

Approved Feb. 11, 2026



Conservation Commission Meeting Minutes Wednesday, December 10, 2025

Town of Kingston
26 Evergreen Street, Room 200
Kingston, MA 02364

Present: Kalina Vendetti (Chair), Jim Franklin (Vice-chair), Dot MacFarlane, Megan Hickey, Buz Artiano, Marilyn Kozodoy, and Brian Payne

Virtual: none

Absent: none

Staff: Matt Penella (Conservation Agent), Georgianna Minenna (Asst. Conservation Agent)

Location: Town Hall Offices, Room 200 & Via Zoom

Commission Meeting Opened: 6:30 pm

BUSINESS

I. Signing Documents

The Commission signed invoices from Makepeace for ink for the office plotter, Environmental Partners Group (now owned by Apex) for year 8 MS4 support, Pannier for the Calisa Farm Conservation Area Sign, and from Beals & Thomas for work on the Sampson's Brook Headwaters Restoration project.

II. Action Items

1. 28 Raboth Road: Request for Determination of Applicability – continued from an earlier date.

Chairperson Vendetti continued a public meeting to discuss the Request for Determination of Applicability at 28 Raboth Road, and reported that the applicant requested continuance to January 14th, 2026.

VOTE: Commissioner Franklin made a motion to continue to January 14th, 2026, seconded by Commissioner Kozodoy. PASSED 7-0-0.

2. 8 Smelt Pond Road: Request for Determination of Applicability for replacement of existing concrete slab/patio with permeable pavers within the Smelt Pond buffer zone.

Chairperson Vendetti opened a public meeting to discuss the Request for Determination of Applicability (RDA) at 8 Smelt Pond Road. Agent Penella stated that there is already an open Order of Conditions (OOCs) on this property for an addition to the existing single-family home. During a site visit, the agent noticed that the concrete patio behind the house was being replaced, which wasn't included in the OOCs. The owner was informed that he needed to file for the patio replacement, and he has done so through this filing. During a site visit on December 1st, the agent observed the silt sock in place around the work area. The Department also confirmed that the pavers (Techo-Bloc Mista pavers) are permeable, which is an improvement over the previous concrete patio. The hill sloping down from the patio to the pond was observed to be exposed soil. The OOCs include plantings in this area for stabilization, but the Agent recommended that the owner install additional erosion control measures over the winter until plants can establish. Agent Penella, Commissioner Franklin, and Dan Pepe, the property owner, discussed different erosion control options, including woodchips on flat areas and a jute mat held with staples on the slopes. Commissioner Hickey asked the applicant how long it will take him to install the erosion control. Dan said that it won't take him long, so the Commission decided on a two-week deadline for him to install the erosion control, after which fines could be issued. This deadline was verbal, as the next Commission meeting where the permit will be issued isn't until after the deadline.

VOTE: Commissioner Franklin made a motion to issue a Negative 3 Determination of Applicability, approving the project with special conditions as discussed above, seconded by Commissioner Artiano. PASSED 7-0-0.

3. 208 Brookdale Street: Request for Certificate of Compliance for construction of a barn within the 100' wetland buffer zone and 200' riverfront area.

Chairperson Vendetti opened a public meeting to discuss the Request for a Certificate of Compliance for 208 Brookdale Street. Agent Penella reported that this Request for Certificate of Compliance was submitted after the property was sold, not by the new owner but by the son (and trustee) of the previous owner. The new owner is now responsible for any issues identified on the property. During the December 1st site visit, the Agent confirmed that the barn was constructed in the correct place. However, other issues were identified based on the site visit and review of the plans submitted in the original 2015 filing and plans from 2020 for work that was proposed but never filed. These issues include wetland encroachment from an unpermitted gravel driveway that circles the barn, clearing past the driveway into the wetlands past the limits approved in the 2015 filing, a maintained path through the wetlands past the barn, items like chairs and barrels stored on the wetland border, and fill such as dirt and lawn clippings in the wetlands in various locations around the property. Several unpermitted structures were also observed in buffer zones, including one shed that is not depicted on the as-built plan. There is not much unaltered buffer zone left on the property.

