



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

**PLANNING BOARD March 10, 2008**  
**Planning Board Meeting Minutes**

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

**7:20 p.m. – Meeting Opened**

**7:25 p.m. – Public Hearings for Town Meeting Articles**

The board motioned to suspend reading of the hearing notice

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

**7:30 p.m. – Article 42 - Tall Timbers Phase III Street Acceptance and Bond Reduction**

Discussion regarding the bond reduction. Thomas Bott and Paul Basler, after visiting the site, had suggested that the bond be reduced from \$49,000 to \$24,000 with no contingency. If the board added the contingency, it would bring the amount to \$33,600. The board motioned to reduce the bond to \$24,000 plus the 40% contingency. Bond amount set at \$33,600. The board will discuss the street acceptance later in the meeting.

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

**7:35 p.m. – Article 43 - Village at Russell Pond Street Acceptance**

Carl Erickson was present and explained that the basins have been repaired, except the adjacent basin at Indian Pond Estates, which he will inspect in the next 2 weeks. He stated he would need to go before the Selectmen after meeting with the Planning Board. Presently there is \$37,800 held in a bond with a 40% contingency. Carl Erickson will come back after the IPE basin is cleaned and the board motioned to continue the meeting until March 24, 2008 at 7:30 p.m.

Motion: Susan Farrell  
Second: Dennis Randall  
Vote – 4-0-0

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### **7:40 p.m. – Article 19 -Smart Growth Article**

Dennis Randall stated that at the least hearing the board motioned that no action was required. The Board moved on to the next article.

### **7:45 p.m. – Article 20 – Wind Turbine**

Dennis Randall suggested holding off on any action until we have more information and an objective evaluation. Susan Boyer stated there was a Wind Turbine report at the library.

The board motioned to continue the hearing until March 24, 2008 at 7:30 p.m.

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

### **7:55 p.m. – Article 32 – Dark Sky By-Law**

The board not ready to recommend this article without more information

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote – 4-0-0

### **8::00 p.m. – Article 34 – Amend Zoning Map Classification Changes**

Prospect St property shown on Assessors Map 67 as Lot 26-1, by changing the designation from Industrial to R-20 Zoned. The Board gave favorable recommendation at last meeting.

### **8:05 p.m. – Article 35 – Conversion of Town owned buildings**

The board put this off until later in the meeting when Thomas Bott returned.

### **8:10 p.m. – Article 36 – Wapping Road Zoning Change from residential to Commercial/Industrial**

Dennis Randall read a letter from Ken Moalli to the board and into the minutes about his concerns for the zoning change. Kevin Wrightington in favor, Gary Pasielle in favor, Sandy MacFarlan in favor. Arlene Mapplehatch in favor, Mike Kelleher in favor. Dennis Randall stated that the zoning change should not be based on personality of the present applicant or what he has done with his property in the past, but rather what could possibly be done with the land in the future after it is rezoned that could possibly have a negative impact on the town. Sue Boyer asked what it was about the Industrial zoning that appealed to the applicant. Pat Kelleher said the size of the building he could put on the property. He has 17 acres and would like to put up a

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20,000 sq. ft. building. Thomas Bouchard said the board should let it go to Town Meeting with no recommendation from the Planning Board, as nobody felt comfortable with the Commercial/Industrial zoning for this spot. The board motioned to continue the hearing until March 24, 2008 at 7:30 p.m.

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

### **8:25 – Articles 37, 38, 39, 40, 41 Summer Street and Keith Avenue Zoning Change**

The Board had recommended unfavorable action at the previous hearing, and therefore the applicants have withdrawn their petitions.

### **8:30 p.m. – The board recessed for 10 minutes**

### **8:40 p.m. Feb. 11, 2008 and Feb. 25, 2008 Minutes**

The board reviewed the Minutes of Feb. 11, 2008

Motion: Dennis Randall to approve  
Second: Susan Farrell  
Vote 4-0-0

The board reviewed the minutes of Feb. 25, 2008

Motion: Mike Ruprecht  
Second: Susan Farrell  
Vote – 4-0-0

Thomas Bouchard asked the board to please review the minutes before the meetings to save time.

### **9: 00 p.m. – Indian Pond Estates Hearing**

The board motioned to continue the hearing until March 24, 2008 at 7:33 p.m.

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

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### **Tall Timbers Estates Special Permit Hearing and Definitive Subdivision Hearing**

The board motioned to continue the Special Permit hearing until March 24, 2008 at 7:45 p.m.

9:20 p.m. - The Board reviewed and reconsidered the decision and vote for the Bond Reduction for Tall Timbers Phase III. There was a discrepancy calculating the bond reduction

The board motioned to rescind their earlier motion for a \$33,600 bond amount.

Motion: Dennis Randall to rescinding the vote earlier in the meeting for a \$33,600 bond amount  
Second: Mike Ruprecht  
Vote: 4-0-0

Discussion regarding outstanding bills to Henry Nover for Phase III and Phase IV. Peter Opachinski discussed reducing the bond to free up money to pay Henry Nover's engineering review bills, and having him go back out for a final review, once the bills were paid. Discussion regarding remaining items to be completed. Regarding the trails, Peter reminded the board that he was not building the trails, simply donating the land to the town for the trails. Points and survey has been completed. Update and discussion on new bond amount from Mr. Nover's recommendations. Dennis Randall motioned to reduce the bond amount from \$49,000 to \$12,000 plus 40% contingency.

Motion: Dennis Randall to reduce bond amount from \$49,000 to \$16,800  
Second: Mike Ruprecht  
Vote – 4-0-0

Discussion regarding a meeting with Peter Opachinski, Henry Nover, Thomas Bott and Thomas Bouchard regarding engineering review procedures. Peter Opachinski has issues with the 4 hour minimum for site visits and writing reports, and feels engineer should combine as one billing to accommodate his 4-hour minimum billing policy.

### **9:30 p.m. – Article 35 – Conversion of Town owned buidlings**

The board discussed this article again, as Mr. Bott was present and the will ask Kevin Donovan to approve going to Town Counsel for advice on this article.

Continue until March 24, 2008 at 7:30 p.m.

Motion: Dennis Randall  
Second: Mike Ruprecht  
Vote: 4-0-0

### **9:40 p.m. – Cranberry Crossing Special Permit - Minor Amendment**

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Rob Krause sent letter to the board, requesting to amend the name for the coffee kiosk in Cranberry Crossing to R.K. Kingston, LLC to reflect the name of the new owner. Thomas Bott stated he had just received the correspondence from Rob Krause and that he would discuss with Paul Armstrong and Mr. Krause later in the week.

The board signed the site plan for Independence Mall

The Board motioned to adjourn at 9:45 p.m.

Motion: Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0