



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

**PLANNING BOARD February 25, 2008**  
**Planning Board Meeting Minutes**

Members Present: Thomas Bouchard, Mike Ruprecht, Susan Farrell, Dennis Randall, Susan Boyer and Thomas Bott.

7:15 p.m. – Meeting Opened

**40R Update**

Secretary Ian Bowles has issued a Draft Record of Decision and has determined that the waiver request has merit, which allows the applicant to proceed with design and permitting of Phase 1 of the project.

**Discussion regarding plowing and sanding of private ways**

The board discussed the plowing and sanding of private ways that have not yet been accepted by the town, and to find ways to have the developers maintain their own roads, until the Town accepts them. The town doesn't accept roads until they are completed. The board discussed having a regulation that would require developers to maintain their own streets in their development. For developments that are already built, where roads are not complete, the board suggested giving those developments 2 years to comply with the proposed regulations. Thereby giving an incentive to finish the roads and get the streets accepted. Thomas Bouchard said that he would like Thomas Bott to contact other surrounding towns to see how they handle the acceptance of roads and the maintenance of them.

Motion: Dennis Randall  
2<sup>nd</sup>: Mike Ruprecht  
Vote: 5-0-0

**7:45 p.m. – 71 Evergreen St. – Site Plan**

Rick Grady was present was present to update his previously filed site plan. He provided the board with a new plan as he had reduced the size of the building to a 1 story, and he is maintaining the 25 ft. no build zone. He has received approvals from the ZBA and Conscom. He has 9 parking spaces. There was some discussion regarding turn around and backing out of parking spaces onto the street. Rick explained there was enough room to pull out, without backing out onto Evergreen St. Rick will provide the board a new site plan showing the improvements. He will also add screening on the south side of the property.

## Planning Board Meeting Minutes February 25, 2008

Motion: Dennis Randall to approve the site plan  
2<sup>nd</sup>: Susan Farrell

### **8:00 p.m. Town Meeting Articles**

Article 1 -: To see if the Town will vote to amend the Zoning By-Laws Section 3.1. by adding the words” Residential –80 District, or take any other action relative thereto”

Motion: Susan Farrell- Favorable recommendation  
2<sup>nd</sup>: Mike Ruprecht  
Vote: 4-0-0

Article 2 - To see if the Town will vote to amend the Town of Kingston Zoning By-Laws in Section 4.15. entitled 1021 Kingston’s Place Smart Growth District, Section 4.15.2. Scope and authority. by striking the third sentence and inserting in place thereof the following new sentence: “When a building permit is issued for any Development Project for which Site Plan Approval has been granted, all of the land shown on the Site Plan which was submitted pursuant to Section 4.15.13. of this By-Law shall be developed pursuant to this Section 4.15. and shall not be developed pursuant to the Underlying Zoning.” Or take any other action relative thereto.

The board would like to wait to hear from Town Counsel.

Article 3 - To see if the Town will vote to amend the Town of Kingston Zoning By-Laws in Section 4.16. Wind Turbine Overlay District, Section 4.16.10.6. **Compliance Documents** by amending the sections referenced in sub items as follows:

- a) strike referenced 8.3. and insert in its place thereof the following 4.16.8.3.
- b) strike referenced 3.3. and insert in its place thereof the following 4.16.3.3.
- c) strike referenced 6.3. and insert in its place thereof the following 4.16.6.3.,

Motion: Dennis Randall – Favorable action  
2<sup>nd</sup>: Susan Farrell  
Vote: 4-0-0

Article 4 - To see if the Town will vote to amend the Town of Kingston’s Zoning Map by expanding the Wind Turbine Overlay District to include two new parcels. Parcel one being identified on the Assessor’s Map 82 as Lot 2. Parcel one lying off of Country Club Way and containing 32.95 acres more or less. Parcel two being identified on the Assessor’s Map 100 as Lot 3-1. Parcel two lying off of the town line separating Kingston from Plymouth and containing 3,150 + or - square feet, both parcels as shown on a plan on file with the Kingston Town Clerk, or take any other action relative thereto.

Motion: Dennis Randall to postpone action  
2<sup>nd</sup>: Susan Farrell  
Vote: 4-0-0

## Planning Board Meeting Minutes February 25, 2008

Article 5 - To see if the Town will vote to amend the Town of Kingston General By-Laws by adding a new Chapter 25 entitled "Light Conservation By-Law" as shown on the document entitled "Lighting Conservation By-Law" and on file with the Town Clerk and posted at the Kingston Public Library and on the Town's web site at [www.kingstonmass.org](http://www.kingstonmass.org), or take any other action relative thereto

The board had no recommendation.