Commissioner Artiano asked if the new owner will need to submit a new filing to get the property into compliance. Agent Penella said that they will need to file if they have to bring in machines to do the work, which they likely will based on the extent of the issues. Commissioner Kozodoy asked if the next meeting, January 14th, is enough time for continuance, and Agent Penella said yes.

VOTE: Commissioner Kozodoy made a motion to continue the hearing to January 14th, 2026, seconded by Commissioner Artiano. PASSED 7-0-0.

4. 105 Monks Hill Road: Request for Determination of Applicability for the replacement of an existing drinking water well, including site grading and running a new well line to the home, within the vernal pool buffer zone.

Chairperson Vendetti opened a public meeting to discuss the Request for Determination of Applicability (RDA) at 105 Monks Hill Road. Agent Penella summarized the project as replacement of an existing, failing whole-house service well within the lawn area. Agent Penella said that no erosion and sedimentation control is shown on the plans, and recommends controls be installed between the well location and the vernal pool. He pointed out that, while the proposed well site is within the vernal pool buffer zone, the failing well was also in the buffer so there is no expected effect on the water level of the pool. There is also no feasible alternative location for the well, because the vernal pool

buffer covers much of the property. The well replacement is also at the edge of NHESP Core Habitat, but is not expected to have an adverse effect.

Commissioner Artiano asked for details on the type of well being added and expressed concern about the additional disturbance associated with installation of rock wells. Agent Penella said that the well is described in the filing as an artesian well with a minimum 200' depth. Commissioner Artiano recommended mitigation conditions, including:

- Addition of a mulch sock around the work area,
- Restoration of the mud pit after the well is drilled,
- Use of a filtration bladder to filter any wastewater before discharge

Commissioner Franklin asked about the current grade of the site, and expressed concerns about infiltration. Agent Penella said that the well area slopes away from the house, towards the vernal pool, so it shouldn't be a concern.

Pine duBois, a member of the public, was invited to speak. She asked what type of well was being installed, and whether it was for geothermal heating. Agent Penella and Commissioner Franklin told her that it was a full-service well for the house with potable water. She also asked how often the pool on the property is drained and re-filled, and expressed concerns about untreated pool water discharge into the surrounding wetlands. Agent Penella said that he will follow up with the owner about these concerns, and let him know that he can't discharge untreated pool water into the wetlands.

VOTE: Commissioner Artiano made a motion to issue a Negative 3 Determination of Applicability, approving the project with special conditions described above. Seconded by Commissioner Kozodoy. PASSED 7-0-0.

5. Discussion of upcoming grant applications: Community Preservation Committee, Department of Transportation Culvert Program, Community Biodiversity Program.

Agent Penella discussed four upcoming grants that the Department is preparing applications for, and presented letters of support for the Commission to sign. The Department is applying for Community Preservation Act funding for two land purchases. The first is purchase of 83 Wapping Road, where there is currently a small easement that provides the only public access to Hathaway Preserve. If the purchase is made, the Department can increase and improve access to the property through a larger and more permanent parking area. There is one acre of actively farmed cranberry bogs, which includes honey bees and native plantings, on the property, and purchase would include an agreement with the farmers to continue their agricultural use of the land. Commissioner

Franklin asked whether the farmers would be able to contribute some funds towards the land purchase, and Agent Penella said likely not due to the high cost but they are supportive of the project.

The other Community Preservation Act application is for the purchase of land on Maple Street. The land is currently under contract with another buyer, so the Agent is submitting this application to have funds available to purchase the land if the buyer steps away. The property has many benefits, including wetland areas and access to the Maple Street dam that the Department would eventually like to remove. There is also the potential to partner with the Affordable Housing Trust to include construction of affordable housing on the site.

