerning. To be sure there are no issues, the agent recommends that evidence be provided to the Conservation Department showing that the correct owner of the property is aware of, and supports this filing, with a notarized signature. The Commission should recall recent issues with developers not finishing projects and then dissolving corporations, thus preventing the Commission's ability to take enforcement action for incomplete work.

Commissioner Kozodoy reiterated to the applicant(s) that there are some discrepancies in the NOI filing regarding ownership and applicant names and signatures. The commissioner pointed out that on Page 1, Anne Cropp is listed as both the owner and the applicant, however, on Page

9, Section F, the applicant and owner are different with illegible signatures. Commissioner Kozodoy said that the Commission requests a Certificate of Trust which is a legal document that can be used to certify both the existence of a trust as well as to prove a trustee's legal authority to act. A Trust Certification gives a trustee the ability to provide to anyone who needs it, such as the Conservation Commission, important information about the trust, i.e. the date it was formed, the legal and formal name of the trust, who the trustees are, and any other information that may be required. Commissioner Kozodoy stated that this is needed before any other review of the filing proceeds. Commissioner Franklin agreed and reminded the applicant that if something is submitted to the Commission to be discussed at a meeting, it needs to be submitted per the Commission's guidelines and timeline.

VOTE: Commissioner Franklin made a motion to continue for 30 days until the Certificate of Trust is received. The motion was seconded by Commissioner Kozodoy. PASSED 7-0-0.

Commissioner Artiano stated that he agreed with all previous comments made by the Commission and Agent Denum but he is very concerned with the gravel driveway because down the line, a new owner may want to pave it. The Commissioner said that some type of deed restriction may be needed to prevent that issue in the future. Chairperson Vendetti called a Point of Order. Commissioner Franklin reiterated that the filing should not be discussed until the proper documentation is received, and then once everything is in order, the Commission can review it as a Board.

b) Proposed updates to the Kingston Storm water Regulations.

Chairperson Vendetti opened a public hearing regarding the promulgation of regulations to accompany Kingston Storm water Bylaws. Agent Denum stated that the Town of Kingston is behind on the EPA mandate for regulations on storm water bylaws. The Planning Board and Conservation Commission must review the enforcement of these regulations. If any commissioner has issues with the regulations, they should make it known to the Conservation Agent so that Town Counsel and the EPA can then be informed. To remain in compliance, the deadline is the date of the current meeting and Agent Denum suggested approving, and following that, suggestions can be brought to Town Counsel.

VOTE: Commissioner Kozodoy made a motion to approve the regulations for storm water management. The motion was seconded by Commissioner Hickey. PASSED 7-0-0.

c) 49 Old Mill Road Notice of Intent (NOI) for an addition and porch along the rear of the existing home, within the 100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area of an Intermittent Stream.

Chairperson Vendetti opened a public hearing to discuss the NOI for 49 Old Mill Road. Agent Denum commented that updates to the plan have been received; also one of the commissioners had questions about the foundation, so an additional plan addressing that was received and then shared with the appropriate departments. The Board of Health issued the following statement: "The proposed addition appears to be a two-story in-law or Accessory Dwelling Unit (ADU). The Board of Health has not received a plan for the upgrade of the septic, which according to our records, was installed in 1987. Per Title V, the septic is non-compliant with current Title V requirements; the tank is 1,000 gallons and calculated flow is 55 gallons per day, which is half the required flow allowed per bedroom, currently 110 gallons per day per bedroom. The original system was granted a variance from the required 90-feet away from wetland border requirement at the time, from 15 to 10 feet from the sideline. Due to the age of the system, a perc test of soil conditions would be required to determine upgrade of system."

Brad Holmes, of ECR, said that at last meeting, they had presented the proposed project which is an addition over existing deck and sunroom. The Commission had asked for more detail on the foundation type, which is the purpose of the drawing of a foundation type that had been provided to the Commission. Mr. Holmes said he was unaware of the Board of Health requirement and if there is a septic issue, then they will need to come back with a separate filing to address that. He said he had provided the plans before the Commission only to illustrate the type of foundation for the addition and the proposed deck, including the footings. The NOI is strictly for an addition over the existing deck and structure and for conservation posts at the edge of the mitigation area. Commissioner Franklin said that if this is an ADU proposal then there is no space on the site for a traditional Title V compliance system. Mr. Holmes said that the proposal is not for an ADU, but for an addition and a deck and that the rendering provided was only to show details on the foundation. Commissioner Franklin said that since the documentation provided to the Commission shows an ADU, there is a conflict with what was recorded on the NOI. Mr. Holmes said that he would like to request a continuance and would come back with a clarified plan; and he asked if there were any other requests from the Commission that should be included in the edited proposal. Commissioner MacFarlane said that there would need to be an addition of two more parking spaces if the plan includes an ADU, but this would not apply otherwise.

VOTE: Commissioner MacFarlane made a motion to continue to the June 25, 2025 meeting. The motion was seconded by Commissioner Kozodoy. PASSED 7-0-0.

II. Action Items (Continued)

b. 126, 131, 137 Ring Road (Ring Road Solar, LLC) Request for Amendment/Deviation to Orders of Conditions.

