



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

**PLANNING BOARD January 12, 2009**  
**Planning Board Meeting Minutes**

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

**7:05 p.m. – Meeting Opened**

The Board reviewed 3 sets of minutes. November 24, 2008, December 8, 2008 and December 22, 2008.

Motion: Tom Bouchard to approve minutes of November 24, 2008  
Second: Mike Ruprecht  
Vote: 4-0-0

Motion: Mike Ruprecht to approve minutes of December 8, 2008 with changes  
Second: Tom Bouchard  
Vote: 4-0-0

Motion: Tom Bouchard to approve minutes of December 22, 2008  
Second: Mike Ruprecht  
Vote: 4-0-0

**7:30 p.m. – Special Permit and Site Plan for Dunkin Donuts**

BSC Group wanted the Board to know that they had recently performed a traffic study for Dunkin Donuts in Quincy; they do not believe they will have a conflict of interest. Tom Bouchard and Mike Ruprecht have no problem with that. Dennis Randall wants to know if the traffic count was done in December of 07 or 08. He would like more information on the traffic count. Jack O’Leary of Merrill Assoc. explained to the board that the existing Dunkin Donuts at the Gulf Gas Station, has a contract until 2010 with Cumberland Farms. He was unaware of that at the opening of the hearing. Tom Bott explained that on January 26<sup>th</sup> when the applicant comes back, they will be one member shy of a full board. Mr. O’Leary wants to go forward anyway on the 26<sup>th</sup>.

Motion: Tom Bouchard to continue the hearing until January 26, 2009 at 7:30 p.m.  
Second: Mike Ruprecht  
Vote: 4-0-0

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**7:45 p.m. – Tall Timber Phase IV**

Brad McKenzie, Dana Miller and Peter Opachinski were present for the hearing. The applicants discussed the sidewalks, drainage, and catch basins. They also stated they won't need temporary easements from the abutters. They explained once the Town accepts the roads and walking trails the maintenance for both would become the responsibility of the Town. There will be posted signs for all terrain vehicles that continue to be a problem. The board reviewed the list of waivers requested by the applicant that are a tradeoff for the sidewalks they are installing.

Motion: Tom Bouchard to close the hearing  
Second: Mike Ruprecht  
Vote: 4-0-0

Motion: Tom Bouchard to approve the Special Permit  
Second: Mike Ruprecht  
Vote: 5-0-0

Motion: Tom Bouchard to approve the subdivision with waivers  
Second: Mike Ruprecht  
Vote: 4-0-0

Motion: Tom Bouchard to approve the site plan  
Second: Mike Ruprecht  
Vote: 4-0-0

**8:25 Tree Farm Landing Subdivision**

Christian Farland of Merrill Assoc. was present. He explained that the easements have been addressed and the zoning by-law issue. The board discussed the three conditions for approval for the subdivision. The nitrogen regulatory plan, that proper site distance is shown on the plan, and that the account is brought up to date.

Motion: Mike Ruprecht to close the public hearing  
Second: Tom Bouchard  
Vote: 4-0-0

Motion: Mike Ruprecht to approve the subdivision with the 3 conditions noted above  
Second: Tom Bouchard  
Vote: 3-1-0

Motion: Mike Ruprecht to approve the Special Permit  
Second: Tom Bouchard  
Vote: 4-1-0

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Motion: Mike Ruprecht to approve the Site Plan with the 3 conditions noted above

Second: Tom Bouchard

Vote: 3-1-0

**8:55 p.m. – Amendments to Smart Growth Design Standards and Rules and Regs**

Tom Bott explained that he sent to the Town Administrator the Design Standards language before the January 9, 2009 deadline for the warrant. He also informed Don Schmidt that there is a possibility that the previously rejected Design Standards may appear as by-law changes. He also received a letter from Mr. Schmidt at the end of the day, stating that the DHCD would not approve zoning regulations allowing the “Approving Authority” to require additional parking within the Smart Growth Zoning district. As to restricting road access within the conscom/rec sub-district, further information will be required including documentation explaining how such restriction furthers the principal of smart growth land development. (Tom Bouchard left for an emergency). Tom Bott stated he is still waiting to hear from Town Counsel for a second opinion on Mr. Schmidt’s comments.

Motion: Mike Ruprecht to continue the hearing until February 9, 2009 at 7:35 p.m.

Second: Dave Gavigan

Vote: 4-0-0

**9:10 p.m. – O’Donnell Storage Unit**

The Site Plan presented by Mr. O’Donnell is still incomplete for the storage building. Tom Bott has not received any correspondence back from the applicant since his last letter to them, which explained what is needed for a complete application.

9:15 p.m. Discussion regarding Site Walk and comments relative to Pond Properties 40B Application.

Tom Bott sent a letter to other department heads and commissions for their review of the Pond Properties 40B. Their comments and the Planning Boards comments will be sent to the State, as they have requested.

1. Design Standards in regards to driveways
2. Buffer issue
3. Leaching fields
4. Sewer capacity
5. Smelt Pond
6. Density on the site

The board signed bills and adjourned at 9:50 p.m.

**January 12, 2009**