

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

**PLANNING BOARD April 12, 2010**  
**Planning Board Meeting Minutes**

**Members Present:** Dave Gavigan, Dennis Randall and Ron Gleason

**7:00 p.m. – Site Plan O’Donnell Parking Lot – 47 Marion Drive**

Mr. Guggenheim, attorney for the applicant and Sean O’Connor Property Manager, were present for the Parking lot site plan. Discussion regarding fees owed to the town from the previous 40B subdivision. Applicant has agreed to pay \$500 a month towards the agreed upon amount of \$5500.00 owed. Board would like to see larger amount to show good faith and stated that the permit could not be granted before full amount is paid, which would take approximately 8 months to repay with the present payment plan. Tom Bott read the regulations regarding unpaved parking lots, and stated there are exceptions for temporary parking, but otherwise the lot must have a hard packed surface and smooth handicap accessibility. He also stated that the applicant needs to contact Thomas Hopkins, the Director of AAB who would work with the applicant on how to comply with the law. The applicant would also be subject to State and Civil Rights and Environmental requirements for drainage and handicap parking. Sean O’Connell stated that he feels his parking area already is ADA compliant and feels that the requirements are open to interpretation, but will contact the ADA director to have them come and inspect it. Sean said he will also check with the owner to see if the catch basins belong to her, or the MBTA. He will contact the Fire Chief at the board’s request. They will come back before the board apprising them of their progress in 2 weeks, April 26, 2010 at 7:15 p.m.

**7:25 p.m. – IPE Recession Hearing and Continued Hearing**

Tom Bott explained that Mr. Tonsberg is meeting with Matt Lanza, President of the IPE Association in regards to getting the roads at IPE ready for street acceptance at the June Town Meeting. The board continued the hearing and the continued hearing.

Motion: Dave Gavigan to continue the hearing and the continued hearing until April 26, 2010 at 7:20 p.m.  
Second: Dennis Randall  
Vote: 3-0-0

**7:35 p.m. – Town Meeting Articles – Street Acceptances**

The board addressed the Street acceptances for Indian Pond Estates Phase III. As previously stated because the applicant is meeting with the President of the IPE Association, the board will continue hearing this Article until April 26, 2010 at 7:30 p.m.

Motion: Dave Gavigan to continue to April 26, 2010 at 7:30 p.m.  
Second: Dennis Randall  
Vote: 3-0-0

**7:40 p.m. – Ocean Hill Estates Phase I,II,III**

Tom Bott has spoken to the applicant's daughter and she has stated that she has no interest in the development. Town Counsel will check with the estate. Tom will contact Town Counsel to find out where responsibility lies with the completion and repair of the roads. Tom will also contact Horsley and Witten to determine cost for a report for the subdivision. The board continued the hearing until April 26, 2010 at 7:30 p.m.

Motion: Dave Gavigan to continue hearing until April 26, 2010 at 7:30 p.m.

Second: Dennis Randall

Vote: 3-0-0

**8:05 p.m. – Walking Trails at Tall Timber Estates**

The developer has provided the easements and the deeds for the walking trails at Tall Timbers. The board motioned to close the hearing and a favorable recommendation for the acceptance by the town of the walking trails.

Motion to close the hearing: Dave Gavigan

Second: Dennis Randall

Vote: 3-0-0

To suggest favorable recommendation for Town Meeting

Motion: Dennis Randall

Second: Dave Gavigan

Vote: 3-0-0

The board continued the amendments 4.4.2.1. regarding farming in R-20 zone and 6.4.2.2. regarding parking areas that allow backing onto or off a public way.

Motion: Dave Gavigan to continue hearings until April 26, 2010 at 7:30 p.m.

Second: Dennis Randall

Vote: 3-0-0

The Calista's hearing will be postponed until the outcome of the Town Meeting CPA vote.

Motion: Dennis Randall to adjourn

Second: Dave Gavigan

Vote: 3-0-0

Minutes prepared by Christine Haas