The Department is also applying for the MA Department of Transportation Community Culvert grant program for replacement of the Lake Street culvert. The project is fully designed and permitted, and is just awaiting funding.

Finally, the Department is applying for the new MA Community Biodiversity grant program through the MA Department of Fish and Game. The application proposes the creation of a pollinator habitat task force by residents in town, and building a pollinator garden on town property.

Commissioner Payne stated that, as the chair of the Community Preservation Committee, he would abstain from voting on those applications.

VOTE: Commissioner Kozodoy made a motion to support both of the Conservation Department's applications to the Community Preservation Committee, seconded by Commissioner Hickey. PASSED 6-0-1 (Commissioner Payne abstained).

VOTE: Commissioner Hickey made a motion to support the Conservation Department's applications for the MA Department of Transportation Community Culvert and the MA Community Biodiversity grant programs, seconded by Commissioner Payne. PASSED 7-0-0.

III. Enforcement

1. 20 Marion Drive/1 Royson Drive – continued from an earlier date.

Adam Brodsky, legal representative for the property owner, stated that they had requested continuance to the next meeting to finalize their plan and hiring of an environmental monitor, which they have already begun working on with Agent Penella. Commissioner Artiano expressed his desire to wrap up this enforcement issue, as it's been under Commission consideration for a long time and is part of a pattern of violations on this property. Commissioner Kozodoy asked whether the monitor would take responsibility for

all the special conditions in the original Order of Conditions (OOCs) for the property. Agent Penella said that decision is up to the Commission, though he recommended that, given the large number of special conditions, the monitor focus on the erosion and sedimentation control as their biggest concern. Commissioner Artiano asked that the monitor include photos in their reports to the Commission. Commissioner Franklin discussed whether the Commission should revoke the applicant's permit. However, if they did revoke the permit, the owner would just need to reapply and the Commission would be in essentially the same position. Commissioner Franklin asked Agent Penella if there were other enforcement actions the Commission could take against this property owner following his repeated violations of KWPR and the original OOCs. Agent Penella suggested that Town Counsel attend the next meeting to help advise the Commission. Commissioner MacFarlane pointed out that Horsley Witten Group, the peer reviewers for the Request to Amend the Order of Conditions for this property, has given the owner recommendations on how to stop flooding on the property and suggested that the Commission give the owner time to respond to those recommendations.

Agent Penella recommended that the Commission continue to the next meeting (Jan. 14th) to finalize plans for the environmental monitor with Attorney Brodsky and Town Counsel, including improvements to erosion control. Commissioners Kozodoy and Franklin expressed concern that Agent Penella is taking on too much of the responsibility that is supposed to be on the property owner for fixing erosion problems on site. Commissioner Franklin stated that the owner likely won't make the required changes without the Commission issuing an enforcement order, and asked that the next meeting be the last one on this topic. Attorney Brodsky said that he already has a list of consultants for the environmental monitor and will get in touch with them quickly. Agent Penella also said that he is still working to set up a Commission site visit to the property. The Agent proposed some available dates, but hasn't heard back from the owner or his team. Commissioner Kozodoy asked whether Commissioners could just go by the site and visit on their own. Agent Penella and Attorney Brodsky both said that Commissioners are allowed to visit the site under KWPR, but that they shouldn't leave their vehicles due to safety concerns on construction sites.

VOTE: Commissioner Kozodoy made a motion to continue to January 14, 2026, seconded by Commissioner Artiano. PASSED 7-0-0.

2. 44 Raboth road – continued from an earlier date.