Article 6 - To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use of a certain parcel of land located on Prospect Street and shown on Assessor's Map 67, as Lot 26-1, by changing the designation from Industrial (I) to Residential 20 (R20). (Petition)

Motion: Dennis Randall – Favorable Action

2<sup>nd</sup>: Susan Farrell

Vote: 4-0-0

Article 7 - To see if the Town will vote to amend the Zoning By-Laws in Section 4.4. Residential-20 District (R20) by adding a new Section 4.4.4.10. to read as follows:

4.4.4.10. Conversion or re-use by a purchaser from the Town of a building formerly built, owned and/or used as a municipal building, to or for one or more of the following uses: Office, Executive or Administrative; Artist Studio and/or Gallery.

Or take any other action relative thereto. (Petition)

The board would like to get clarification on certain language. Will address at next meeting.

Article 8 - To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use of certain parcels of land by changing from Residential 40 (R40) to Commercial/Industrial (CI) lots located on Wapping Road and shown on Assessor's Map 52 as Lots 6,7,8,9, and on Assessor's Map 42, Lot 8. (Petition)

Or take any other action relative thereto.

Motion: Dennis Randall to stall until next meeting. The board needs clarification from proponent

2<sup>nd</sup>: Susan Farrell

Vote: 4-0-0

Articles 9,10,11,12,13 To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use on certain parcels of land from Residential-20 (R20) to Commercial, said parcels being located at 146 Summer Street and shown on the Assessor's Map 27 as lot 10 or take any other action relative thereto. (Petition)

To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use on certain parcels of land from Residential-20 (R20) to Commercial, said parcels being located at 6 Keith Avenue and shown on the Assessor's Map 27 as lot 3 or take any other action relative thereto. (Petition)

## **Planning Board Meeting Minutes February 25, 2008**

To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use on certain parcels of land from Residential-20 (R20) to Commercial, said parcels being located at 2 Keith Avenue and shown on the Assessor's Map 27 as Lot 9 or take any other action relative thereto. (Petition)

To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use on certain parcels of land from Residential-20 (R20) to Commercial, said parcels being located at 8 Keith Avenue and shown on the Assessor's Map 27 as Lot 2 or take any other action relative thereto. (Petition)

To see if the Town will vote to amend the Zoning Map of the Town of Kingston by changing the classification of use on certain parcels of land from Residential-20 (R20) to Commercial, said parcels being located at 4 Keith Avenue and shown on the Assessor's Map 27 as Lot 7 or take any other action relative thereto. (Petition)

Motion: Dennis Randall – Unfavorable Action

2<sup>nd</sup>: Mike Ruprecht

Vote: 4-0-0

### **10-00 p.m. - 73 Evergreen St. – Special Permit**

The Board met with Frank Westgate and Joe Webby to discuss the completion of the Special Permit. Joe said the drainage was adequate, they would install a septic system in place of sewer. He also said he would prefer landscaping in place of the fence.

Motion: Dennis Randall to close the public hearing

2<sup>nd</sup> : Susan Farrell

Vote: 4-0-0

Motion : Dennis Randall to approve the site plan

2<sup>nd</sup>: Mike Ruprecht

Vote – 4-0-0

Motion: Dennis Randall to approve the Special Permit

2<sup>nd</sup>: Susan Farrell

Vote: 5-0-0

### **10:00 Independence Mall – Special Permit to Modify Parking**

The board reviewed the Inspection and Maintenance agreement and with some minor changes, approved the agreement. Rick Trabyinski of Atlantic Design discussed Raboth Rd. relocation of 40 ft. closer to the Mall. Mr. Robichau is still not satisfied with the change in the road and is concerned about trespassers onto his property, however the Mall has moved the road closer to the Mall and is still within it's own property line. The board suggested Mr. Robichau post a no trespassing sign on the property. Tom Bouchard also reminded him that he has done well considering this is a lot that can't be built on.

## **Planning Board Meeting Minutes February 25, 2008**

Dennis Basario would like to form an association and would like to sit down with Mark Wagner. They will meet at a later date.

The board motioned to close the public hearing.

Motion: Mike Ruprecht

2<sup>nd</sup>: Susan Farrell

Vote: 5-0-0

Motion to accept the Inspection and Maintenance Agreement.

Motion: Dennis Randall

2<sup>nd</sup>: Mike Ruprecht

Vote: 4-0-0

Motion to approve the Special Permit dated August 7, 2007

Motion: Susan Boyer

2<sup>nd</sup>: Mike Ruprecht

Vote: 5-0-0

Motion to accept the Site Plan dated February 25, 2008

Motion: Susan Farrell

2<sup>nd</sup>: Mike Ruprecht

Vote: 4-0-0

10:40 p.m. The board signed bills for BSC Group for William Gould Way.

The board motioned to close the meeting

Motion: Dennis Randall

2<sup>nd</sup>: Susan Boyer

Vote: 5-0-0