



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

**PLANNING BOARD March 9, 2009**  
**Planning Board Meeting Minutes**

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

**7:05 p.m.** Meeting opened

**Open Forum** – Nobody present for Open Forum

The Board reviewed the minutes of January 26, 2009

Motion: Tom Bouchard to approve minutes of January 26, 2009

Second: Dave Gavigan

Vote – 4-0-0

The board reviewed the minutes of February 9, 2009

Motion: Mike Ruprecht to approve the minutes of Open Session of February 9, 2009

Second: Tom Bouchard

Vote: 3-0-1

Dave Gavigan present not voting

The board reviewed the Executive Session minutes of February 9, 2009

Motion: Mike Ruprecht to approve the minutes of February 9, 2009 Executive Session

Second: Tom Bouchard

Vote: 3-0-1

Dave Gavigan present not voting

The board reviewed the minutes of February 23, 2009

Motion: Dave Gavigan to approve the minutes of February 23, 2009

Second: Tom Bouchard approve with changes

Vote: 3-0-1 approve with changes

Mike Ruprecht: Present not voting

**March 9, 2009**

**40R Update**

Tom Bott forwarded copies of the proposed zoning changes and application fee schedule to Thorndike Development through their engineer who was meeting with Paul Armstrong this week. He also forwarded a copy of the application fee hearing notice to the Finance Committee and Town Treasurer for their information.

**Communications**

The board discussed a memo sent by Jack Healy, interim Town Administrator, regarding information presented to the Selectman's office that he would like all boards to comment on. Dennis Randall stated that P.A. Landers is not a reputable company and that Kingston has no use for the offer. Discussion regarding Lander's reputation. The board is not in favor of the offer. The board motioned to send a memo to the Town Administrator stating that the Planning Board has grave reservations of negotiating with PA Landers.

Motion: Tom Bouchard to send memo to the Town Administrator stating the Planning Board has grave reservations about negotiating with PA Landers.

Second: Mike Ruprecht

Vote- 4-0-0

**7:45 p.n. – Cadette - Dunkin Donuts**

The board motioned to continue Dunkin Donuts, at the applicant's request, to March 23, 2009 at 8:00 p.m.

**7:50 p.m. – DSR – Olde Colonial Village -Special Permit Modification**

Frank Westgate was before the board for a minor grade change. . He would like to increase the grade 3%. He said it would not change the footprint. However he agreed the height of the buildings would change. The board motioned to allow the change to be a minor modification, and another permit would not have to be filed.

Motion: Tom Bouchard to allow the change to be a minor modification, and another permit would not have to be filed.

Second: Dave Gavigan

Vote: 4-0-0

Tom Bouchard suggested having the peer reviewer look at the plan. Applicant will have to replenish the engineering account. An estimate of the cost can be done by Webby. Applicant asked if he could use the sketch he presented to the board. Tom Bott stated the plan needs to show drainage, etc. and he could use his sketch to obtain an estimate, but full plans would have to be drawn up by Webby and presented to the board.

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**8:05 p.m. Wingate**

The applicant would like to expand their Alzheimer's Unit. No new beds just a common area and a computer station. Tom Bouchard stated he saw no problem with that at all and that Wingate has always completed what was asked of them. He considered this a quality of life issue. Mike Ruprecht asked if Tom Bott would send a letter or inform Paul Armstrong that the Planning Board was in favor of the addition.

Motion: Mike Ruprecht to have Tom Bott send a letter or inform Paul Armstrong that the Planning Board was in favor of the addition.

Second: Dave Gavigan

Vote: 4-0-0

8:10 p.m. – The board took a recess.

**8:20 p.m. – Amendments to Kingston Smart Growth Design Standards and Rules and Regs Governing the Subdivision of Land**

The board reviewed and voted on the following amendments:

**3.5.4.1. Developer would submit an “as built plan” prior to final paving.**

Motion: Tom Bouchard to approve 3.5.4.1.

Second: Mike Ruprecht

Vote – 4-0-0

**4.2.2.1. – Classification of Streets, and pavements widths would not change. Eliminate 40 ft. right of way and instead 50 ft. right of way.**

Motion: Tom Bouchard to approve 4.2.2.1.

Second: Mike Ruprecht

Vote: 4-0-0

**4.10.4.2. – Catch Basins - require 4' Sumps and Hoods**

Motion: Mike Ruprecht to approve 4.10.4.2.

Second: Dennis Randall

Vote: 4-0-0

**4.10.4.6. – Allow RCP or HDPE Drainage Pipe**

Motion: Tom Bouchard to approve 4.10.4.6.

Second: Mike Ruprecht

Vote: 4-0-0

**March 9, 2009**

**4.11.1. – Option to use Permeable Materials for Low Impact Developments**

The Planning Board “will allow” permeable materials to be used.

Motion: Tom Bouchard to approve 4.11.1.

Second: Mike Ruprecht

Vote: 4-0-0

**4.11.1.2. – Minimum pavement width for bikeways and walkways; 8’ for bikeways and 4’ for walkways**

Motion: Dave Gavigan to approve 4.11.1.2.

Second: Mike Ruprecht

Vote: 4-0-0

**4.11.1.5. – In addition to the sidewalk required in Section 4.9.1.a bike path shall be required on the opposite side of the right of way from sidewalks**

The board felt this would be too costly for the town to maintain and may not be financially feasible. The board requested the Open Space Committee come before the board and explain their position.

**5.1.9.1. As built plan required at time of lot releases. As built plan shall be prepared and submitted to the Planning Board Office for review.**

Motion: Dave Gavigan to approve 5.1.9.1.

Second: Tom Bouchard

Vote: 4-0-0

**5.2.2. – Elimination of 40’ Right of Way**

Right of Way shall be 50’ in place of the 40’

Motion: Tom Bouchard to approve 5.2.2.

Second: Dave Gavigan

Vote: 4-0-0

**5.2.6 - Low Impact Development Standards for curbing**

The Planning Board may waive vertical granite curbing.

Paul Basler will come in and explain.

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**5.3.4.2. Use of HDPE Pipe**

In place of reinforced concrete pipe, comparable high density polyethylene pipe may be used if deemed appropriate by the Planning Board.

Motion: Mike Ruprecht to approve 5.3.4.2.

Second: Tom Bouchard

Vote: 4-0-0

**5.3.7.4. – Night Sky By-law – Full cut-off light fixtures**

A light post 8' high shall be installed at the edge of the road layout. The light shall be full cut off light fixtures to limit excessive illumination of the night sky, equipped with a photosensitive cell, set to operate from dusk til dawn and be connected to the property owner's electrical service, it shall be the property owner's responsibility to maintain the light fixture.

Motion: Mike Ruprecht to approve 5.3.7.4.

Second: Tom Bouchard

Vote: 4-0-0

**5.4.4. Pervious Pavement Sidewalks**

The Planning Board will allow the use of permeable materials, including permeable pavement for bikeways, pedestrian walkways or trails.

Motion: Tom Bouchard to approve 5.4.4.

Second: Mike Ruprecht

Vote: 4-0-0

The board motioned to continue the hearing until March 23, 2009 at 8:15 p.m.

Motion: Tom Bouchard to continue the hearing until March 23, 2009 at 8:15 p.m.

Second: Mike Ruprecht

Vote: 4-0-0

**Earth Removal By-Law**

Dennis Randall gave the board an update on the Earth Removal By-law Committee. He stated no motion has been made, at this time they are only making modification to the existing law.

The board motioned to close the meeting at 9:25 p.m.

Motion: Tom Bouchard

Second: Dave Gavigan

Vote: 4-0-0