Agent Penella summarized the current status of the property. Two docks have been removed – the smaller “duck dock,” and the floating dock where the fireworks were lit. The third dock was replaced and resized in 2019 and 2021, respectively, so it still falls under

the grace period enacted by the Commission in July, 2025. The Department received the requested letter from the engineer who drafted the as-built plan, which said that the wall was not built to manufacturer specifications and recommended disassembly and reassembly. Agent Penella reported that the wall doesn't meet the standards of KWPR as it is currently built, because it is too tall to be as close to the pond as it is currently built. The wall holds back the earth that supports the driveway, which was also installed without a permit. The property owner said that the driveway was installed to prevent runoff to the pond, though it is now causing runoff onto their neighbor's property. The property also currently has a higher percentage of impervious cover within Commission jurisdiction than is allowed under KWPR. The property has been developed for a long time before and after wetlands regulations, so it's hard to say what the conditions should be. There are minimal opportunities for mitigation due to the size of the property, though the Commission has accepted native plantings to increase the buffer zone and infiltration of downspouts in the past.

Commissioner Hickey asked when the Agent last heard from the property owners, and Agent Penella said that he hasn't heard from them since they requested continuance before the second November meeting that was cancelled. Commissioner MacFarlane asked if the Commission was expecting the owner's attendance at this meeting, and Agent Penella said that he shared the date with them. Commissioner Franklin asked whether there have been any increases to the house's footprint, and Agent Penella said no. The only recorded change to the house was a second-floor addition in the mid-90s that was never filed with the Conservation Commission. Commissioner Franklin said that the addition probably increased the living space, including potentially adding more bedrooms which would have required a septic system upgrade. Agent Penella said that the addition happened too long ago to really be relevant to this enforcement issue, which is focused on the unpermitted installation of the wall and driveway and vegetation removal.

Shawn Stanghellini, property owner at 46 Raboth Road and abutter to 44 Raboth Road, spoke to the Commission about his concerns about the state of the property on 44 Raboth Road. He has an open Order of Conditions with the Commission that requires native plantings, and has concerns about how the state of 44 Raboth will affect those plantings. Commissioner Franklin told him to focus his comments only on 44 Raboth, not his own property. Agent Penella clarified that Mr. Stanghellini can't close his Orders because of the conditions on 44 Raboth Road, particularly the runoff, which is why he mentioned his own property. Mr. Stanghellini stated that he observed many conditions that he considers problems on 44 Raboth Road, including two dead birds (likely Canada geese) in Spring, 2025, an old shed in disrepair including chipping paint and exposed pipes and wires, the retaining wall causing changes in runoff, and the fire set in Summer, 2025. There are also

many items stored on the property on the hill running to Smelt Pond, including gas cans, a jet ski, and an ATV. He has also observed trash on the ground around the dumpster on the property. He is concerned about the new erosion caused by the driveway runoff, as it is causing erosion by a tree near the utility pole and could cause utility issues if it falls. He has many environmental concerns, especially about soot and oil running onto his property and into the pond from the Summer, 2025 fire in the road. Mr. Stanghellini asked that the Commission visit the site, give the owners guidance on how to clean up the property, and potentially do environmental testing.

Commissioner Franklin and Agent Penella pointed out the difficulties with assigning conditions on this specific property as the reason for the geese's deaths, especially during hunting season. Mr. Stanghellini asked the Commission what their next steps are with this property, and Agent Penella said that they are pursuing an enforcement order that will address this and other concerns about the state of the property. Commissioners Franklin, Hickey, and MacFarlane said that Mr. Stanghellini's photos of the property demonstrate that the owner isn't taking care of the Pond, and needs to do more to clean up the area. Agent Penella discussed how the Commission can include general site conditions in an eventual Enforcement Order. He isn't sure that there is anything in KWPR that specifically allows the Commission to enforce hazardous material storage methods, such as for the gas cans in the photos submitted by Mr. Stanghellini. Commissioners Franklin and MacFarlane said that the state or the federal EPA may have requirements for that type of storage, and the Commission could say that they will make a complaint to those organizations should they notice an issue.

