

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
March 8, 2005

Chairman Mark S. Beaton opened the meeting of the Board of Selectmen held on March 8, 2005 at 7:30 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Paul M. Gallagher, Joseph D. Kelleher, Richard E. Kenney and Town Administrator Kevin R. Donovan.

The Chairman announced the dates to note and the Open Forum.

Ralph Calderaro spoke in opposition of the warrant article to re-zone an area on Maple Street from Town Center Zoning to Commercial Zoning.

Mr. DeMacedo joined the meeting at 7:40 p.m.

Also speaking in opposition of the re-zoning of Maple Street were residents of Maple Street; Fred Carroll, Peter Sorenson, Frank Gallagher and River Street resident Jerome Powell. Peter Conant, developer of the land in question stated that he had not been asked his opinion but understood that the Town would want to have things in order if his project did not go forward. He stated that he offered the Town more for the Fire Station than it was worth and that he was now awaiting an appeal of the special permit.

Mr. DeMacedo stated that he was not in favor of the zoning change and that there will be an open discussion on the matter at Town Meeting. Mr. Kenney stated that he agreed with Mr. DeMacedo on the not changing the zoning and that the Board had worked with Mr. Conant and that obstacles he encountered were self-inflicted and that he should not blame the Board.

Mr. Beaton stated that he was the proponent of the article since he believed the Conant project may not be developed. He further stated that with the current Town Center zoning it would allow the potential for a 10 acre build out with 80 homes, two family homes, condos, town houses or subsidized apartments. Mr. Beaton stated that he wanted to do what was fair for the property owners and the Town.

Richard Gardner, Chairman of the Capital Planning Committee was present to discuss the Committee's recommendations for FY06. Also present were Committee members Joan Dromey, Matthew Hamilton, and John Veracka. Mr. Gardner detailed the priority list of items on the Capital Plan. He further stated that they were looking to future for funding the Capital Plan within the Budget and not from Surplus Revenue.

Jean Landis Naumann, Chairman of the Finance Committee stated that it was a difficult year for budgeting. She provided an overview the Committee's recommendation on the budgets and warrant articles for the Annual and Special Town Meetings. Ms. Naumann stated that they were waiting to determine the impact of the Silver Lake Regional School Budget.

Mr. Gallagher stated that he wanted to send a message to the School Committee regarding the impact that the budget would have on the Town and the possibility of having to put forth an over-ride to cover the assessment.

Mr. Donovan provided an overview of problems with the Governor's budget and the potential impact it could have on State Aid and that 90% of the Town's budget planning has been based on assumption of cherry sheet amounts.

Mr. Kenney asked if it would be appropriate to prepare an over-ride question for the ballot. Mr. Donovan stated that a Town Meeting Article and ballot question would be required, if the Silver Lake Regional School Committee did not reduce the School budget and if the legislature does not approve the Governor's local aid estimates.

Mr. DeMacado suggested that the appropriate figure may be \$450,000 or as much as \$600,000.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To open the Annual Town Meeting Warrant.

Mr. Gallagher made a motion to include a warrant article in the amount of \$700,000 to fund the Silver Lake Regional School assessment. Mr. DeMacedo seconded the motion.

Mr. Donovan stated that the figure could be as much as \$700,000 if everything the Town has assumed does not come to fruition but felt \$450,000 may be more palatable to the public.

Mr. DeMacedo stated that hopefully the School Committee would have some creative financing and stay conservative in its budget request.

Upon motion made and seconded, following a discussion and a 4 to 1 vote, it was –

VOTED: To include an article on the Annual Town Meeting warrant for the authorization of a ballot question for an additional \$700,000 in real estate and personal property taxes for the purpose of providing for the Town's assessment for the Silver Lake Regional School District for the fiscal year beginning on July 1, 2005.

Mr. Beaton did not support the motion.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To close the warrant.

Mr. Beaton stated that he wanted to send a letter to the O'Donnell Family, Anna DeMar for the Hamilton property, P. A. Landers and the Independence Mall to request that they meet with the Town; a member of the Board of Selectmen, Building Inspector Paul Armstrong, Town Planner Thomas Bott and Conservation Chairman Gary Langenbach, to discuss an alternate access for the area around the MBTA Station.

Mr. DeMacedo stated that he was not opposed to sending the letter but wondered who Mr. Beaton proposed would fund the access once it was determined.

Mr. Beaton stated he was just looking for an informal meeting to get ideas. Mr. DeMacedo stated he did not want to step on the toes of other Boards but knew the MBTA was looking to expand the parking lot and suggested including all the business in the area.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To send a letter to the O'Donnell Family, Anna DeMar, P.A. Landers and the Independence Mall and Sullivan Bros. to invite them to meet to discuss an alternate road access.

The Board reviewed the Comprehensive Permit for the Mews on Baker Avenue. Mr. Kenney stated his concern for the amount of traffic that would be generated and exiting onto Main Street.

Mr. DeMacedo stated that had previously discussed a host of issues with this project and suggested resurrecting the list of issues. Building Inspector Paul Armstrong was present and stated that the process has just begun on this project and that the Planning Board and Zoning Board had not yet met on the application.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To approve the Change of Manager for the Kingston Columbian Building Assoc. from Richard J. Davies to Joseph W. Smolic, and further;

VOTED: To waive the ambulance fee due to a financial hardship.

The Board reviewed the Town Administrator's report.

The Board discussed the O'Donnell matter concerning the removal of earth from an area outside the MBTA easement that had been stopped by Building Inspector Paul Armstrong. Mr. Donovan advised that he was awaiting a calculation from an engineer as to the amount of earth that had been removed. Mr. Beaton suggested hiring an engineer with the cost paid by the O'Donnell Family to determine the amount of earth removed.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To hire an independent engineer to determine the amount of earth removed and to have the O'Donnell Family pay the cost for the engineer.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To designate Paul Armstrong as the Board's agent in matters of Earth Removal By-Law enforcement.

Mr. Beaton suggested that Mr. Armstrong issue a cease and desist order to the O'Donnell Family the next day.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To adjourn at 9:25 p.m. and not enter into executive session due to the inclement weather.

Respectfully submitted:

Nancy M. Howlett, Assistant to the
Town Administrator/Board of Selectmen