Chairperson Vendetti opened public meeting to discuss the request for amendment/deviation to OOCs for 126, 131 & 137 Ring Road, submitted by Beals & Thomas on behalf of Ring Road Solar, LLC. The applicant has requested a continuance to June 25, 2025.

VOTE: Commissioner Kozodoy made a motion to continue to June 25, 2025. The motion was seconded by Commissioner Franklin. PASSED 7-0-0.

c) Support letter for CZM grants

Chairperson Vendetti stated that the two separate projects are: the planning of upgrades to the Harbor Master's facility and the other is for the design and permitting of storm water solutions for Drew Avenue and Cedar Avenue. (Commissioner Artiano had to excuse himself from the meeting at this point).

VOTE: Commissioner Kozodoy made a motion to vote in support of the applications. The motion was seconded by Commissioner MacFarlane. PASSED 6-0-0.

IV. Minutes 3/12/2025

Commissioner Hickey made a motion to accept the minutes for March 12, 2025. The motion was seconded by Commissioner Kozodoy. PASSED 4-1-0.

V. Updates

a) Admin Review for 81 Howland's Lane

Agent Denum reported that Agent Penella determined that the filing fit all the admin review guidelines; more than 50-feet away from the wetland, it will be built pervious with the replacement of a rear deck remaining in the same footprint. An invasive Norway Maple tree very close to the house was cut down, as well as a little sapling Maple, per approval from Agent Penella.

CLOSING REMARKS

Chairperson Vendetti made closing remarks at 7:20 p.m. The next meeting will be held on June 25, 2025, starting at 6:30 p.m. in Room 200.

VOTE: Commissioner Hickey made a motion to adjourn. The motion was seconded by Commissioner Kozodoy. PASSED 6-0-0

Note on Voting Format: In the vote tallies mentioned in these minutes, the format used is "Yes-No-Abstain".

Prepared by: Hannele Minsk, temporary transcriber



KINGSTON CONSERVATION COMMISSION



26 Evergreen Street, Kingston, MA 02364

SIGN-IN SHEET

PLEASE NOTE THIS MEETING IS BEING VIDEO & AUDIO RECORDED

DATE: 6/11/25

NAME	INTEREST	ADDRESS
<i>[Signature]</i>	Collaboration	<i>[Signature]</i>
Frankie Cuzzo	↓	23 G. Feather Ln
EVAN W. L.	Baker Ave	PO Box 101 Weston, MA 02453
Brad Holmes	" "	FCR
Dick DeBenedictis	" "	180 County Rd Phympton (Wobey)



TOWN OF KINGSTON **NOTICE OF MEETING**

BOARD:	Conservation Commission
DATE & TIME:	Wednesday, June 11, 2025 @ 6:30 PM
MEETING LOCATION:	Town House-26 Evergreen St. Room 200 & 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 by the Local Seen on Comcast 9 or Verizon 42 and streamed on YouTube at www.youtube.com/@kingstonmeetingsLS

For anyone wishing to speak during the meeting, you are welcome to join us in person in room 200 or to join the Zoom call.

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

AGENDA

6:30 PM – CALL TO ORDER – ROOM 200

SIGNING DOCUMENTS:

1. Determination of Applicability (DOA) 88 Ring Road
2. Orders of Conditions 2 Wildwood Circle
3. Orders of Conditions 35R East Avenue
4. Orders of Conditions 10 Adams Avenue
5. \$1,618.75 invoice from Beals and Thomas for the Sampson's Brook Headwaters Restoration Project
6. \$998.00 invoice from Cornish Field Farm for rain garden at 45 River Street (HarborMaster's parking lot)
7. \$203.97 invoice from Lowe's for maintenance equipment

ACTION ITEMS:

1. Student presentation on Cranberry Watershed Preserve trails
2. 126, 131, 137 Ring Road (Ring Road Solar, LLC): Request for Amendment/Deviation to Orders of Conditions
3. Support letter for CZM grants

ENFORCEMENT:

1. 164 Pembroke Street

MEETING MINUTES:

1. 03/12/2025

UPDATES:

1. Admin Review 81 Howlands Lane

PUBLIC HEARINGS:

1. Baker Avenue (Map 58, lot 92-6): Notice of Intent for the construction of a single-family home with a driveway, garage, deck, roof water infiltration system, drinking water well, utilities, grading, and landscaping within the

100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area to an intermittent stream.

2. This hearing is regarding proposed updates to the Kingston stormwater regulations.
3. 49 Old Mill Road: Notice of Intent for an addition and porch along the rear of the existing home, within the 100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area of an intermittent stream.

ADJOURN:

NEXT REGULAR MEETING:

1. 06/25/2025

Join Zoom Meeting

<https://pactv.zoom.us/j/96816332793?pwd=WmZRUWhTc0dsWUxrNGhSSjBNdDFldz09>

Meeting ID: 968 1633 2793

Passcode: 756156

Or, dial by your location

+1 929 205 6099 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 or remotely. All Town Board and Commission meetings are required to provide remote participation. If there is a technical problem and remote participation cannot be provided, the meeting will end and be rescheduled.

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.