Mr. Stanghellini stated that he is concerned about a rotten oak tree on his property that will hit the shed on 44 Raboth if it falls. He can't reach the tree through his easement on 44 Raboth to have it cut down because of the retaining walls that were put up. Commissioner Franklin said that there is a separate procedure for hazard tree removal through Administrative Review. Agent Penella also said that, though the tree is within jurisdiction, his concern about the tree seems more like a neighbor dispute issue that is not relevant to this discussion.

Agent Penella said that he will write an Enforcement Order for the Commission to sign at the next meeting, and asked the Commission to discuss which topics to include in the Order. The Commission decided to require the property owner to submit a Notice of Intent (NOI) filing to remove the unpermitted wall and driveway and stabilize the area with vegetation. They could also choose to re-build the wall and driveway, which would also require an NOI that could be combined with the one to remove the wall.

VOTE: Commissioner Franklin made a motion to continue to January 14, 2026, seconded by Commissioner MacFarlane. PASSED 7-0-0.

IV. Minutes

1. May 28, 2025

VOTE: Commissioner Hickey made a motion to approve the minutes for May 28, 2025, seconded by Commissioner Kozodoy. PASSED 7-0-0.

2. August 27, 2025

Commissioner Hickey asked for a correction on the vote on 164 Pembroke Street, which incorrectly states that Commissioner Franklin made and seconded the motion.

VOTE: Commissioner Hickey made a motion to approve the minutes for August 27, 2025 with corrections, seconded by Commissioner Artiano. PASSED 7-0-0.

3. September 10, 2025

VOTE: Commissioner Hickey made a motion to approve the minutes for September 10, 2025, seconded by Commissioner Payne. PASSED 6-0-1 (Commissioner Franklin was absent from the meeting, so abstained).

4. September 24, 2025

Commissioner Hickey requested a correction on the owner of 44 Raboth Road, who was incorrectly listed as Mr. Dirico but should be Mr. Carroll.

VOTE: Commissioner Hickey made a motion to approve the minutes for September 24, 2025 with corrections, seconded by Commissioner Kozodoy. PASSED 7-0-0.

V. Updates

1. Eversource Right-of-Way Maintenance

Agent Penella reported that the Conservation Department has received Eversource's annual notice of right-of-way vegetation maintenance. The notice is on file, and was provided to the Commission if they wish to review it.

2. Bates Pond Accessible Trail Update

Agent Penella reported that, while the Department did not receive the MassTrails grant for planning an accessible trail at Bates Pond, they do have available funds from the

Community Preservation Committee and the Sampson Fund to begin project planning and permitting. Strong Tree Engineering has begun that work, and the Department plans to apply for MassTrails funds in the next round.

3. Other updates

Commissioner Kozodoy acknowledged that this meeting was Commissioner Artiano's last, and thanked him for his service to the Commission.

Chairperson Vendetti announced that she would like to step down as Chairperson, and asked that a new Chair be chosen by the members at the next meeting.

VI. Public Hearings

A. 20 Marion Drive (1 Royson Drive): Request for Amendment to Orders of Conditions – continued from an earlier date.

Chairperson Vendetti continued a public hearing to discuss the Request for Amendment to Orders of Conditions at 1 Royson Drive, formerly known as 20 Marion Drive. Agent Penella reported that the applicant requested continuance to January 14th, because they only recently received the updated peer review report from Horsley Witten Group. Agent Penella also recommended continuance because he'd like HWG to review new materials, but they need additional funds from the applicant. HWG has already sent over an updated proposal with the new amount.

VOTE: Commissioner Artiano made a motion to continue the hearing to January 14th, seconded by Commissioner MacFarlane. PASSED 7-0-0.

B. 201 Elm Street: Notice of Intent for construction of an addition to a single-family house within the buffer zone to inland wetland resource areas, including a potential vernal pool.

Chairperson Vendetti opened a public hearing to discuss the Notice of Intent for 201 Elm Street. Agent Penella described problems with the filing, including property-wide encroachment into the wetlands buffer zone. There has been significant modification on this property that has led to almost complete removal of the buffer zone, including lawn expansions, tree cutting, and addition of structures such as trailers. The Agent discussed these issues with the applicant during two site visits, but has not received any communication from the applicant since they requested continuance of the initial hearing during the November 26th meeting, which was cancelled.

