

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

PLANNING BOARD June 28, 2010
Planning Board Meeting Minutes

Members Present: Tom Bouchard, Ron Gleason, Bob Gosselin, Mike Ruprecht, Dave Gavigan and Sue Boyer. Secretary out sick. Sue Boyer is taking the minutes.

7:00 p.m. -Meeting opened

Roll Call

Tom asked the board to review the June 14th meeting minutes. Tom Bott said if there were multiple changes, it would be better to wait until secretary was available. No changes were necessary.

Motion: Dave Gavigan to approve minutes of June 14, 2010

Second: Bob Gosselin

Vote: 4-0-0

Discussion regarding agenda closing time in regards to new Open Meeting Law.

Ron Gleason would like to motion to adopt the Thursday date at noon as a closing time for the agenda

Motion: Ron Gleason

Second: Mike Ruprecht

Vote: 5-0-0

There were no bills to pay.

7:10 p.m. – Site Plan O’Donnell Parking Lot – 47 Marion Drive

The applicant has requested a continuance for the O’Donnell parking lot.

Motion: Mike Ruprecht to continue site plan until July 12, 2010 at 7:00 p.m.

Second: Ron Gleason

Vote: 5-0-0

Tom Bott said that the ground breaking for the Kingston Senior Center will be at 10:00 am on Monday.

7:15 p.m. – Site Plan Colonial Shell Used Car License

David Phelan is requesting site plan approval for a 10 car used car sales to supplement repair/sticker business. He has sub-leased to someone else to sell gas. Tom Bott stated that it is a site plan with parking and no physical changes to the site. They will be required to get a special permit from the zba for used cars sales on both sides of the display. Tom Bouchard stated we are not approving the car sales, just the site plan. Bob asked about additional signage and applicant stated none at this time. Applicant addressed Mike’s concerns about placing of the cars, stating that they will be behind the bump out of the building. Tom Bouchard said it looks fine and applicant seems to run a good business. Applicant stated most sales will be done thru Craig’s List. Dave asked how many cars can the property hold. Dave Phelan, applicant, stated 3 deep to front of the street and parking for 30 cars.

Motion: Ron Gleason favorable action on the site plan
Second: Bob Gosselin
Vote: 5-0-0

Mike Ruprecht added with business hours being M-F 8 a.m. til 6 p.m.

7:25 p.m. – Site Plan Wind Turbine Cranberry Rd

Weston and Sampson provided a report which addressed flicker and stating smaller scale turbines have more of an issue. Conservation requires identification of wetlands at the site. Fire Dept. questioned repeaters on turbines? Weston and Sampson said likely not if it does not produce energy. Ron Gleason stated W&S have addressed all the boards' concerns flicker, sound and wetlands.

Motion: Favorable action for wind turbine site plan
Second: Mike Ruprecht
Vote – 5-0-0

Mark Beaton stated that there might be a height addition of up to 15-20 ft. just as an fyi

Tom Bott stated that 4.16.4.1 says no higher than 400 ft. Applicant must present evidence as a minor adjustment was put into 2007 by-law and 2010.

7:45 p.m. – Wind Turbine O'Donnell Property

Rick Klineman was present for the O'Donnell site plan. Mary O'Donnell was also present at the meeting. Applauded town's efforts to go green. Rich fedexed a package to all members which included plans, and studies. He has approval from National Heritage, and an application in with FAA. Flicker has a low level affect to any properties for a few hours a year. It also meets set back requirements. Height limit to be kept and bigger blades would be used to capture wind based on this wind regime. 18 ft. ht. waiver for 418' maximum. Discussion of time limits. Federal limits end of the year, state funds capped at first come first served. Any meaningful delay could end the project. In regards to site review – previous experience says it happens at the end of building permit time. Landscape would be a natural wildflower mix. Ron asked if the wetlands had been identified. Applicant stated that construction should not impact smelt pond or the river in the area. Economy of scale – 5 versus 1 wind turbine. 1000 ft. between all four turbines. It's a matter of capacity. Fit as much as you can to maximize the amount captured. Mike asked about consultant for peer review. Tom Bouchard asked Paul Armstrong what he thought and what issues he had. Paul said he had no real issues. Bob asked if setbacks go over lot lines can someone build near the turbine like a garage. Rich said that they can build near the turbine. From Commercial and Residential structure potential is limited. Discussion continued regarding reclamation in disturbed areas, manufacturing for green energy, Town being part of operations and maintenance town gets a bonus. Mary explained they would have to put certain materials down which will allow use of cranes. Tom Bouchard stated the town is concerned about dust and the disturbed areas. Tom Bott stated:

- 1) The setbacks are touching the roof line of the MBTA neither commercial nor residential.
- 2) Build a garage in shadow of setbacks garage would need to stay away from the turbine
- 3) landscape issues – disturbed areas involved in the turbine

Gravel roadway to support 190' cranes and machinery could be built with repossessed materials. Areas near gravel areas should have natural mix added.

Mike said he was adamant about adding Weston and Sampson as a reviewer. Tom Bouchard said that the peer reviewer is Paul Armstrong. Tom Bouchard said the peer review will occur when Paul is reviewing construction documents. Mike said they never had a site plan that was not reviewed by a peer reviewer. Bob asked besides the technical does it meet the site plan requirements. Ron suggested approval with conditions. Tom Bouchard said they could not get permits without approval. Mary stated it was silly to review and review again. Other people will have to give stamp of approval. Tom Bouchard said that Paul looks at site plans all the time. Engineers look and find errors without reviews and the town is no more protected. Mary said they can review when there is something to review. Mike said the engineering will be ongoing. Mark Beaton said the town will spend 50k with Building inspector to review the actual site plan. The by-law says the site is appropriate use. What will happen to town is Paul Armstrong's job. Nobody here is in opposition to the plan. Nstar only has to take 1% of energy this is creating a time constraint. It meets the basic requirements of the by-law. Discussion regarding height requirements. Rich Klineman said that in order to get financial backing the height must go to 418'. Tom Bott asked if we have the best case of circumstances. Would hate to have something come about we could have avoided. Original application was May 28th, there is a 30 day comment period, 45 days to talk about it. Mary said time is money and Rich said extra days or weeks could make a difference. Contingent agreement would be better and perhaps save the project. Tom Bouchard said we are ahead of schedule and not holding anything up. Ron asked about the FAA approval. It could be approved with conditions. Tom Bouchard said site review could come later. Ron agrees with Tom Bouchard. Dave asked if fencing was required. Site does not require fencing.

Motion: Ron Gleason to approve with conditions

1. Peer review at time of equipment selection
2. Proof of liability insurance
3. Financial surety
4. Site control

Paul said the product is chosen with the site plan. All requirements of the by-law are met and a waiver for a height extension of 18' for the requirement of 418'. (?) 4.16.8.3; 4.18.3.3; 4.16.4.3

Second: Mike Ruprecht

Vote: 5-0-0

8:35 p.m. ANR to adjust 2 lots of Kennedy Donovan Center

Motion: Mike Ruprecht to endorse the plan as presented

Second: Ron Gleason

Vote: 5-0-0

8:45 p.m.

Motion: Dave Gavigan to adjourn

Second: Ron Gleason

Vote: 5-0-0

