



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

PLANNING BOARD April 13, 2009
Planning Board Meeting Minutes

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

7:05 p.m. Meeting opened

40R Update

Tom Bott gave the board an update on the 40R site plan. Tom spoke with Lindsay Wilson who stated the site plan would be brought in any day. He also spoke to Don Schmidt who said that the proposed application fees cannot be to create revenue, but rather reflect the cost of the in house processing of the application. The roundtable proposed for this week would be re-scheduled for after the application is brought in. Tom Bott suggested putting off the discussion on the application fees for the next meeting. The board has 30 days to review the application and 120 days to approve. The application if it comes in this week, would be an incomplete application because the application fees would not be included. The board however will begin to review it. The board suggested asking for a 30 day extension for review from Thorndike, until the application fees are approved.

Motion: Mike Ruprecht to request a 30 day extension from Thorndike Development due to the fee schedule not being in place

Second: Tom Bouchard

Vote- 4-0-0

Tom Bott also informed the board that The DeRicco's are appealing the court decision through the appellate court.

Mike Ruprecht stated that although he missed the February 23rd meeting, he has read all the minutes in regards to the Dunkin Donuts Special Permit, and has signed off on the appropriate paper work and feels that he is knowledgeable enough to vote tonight on the Special Permit.

7:20 p.m. – The board reviewed the minutes of March 23, 2009. The board motioned to approve the minutes with a change.

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Motion: Tom Bouchard to approve minutes of March 23, 2009 with a change

Second: Dave Gavigan

Vote – 3-0-0

Mike Ruprecht present not voting

Mr. Bott explained that at the June 2, 2009 Special Town Meeting, there will be an article to correct the Tall Timbers Road acceptance to read “Pine Hill Drive” instead of “Pine Hill Rd.” The board motioned to give favorable action for the article.

Motion: Mike Ruprecht to give favorable action in support of Article that would correct “Pine Hill Rd.” to Pine Hill Drive”

Second: Tom Bouchard

Vote: 4-0-0

Discussion regarding dates for future meetings to compensate for the May 25th meeting falling on Memorial Day. Tom Bott suggesting scheduling a joint meeting with Plymouth and Duxbury on May 11th for the Storm Smart Coast Grant, and scheduling another meeting May 18th for regular Planning Board agenda items.

Motion: Dennis Randall to reschedule our May 11, 2009 meeting to a Joint Meeting with Plymouth and Duxbury to discuss the Storm Smart Coast Grant, And to add another Planning Board meeting May 18th for regular Planning Board agenda items.

Second: Tom Bouchard

Vote 4-0-0

7:30 p.m. IPE Modification, Rescission

Motion: Tom Bouchard to continue the hearing until April 27, 2009 when Town Counsel will be present

Second: Mike Ruprecht

Vote- 4-0-0

7:33 p.m.- IPE Municipal Charges Owed

This hearing has been closed. There is no need to continue. Now the board just needs to deliberate when Town Counsel is available April 27, 2009

Motion: Tom Bouchard suggested that the Board deliberate at the April 27, 2009 for the IPE Municipal charges owed the Town when Town Counsel is available.

Second: Mike Ruprecht

Vote: 4-0-0

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7:35 p.m. – Village at Russell Pond Update

Carl Erickson and Mr. Bristol of Bristol Brothers were present to discuss work that has been done on basin that was used by Village at Russell Pond and IPE, and the repairs were done to date. The board viewed photos of the basins and surrounding areas. Jim Bristol stated the basins are adequate for the storm water. They will clean up the outfall pipes and 3 went into the basin, and they will clean those out. They need to do some seal coating and crack filling at various locations throughout the development.

Mike stated that they should have something authorizing Bristol Brothers to be on the IPE property before work begins. Tom Bott asked the board if they wanted Bristol Brothers to build a new basin or clean out and put rip-rap on the basin. Comments also referred to from Mark Casey on 2 outfall pipes.

Motion: Tom Bouchard to clean out the silt and outfall pipe and install rip-rap, and the permission to access IPE property would be between Bristol Brothers and the owner of IPE.

Second: Mike Ruprecht

Vote: 4-0-0

Tom Bott suggested, through Conscom Agent Maureen Thomas, to save the Cattails if possible.

8:00 p.m. – Cadette’s Dunkin Donuts Special Permit and Site Plan

Mike Ruprecht addressed the applicant and stated that although he missed the February 23rd meeting, he has read all the minutes in regards to the Dunkin Donuts Special Permit, and has signed off on the appropriate paper work and feels that he is knowledgeable enough to vote tonight on the Special Permit and exercising his right in regards to the Mullin Rule.

Jack O’Leary was present for the hearing. Also present was Jeff Durk of Vanesse Assoc, Traffic Engineer. The Board had received and reviewed the traffic report. He pointed out that crash studies had been done and compared to state averages, and concluded that the traffic report was in the normal range. He also noted the posted speed limit was 35 m.p.h. and that the signalization slows down the speed in the area. There is 500 ft. of available site distance. That crashes in the area are below the state average. He also stated that the existing Dunkin Donuts would remain in place until the lease with Cumberland Farms is finished. He stated on a scale of A-F traffic operation rates an E, A being the best and F the worst. Inside the plaza there is not a lot of confusion in the traffic patterns. He stated there would be some changes in the parking areas and cueing. Sue Boyer stated that it won’t help to add more business in the plaza. The board opened the discussion to the public. Jack Breen, Tremont St. Kingston, stated that he had heard that RK Crossings was looking for another restaurant for the Plaza and addressed his traffic concerns also.. Tom Bouchard felt that he didn’t want to limit the use of existing space that is vacant now, by adding the Dunkin Donuts. Bill Kavol, Town and Country Estates, stated that speed in the plaza is an issue and that the developer should consider limiting the seating to 10-12 seats. Dan

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Sapir, Main St. stated that he agreed with Tom Bouchard and that he would hope the plaza would have 100% occupancy.

The board motioned to close the public hearing

Motion: Tom Bouchard to close the public hearing

Second: Mike Ruprecht

Vote: 4-0-0

The board motioned to DENY the Special Permit and Site Plan.

Motion: Tom Bouchard motioned to deny the Special Permit and Site Plan

Second: Mike Ruprecht

Vote- 5-0-0

9:10 p.m. – Amendments to Kingston Smart Growth Design Standards and Rules and Regulations Governing the Subdivision of Land

Tom Bott stated that he had a power point presentation, but would prefer to have more time allotted and suggested rescheduling until April 27, 2009 at 7:45 p.m.

Motion: Mike Ruprecht to reschedule the power point presentation for the Amendments to the Rules and Regs.

Second: Dave Gavigan

Vote: 4-0-0

Tom Bott addressed the board in regards to the election coming up before the next meeting. He stated that if someone was elected to the Planning Board and felt that for whatever reason it became burdensome for whatever reason to continue to attend meetings, it would be preferable to have that member resign, that continue to miss meetings.

The board motioned to close the meeting

Motion: Dennis Randall to close the meeting

Second: Tom Bouchard

Vote: 4-0-0

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