The Agent also reported that, during the November 24th site visit, he learned that the proposed addition is not just a garage but will also include living space above the garage. The additional living space was not described in any filing documents or the project plan and raises concerns over the septic system. Any addition of living space will require increasing the size of the septic system, and potentially a variance request to the Commission because it will be challenging to meet the septic system setback requirements on this property.

Commissioner Franklin recommended denying the project for lack of information.

VOTE: Commissioner Franklin made a motion to close the hearing, seconded by Commissioner Kozodoy. PASSED 7-0-0.

VOTE: Commissioner Franklin made a motion to issue Orders of Conditions denying the project without prejudice, seconded by Commissioner Artiano. PASSED 7-0-0.

C. 127 Wapping Road: Notice of Intent for demolition of a single-family house and cesspools, and construction of a new single-family house with a septic system, retaining walls, site grading and paving, within the 100' buffer to Bordering Vegetated Wetland and the 200' Riverfront Area to a perennial stream - continued from an earlier date.

Chairperson Vendetti continued a public hearing to discuss the Notice of Intent for 127 Wapping Road. Agent Penella reported updates to the plan since the last meeting, including addition of de-nitrifying treatment to the septic system, decreasing the size of the deck footprint, and addition of 4,755ft² of proposed naturalization area in the buffer zone. The applicant has also submitted an aerial plan with 2023 imagery, corrected a surveying error for flag A11, added property cleanup and a vegetable garden to the project narrative, submitted alternatives for the proposed garage reconstruction, and provided a 1971 aerial photo that appears to show the garage in place before the Wetlands Protection Act. On November 24th, the Agent and Assistant Agent met with the wetland scientist who did the original delineation to confirm the wetland boundaries and made a few small revisions to the flags, increasing the size of the wetland area. They were unable to review wetland flags A12-A15 because a shipping container was placed on asphalt against the wetland lines. The container had been added since the last site visit, and should be moved off the wetland lines.

The Department did receive a letter about the trees in the front of the property, but it was not from a certified arborist and some of the language made the agent question whether the trees were examined.

Agent Penella reviewed the aerial imagery of the garage sent by the applicant, and said that it is possible that it has been there since at least 1971. He reviewed the garage alternatives, which conclude that repairing the garage in-place is the least disturbing solution. Agent Penella suggested conservation posts be placed around the garage to minimize detrimental effects of garage use once it's repaired. Agent Penella reminded the Commission that they don't have to grandfather in the garage, per the advice of Town Counsel, and recommended that they consider all possible alternatives to best protect the stream behind it. He stated that, while building on the existing garage foundation may be less impactful in the short-term, re-building it further from the stream may have less impact over time.

The updated proposal depicts conservation posts around the historically cleared areas behind the house that the applicant plans to maintain as cleared, which are within the 200-foot Riverfront Area and partly in the 100-foot Riverfront area and 100-foot Bordering Vegetated Wetland (BVW) buffer zone. The proposal now also describes all debris clearing that has already taken place. Agent Penella pointed out that the wetlands were only delineated around the proposed work area but that they do extend to the back of the property.

The only potential remaining issues with KWPR in this filing are the 30-foot no-touch zone for landscaping around BVW, and the Commission's ability to require a 100-foot no-touch zone around streams, but enforcement of these is up to the Commission's discretion to enforce as the area has been cleared for a long time. The applicant has requested an additional variance for mowing within that 30-foot BVW no-touch zone. The applicant has provided the de-nitrifying septic system, naturalization area, and conservation posts as mitigation for the requested variances. Agent Penella also recommended that the Commission add Special Conditions preventing any use of fertilizers or dumping of yard waste in areas within Commission jurisdiction.

