

Office of Kingston Planning Board
Town House
26 Evergreen Street
Kingston, Massachusetts 02364

PLANNING BOARD March 8, 2010
Planning Board Meeting Minutes

Members Present: Tom Bouchard, Mike Ruprecht, Dave Gavigan, Dennis Randall, Susan Boyer and Tom Bott.

7:10 p.m. – Meeting Opened

Roll Call

The board reviewed the minutes of February 22, 2010

Motion to approve minutes: Dave Gavigan

Second: Dennis Randall

Vote: 4-0-0

Communications

Tom Bott explained the CPC classes to the Board.

7:15 p.m. – Indian Pond Estates continuation of both hearings until April 12, 2010 at 7:03 and 7:04 pm

Motion to continue IPE rescission hearing until April 12, 2010 at 7:03 p.m.– Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0

Motion to continue rescission hearing until April 12, 2010 at 7:04 p.m. –Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0

7:20 p.m. – Conceptual Meeting for Solar Farm – available at this time. Board postponed to later in the meeting.

7:25 p.m. – Tree Farm Landing

Applicant has been able to come to an agreement with abutter and now has frontage for his plan. Also, the water main is not on Mass. Property it's on the owners land. Will be meeting with Water Dept March 15 for approval. Otherwise plans are identical to original plans the board has signed. Will be back March 22, 2010 after they have met with other boards for a review.

7:30 p.m. – Green Communities Discussion

Chad Laurant, Esq. came in to do an informational presentation on the Green Communities Act and grants, etc. that are available to communities that participate in becoming a green community, including Stretch Code. Mike and Tom Bouchard were not in favor of the Stretch Code, as they felt it would affect the building industry as a whole in that it is too costly, that people don't have money right now to have these types of restrictions put on them, and that the housing market is already in trouble and people are not in a position to borrow money. Mr. Laurent stated that there would be grant money available to communities that participate. Mark Beaton also addresses the Green Communities Act, and how his restaurant had borrowed 80K to get a lot of these things done to their building and that it would save

utility costs. Tom Bouchard stated most people are not in a position to borrow that kind of money, and also that banks aren't lending right now. Mr. Laurent stated that the costs for a 3,000 sq. ft. home would be between 1K – 9K. Tom Bouchard felt that was not an accurate amount, and more than likely it would be a far greater amount than that. He said he loved the new technology that was available now and he loved installing it, but not everyone was in a position to afford it, and that there are enough laws and restrictions now. And this will just burden the community and the housing interest. If someone can afford these changes, that's great, but the state should not be mandating that everyone must comply with building codes that will cost way more than people can afford.

8:10 p.m. – 5 minutes recess

8:20 p.m. – Conceptual Meeting Wind and Solar Farm

Mary O'Donnell was present and explained her intent to install a wind and solar farm on her property. This spot was formerly zoned for the 40R. The board motioned to continue the meeting to the hearing date of March 29, 2010 at 7 p.m.

Amend 4.15.13.2.a. – 1021 Kingston Place – grammar change

Favorable action

Motion: Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0

8:30 p.m. – Zoning by-law changes

Amend 4.16 and 4.17– Wind Turbine Overlay District and Solar PhotoOverlay District, with expedited permitting

Tom Bott explained this amendment regarding having applicants only go before the Planning Board and not the Zoning Board to expedite the permitting. John Haas, Zoning Board Chairman asked Tom what were the “standards” the Planning Board was seeking for the granting of the permits. Tom Bott stated that he didn't have any standards. John Haas said he would like to see some standards added to the amendments as a guide for potential applicants for these 2 items.

Favorable action by Planning Board on 4.16

Motion: Mike Ruprecht

Second: Dennis Randall

Vote: 4-0-0

Favorable Action on 4.17

Motion: Dave Gavigan

Second: Dennis Randall

Vote: 4-0-0

Zoning By-Law changes introduced by the ZBA. Present was John Haas, ZBA Chairman and Dave Rose, ZBA Clerk. Also Paul Armstrong, the Zoning Enforcement Officer. John Haas and Dave Rose explained zoning amendments to the board.

Amend 2.0 definition for Accessory Housing Structure and Principal Structure

Including 2.1.1.59 and 2.1.1.66.

Favorable, no actual motion

Amend 4.4.2.1.regarding farming in the R-20 zone including 4.4.2

Favorable but no motion

Amend 6.1.1. regarding non-conforming structures and uses

Favorable but no motion

Amend 6.2.2.1.a. regarding Non-Conforming Use of Buildings or Land

Favorable but no motion

Amend 6.2.2.3.a.regarding Non-conforming use of Buildings or Land

Favorable but no motion

Amend 6.4.2.2. regarding parking areas that allow backing onto or off a public way

HOLD

Amend 7.3.1.1.a. regarding a site plan where a Special Permit or variance is required

Favorable no motion

Amend 7.3.2.4. regarding a report on a site plan prior to the conduct of a public hearing for Special Permits or variances

No motion

Amend 7.7.1.6. Regarding rendering a decision on a Special Permit without a report from the Planning Board

HOLD

The board continued zoning by-law change hearings until March 22, 2010 at 7:35 p.m.

9:30 p.m. - Street Acceptances

Street Acceptances included Ocean Hill Estates and Indian Pond Estates III and walking trails. Matt Lanza of IPE Association will get a punch list and present it to the developer to get the list completed by May in time for the continued Town Meeting to get the streets accepted and the board will try to make progress with Ocean Hill Estates also. Dennis suggested that seeing how there were 100 or so homes in the development, maybe if everyone chipped in \$150 dollars, they could collect enough money to have an as-built done so the roads could be completed.

The board continued the street acceptance hearings until April 12, 2010 at 7:15 p.m.

Motion to continue hearing – Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0

The board discussed the budget and Tom Bott needs a new desk chair. He would like to go to the Finance Committee and ask for a transfer of funds to purchase of a new chair. The board agreed.

9:45 p.m. – the Board adjourned

Motion: Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0