



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

PLANNING BOARD May 8, 2006
Planning Board Meeting Minutes

Members Present: Susan Farrell, Dennis Randall, Michael Ruprecht, Thomas Bouchard, Penny Svenson, Thomas Bott

7:03 p.m. – Meeting Opened

7:09 p.m. – The Board signed departmental bills. April 24th minutes were not approved, as there were not enough members present who were at the last meeting.

The members who were present signed the Land Court Form identifying board members and their signatures.

7:10 p.m. – Lantern Lane

(Dennis Randall arrived)

Thomas Bott explained to the board that he was still waiting for Thomas Sexton to determine a bond amount for the board. Thomas Bott explained to the board he had sent a letter to Paul Armstrong voicing his concerns about sufficient controls to ensure improvements on Lantern Lane would be completed. The Board's endorsement of the plan would be tied to the certificate of occupancy and a bond. Thomas expressed concern that Kingston does not want to be in a situation where we approve improvements that cannot be completed, or have to call a bond for work that has no easements to permit it, cost more than the surety in hand, and leaves the eventual purchasers of a lot or builder of the home no way to get a certificate of occupancy. Steve Martell was present and had an issue with the minutes that did not include conversations that were had before the motion was made for a vote and conditions, regarding Paul Armstrong and the building permit. The board reviewed the minutes and agreed that the conditions that were in the minutes, namely items 5 and 6 of Thomas Sexton of Mainstream Engineering's comments of April 24, 2006 to the Board, was the vote and conditions they agreed upon. Steve Martell disagreed, and stated that the minutes should reflect that if he filed with Conscom he would be issued a building permit. Thomas Bouchard stated that the Planning Board cannot direct the Building Inspector to issue a Building Permit. Items 5 and 6 of the previously mentioned email from Thomas Sexton was what the conditions for the endorsement were. Steve Martell complained that it was taking Thomas Sexton too long to get the bond amount. He has had the information for a week. That he wants to hold the bond money for a year for the roads. Thomas Bott explained that was a requirement from the Highway Dept. Thomas Bott explained that Thomas Sexton has many projects he is working on that have been in the works longer than Lantern Lane. He said this is a buildable lot, if the roads are put in, the drainage issues are solved and easements filed and bond amounts determined. Dennis Randall asked why Mr. Martell can't just put up 18K, if that's what it takes to finish the required items that are not yet completed.

Planning Board Meeting Minutes May 8, 2006

This should protect the town more than enough, so that this project and the potential buyer wouldn't be held up. Thomas Bouchard stated that we need to have the easements signed and recorded. Steve Martell said he felt that the minutes should reflect the occupancy permit. He would like to see it in the record that certain recommendations were made to Paul Armstrong. He has spoken to Paul and he said he was ready to go. Thomas Bouchard said yes, as soon as the conditions are met. Steve Martell showed the board grants of easement he had secured. He would give the board 2 bonds, 20K for storm water management system, 5K for the roadwork. Mike said the board cannot approve a bond without an engineers input to verify amounts. Susan Farrell said they don't have the expertise to determine a bond amount. Steve Martell asked if the board could approve the "form" for the bond. The board said they did. Dennis Randall asked what type of time restraints did he have. He asked if 1-2 weeks would be alright to wait. Steve Martell said it would be. Thomas Bott said the easements looked ok. The Board rescheduled Steve Martell to return to the board on May 15th at 7:01 p.m. Issues remaining were: an operation and maintenance plan, check on the wording of the easement, and bond amounts.

7:50 p.m. – ANR Blair Drive

Vern Porter returned with the ANR with the requested topography. The Board reviewed the new plan. Thomas Bott stated that the legal frontage is on Lantern Lane and the access is adequate. The Board requested they show the road going straight back and to put bounds on the plan.

Motion: Mike Ruprecht motioned to endorse the plan with the bounds in place and the road going straight back

Second: Susan Farrell

Vote: 4-0-0

8 p.m. – ANR Bishops Highway

Glenn Dorrie from Daylor Consulting was present for the Anr plan for Sacred Heart School for the Sisters of Divine Providence. They are dividing up 232.6 acres on the south side of the grounds into 6 separate parcels for various school housings. They have 6 lots on 5 maps.