Agent Penella discussed the newly proposed septic system. He expressed concern that, while the proposed system will reduce nitrogen, CBOD, and TSS, it doesn't appear to remove phosphorous which is more of a limiting factor in freshwater systems. Phosphorous contamination is especially of concern on this property because of the high groundwater and the fact that the system will be upslope and within 200 feet of a perennial stream that connects to the Jones River. Agent Penella highlighted the current issues with pollution and eutrophication in the Jones River, and thus the need for the Commission to be as protective as possible on this property.

Patrick Brennan, representative for the applicant, read parts of the manual for the GeoMat septic system, which names phosphorous among other contaminants that have improved

removal over regular septic systems. He also said that their proposed system is an improvement over what is currently on the property (two failed cesspools). Agent Penella and Commissioner Franklin asked Mr. Brennan to provide the commission with specific numbers on phosphorous removal in GeoMat systems.

The Conservation Commissioners then asked questions of the applicant, David Gasse, and the Agent. Commissioner Hickey asked if the proposed conservation posts were depicted on the plans, and Agent Penella said that they are on the most updated version. Commissioner Artiano asked Mr. Gasse about his specific plans for work on the garage. Mr. Gasse said that he is planning to only replace the roof and siding. The plans say that the garage is being replaced from the foundation up, but that is not what Mr. Gasse is planning. Commissioner Artiano asked whether the garage work can be done by hand, not machine, and Mr. Gasse said it can be. Commissioners Artiano and Franklin asked to see plans for containing roof runoff. Commissioner Hickey asked Mr. Gasse if they were planning on replacing the trees with any plantings once they were removed, and he said yes. Commissioner Artiano recommended putting the proposed replacements on the plan, and for a more detailed letter from an arborist. Commissioner Artiano asked Mr. Gasse if he is planning to remove the rest of the vehicles, tires, and other junk behind the proposed conservation post locations, and Mr. Gasse said yes. Agent Penella asked the applicant to tie the conservation posts around the A- and B-series wetlands into one continuous line of posts with 50-foot spacing, and to depict the post locations on updated plans. Agent Penella asked the Commission to clarify what the conservation posts are protecting, and Commissioner Artiano said that any area beyond the posts cannot be altered without a permit.

Pine duBois, Executive Director of the Jones River Watershed Association and member of the public, discussed her concerns about the ecological sensitivity of this area. The two perennial streams on this property are connected to the Jones River, which already has problems with pollution. She asked about the material of the garage floor, and asked the Commission to protect the stream from any leakage from the garage to the wetlands, such as having all drainage from the garage point towards the house. She also mentioned that there is Kingston Water Department well to the north of the property. Though it's currently unused, it may be used in the future, and she wants to be sure it is protected.

Commissioner Franklin asked for more specifics about the well location, and Mr. Brennan said that the Water Department owns land that touches the north east corner of the property. Though the Water Department Commissioner had no initial comments on the project, Commissioner Franklin asked Agent Penella to specifically confirm with the Water Commissioner that there are no Zone 1 or Zone 2 restrictions on the property. Mr. Brennan said that there are no Zone 2 restrictions on the property based on the maps that were

submitted with the filing. Agent Penella also discussed the groundwater and stream protection challenges that are caused by the house and septic system being raised because of the high groundwater, which may cause steeper runoff to the brook and BVW.

Commissioner Hickey asked why the deck was made smaller. Agent Penella said it was to move the deck outside of the 40-foot setbacks.

VOTE: Commissioner Franklin made a motion to continue to January 14, 2026, seconded by Commissioner Kozodoy. Passed 7-0-0.

CLOSING REMARKS

Chairperson Vendetti made closing remarks at 9:24 p.m. The next meeting will be held on January 14th, 2026, starting at 6:30 p.m. in Room 200.

VOTE: Commissioner Payne made the motion to adjourn, seconded by Commissioner Artiano. PASSED 7-0-0.

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

Prepared by: Georgianna Minenna, Assistant Conservation Agent.