



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

PLANNING BOARD May 18, 2009
Planning Board Meeting Minutes

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

7:07 pm – Meeting Opened

Dennis Randall attending a Selectmen's Executive Session. Will arrive shortly.

The board reviewed the April 13, 2009 Meeting Minutes

Motion: Dave Gavigan to approve minutes with changes

Second: Mike Ruprecht

Vote: 5-0-0

The board reviewed the April 27, 2009 Meeting Minutes

Motion: Dave Gavigan to approve minutes with changes

Second: Ron Gleason

Vote: 5-0-0

The board reviewed the May 11, 2009 Meeting Minutes

Dave Gavigan would like to see more detail on the Plymouth Kingston Planning board Meeting
Will review on June 8, 2009

7:20 p.m. – Communications

Tom Bott explained that Cadette Enterprise has appealed the Planning Board's decision not to grant the Special Permit for the Dunkin Donuts at RK Crossing He also explained that Mr. Tonsberg has appealed the suspension of the subdivision hearing for IPE Tom Bott discussed the budget that he received from the Finance Committee with the Planning Board Members.

Tom Bouchard spoke to the Board about the need for confidentiality in regards to Executive Session. A board member was approached by a member of the public, who had learned of confidential information that transpired in Executive Session regarding litigation, and was questioned about the board's vote. Tom Bouchard explained that this was very dangerous and that whoever had discussed information in Executive Session with the public or any person, would be harming the Board's ability to function and negotiate pending litigation in private. He

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cautioned the Board that any conversations that take place in Executive Session must be kept confidential under all circumstances.

Dennis Randall arrived

7:25 Senior Center Update

Paul Gallagher updated the board on the progress they have made. They have received their NOI and Order of Conditions from the Conscom. They will address Paul Basler's concerns and issues in his letter. He would like support from the Planning Board in regards to moving forward. He would like to put the project out to bid by August. He stated that the original plans have changed and that it is now a one-story building. There needs to be some mitigation in the back area and he would like the board to let him know if they have any issues, and if so, let him know so he can address them. Ron Gleason stated that he is also a member of the Senior Center Building Committee and he commended the whole committee for their hard work and facing all the challenges that were presented to them. Tom Bott explained that the Planning Board has already signed off on the site plan and that the board did not need to go over the whole thing again, they just needed to go over the changes. Tom Bouchard suggested putting it on the agenda for June 8 at 7:25 p.m. for the board to review the changes to the plans.

7:35 p.m. – 40R Application Fees Hearing

Tom Bott explained that they have hired Concord Square to help set the rates. The DHCD must approve the fees.

Mike Ruprecht stated that he agreed the board should waive the affordable housing fees. Dennis Randall does not agree. Tom Bouchard stated as long as the cost was covered, it didn't really matter.

Motion: Mike Ruprecht to waive \$20 application fee on affordable unit

Second: Ron Gleason

Vote – 4-1-0

Dennis Randall opposed

Motion: Dennis Randall adopt a \$20 per unit application fee

Second: Dave Gavigan

Vote: 5-0-0

7:46 p.m. – Hearing for Zoning Articles for Town Meeting

The board addressed the Copper Beach Drive zoning change first, taking the hearing notice article out of order, as there were many abutters at the meeting waiting for the board to address that. The article was to change the R-40 zoning to Industrial/Commercial Zone. The board discussed briefly and Tom Bouchard opened it to the public. Doug Dondero of 14 Copper Beech Drive stated that if the zoning was changed he could lose the buffer he currently has. Paul Tanis,

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6 Copper Beech Drive said that nobody asked the residents before deciding to put this on the warrant for a zoning change. He has concerns about the noise from the proposed windmill and about the buffer he now has, as well as the train, and the highway. He would like to see the area left as it is. Tom Bouchard pointed out that the present zoning will not stop a 40B from being built there. Dennis pointed out that some of the parcels are owned by the Town of Kingston. He said someone was trying to develop that and was turned down at Town Meeting. That land has been used as a buffer zone. Paul Gallagher stated that people voted to preserve the area and they didn't support the article at Town Meeting. He does not think this should go forward, and should not be moved to June 2nd meeting. That is for the town budget, not to move zoning articles. Michelle Cogliano didn't understand why the abutters weren't notified about the proposed zoning change. She also agreed with Paul Gallagher that we are in a budget crisis. Peter Cogliano said that the area has taken on a lot of projects. But they have managed to keep the integrity of the area. Tom Bouchard said this zoning change was initiated to save the neighborhood. A 40B can be built there. Mark Guidoboni said Town owned land brings no revenue to the town. One of the owners would like to put in 54 condos. There is not a lot of money in putting in a residential subdivision, and the owner he represents would rather go forward with a 40B. Lucy Bank 20 Copper Beach Drive said since he took the buffer out, they can hear the train.

Motion: Dennis Randall to close this portion of the hearing

Second: Dave Gavigan

Vote: 5-0-0

Motion: Dave Gavigan to file no report

Second: Ron Gleason

Vote: 5-0-0

The board took a 5 minute recess

9:00 p.m.- Wind Turbine Article

Mark Guidoboni addressed the board regarding this article. He explained that the property is owned by the Boy Scouts of America. He stated that the wind turbine would be located behind Kingsbury Club. The board took no action and this article and continued it until Town Meeting.

9:20 p.m. – 40R Hearing – 1021 Kingston Place

Lindsey Wilson asked for a continuance in lieu of the time and that they had a large presentation.

Motion: Ron Gleason to continue the hearing until June 8 at 7:30 p.m.

Second: Dennis Randall

Vote: 5-0-0

Lindsey also stated that he would give the board a 2 week extension as a result of asking for the continuance.

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9:25 p.m. – Special Permit 29 Cole Street

Peter Winters representing the owners. This is a condo unit complex and the owners would like to divide into 2 separate lots. Built in 1930, before zoning by-law came into effect. This change will not affect the neighborhood. Both lots have access, and traffic is not a problem. Ron asked if abutters were ok with the change. All abutters have been spoken to before the application was submitted. Paul Armstrong stated that having 2 units on one lot is very cumbersome, and this is just a practical change. There is no need to upgrade sewer or water for this. Utilities are fine as they are.

Motion: Ron Gleason to close the public hearing
Second: Mike Ruprecht
Vote: 5-0-0

Motion: Ron Gleason to grant the Special Permit
Second: Dave Gavigan
Vote: 5-0-0

9:40 p.m. – Wingate Sidewalk Plan

The board signed the Wingate Sidewalk Plan.

9:45 p.m. Economic Target Areas

Tom Bott will write a letter to the Plymouth Planning Board asking them for their support in expanding the Plymouth Target economic target areas.

Motion: Ron Gleason to have Tom Bott write a letter to the Plymouth Planning Board asking them for their support in expanding the Plymouth Target economic target areas.

Second: Dennis Randall
Vote: 5-0-0

9:50 p.m. – Budget

The board discussed the budget that was presented earlier. Tom Bott would like the board's permission to propose a \$500 increase to what the Finance Committee has proposed.

Motion: Ron Gleason to have Tom Bott write letter to Finance Committee proposing \$500 increase to the Planning board budget

Second: Dennis Randall
Vote: 5-0-0

10:00 p.m. - The board adjourned