Motion: Mike Ruprecht motioned to endorse the plan as presented.

Second: Dennis Randall

Vote: 4-0-0

8:05 p.m. – Tall Timbers Phase IV

(8:06 – Mike left early to go to the airport)

Brad McKenzie gave the board an update on Phase IV, which was previously a 40B before the ZBA called Fountain Knoll Estates. The owners decided to change the venue of the project and construct a PRD (Planned Residential Development) with 80 lots. There would be 4 or 5 open space areas – which is more than is required. There are environmental issues and the land is in the aquifer protection zone, it is a turtle habitat and there are some salamander issues. 75-80% is preserved for the Natural Heritage conservation restriction. There are 300 ft. wide corridors with restrictions. The Concom wants the developer to build tunnels for the turtles. The Board and

Planning Board Meeting Minutes May 8, 2006

engineer felt this would cause too many cul-de-sacs, the same problem the developer had with their 40B application. They are trying to make more of a cluster development and a couple of retreat lots. Brad McKenzie asked the board if they would write a letter to the Natural Heritage Foundation on their behalf. The Board agreed they would. Thomas Bott said that would require a circular access and would create a loop to have two ways to get into the development in order to satisfy the fire chiefs and the ZBA's previous requests. Thomas Bouchard suggested the letter also include that the developer is already sacrificing 220 ft. of his build able property. Dennis said it was showing a spirit of compromise. Thomas Bouchard said he would review the letter before it went out.

Motion: Dennis Randall to send a letter to the Natural Heritage Foundation.

Second: Susan Farrell

Vote: 4-0-0

8:25 p.m. – Bond Reduction – MacFarlane Farms

Joe Henderson from Horsley and Witten had a report for the Board on the progress at MacFarlane Farms Estates Phase II, as there was a request for a bond reduction from Randy Bern of MFE Properties The Board motioned to reduce the Bond by \$44,100, from \$263,900 to \$219,800.

Motion: Dennis Randall to reduce the bond from \$263,900 to \$219,800

Second: Susan Farrell

Vote: 4-0-0

8:30 p.m. – Percy's Restaurant

Joe Webby brought in a new set of final plans with the additions the board had requested, a lighting plan and wheel chair access.

Motion: Susan Farrell motion to approve the site plan as presented

Second: Dennis Randall

Vote – 4-0-0

8:35 p.m. – Conceptual - 116 Main St.

Dan Orwig presented a conceptual plan for 116 Main St. with the intent to divide 2 lots for retail space. The property is zoned 3A Design District which means it is zoned for retail sales and services. They propose widening Spring St. and the turning radius. Dan Orwig asked if the board could rezone the property. Susan said they would have to see the size of the building and Dennis felt it would need a traffic study done. Thomas Bouchard asked how the board felt about the plan. Dennis felt we should ask Town Counsel about the change of zoning. The Board continued to discuss 3A Design District and Commercial Zoning for the property and what is acceptable in the 3A Design District. Dan Orwig would come back at a later date.

Planning Board Meeting Minutes May 8, 2006

9 P.M. – Marion Drive – Industrial Subdivision

Mark Guidoboni presented a conceptual 2-lot subdivision plan across from the train station on Marion Drive. It is Commercial/Industrial Zoned. He is proposing a day care center and a storage unit for the 2 lots. He said it would be level with the train station and there were some sewer issues that needed to be sorted out. He asked if he would need a Preliminary or Definitive, and Thomas Bott said he would need a Preliminary Plan for a subdivision. He will come back at a later date.

9:15 p.m. – Indian Pond Pool and Tennis Club Comments for BOS

Indian Pond Pool and Tennis Club has applied for a Victualler License for the Pool and Tennis Club. The Board of Selectmen would like comments from the Planning Board in regards to any outstanding issues the developer may have with the board. The Board discussed any remaining issues with IPE. Thomas Bouchard said that the noise and lighting issue had been resolved. The road paving was still an open issue. And also who would be maintaining lighting, water, sprinkler system and finishing of the roads. Thomas Bott would put a letter together to the BOS.

9:30 p.m. – The Board adjourned