



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

PLANNING BOARD June 22, 2009
Planning Board Meeting Minutes

Members Present: Tom Bouchard, Mike Ruprecht, Ron Gleason and Tom Bott.

Dennis Randall was at a meeting. Arrived at 7:30 p.m.

7:10 pm – Meeting Opened

Roll Call

Open Forum

Nobody present for Open Forum

The board reviewed the minutes of June 8, 2009. The board decided to postpone reviewing the minutes until the next meeting.

7:10 p.m. – Tall Timbers Phase IV Mylar

Tom Bott stated that Mary Lou Murzyn had signed off on the mylar as there were no appeals for the subdivision. The Planning Board signed the covenant. The board signed the mylar subject to compliance with all Water Dept. design regs.

7:15 p.m. – Affordable Housing Plan

Tom Bott explained the Affordable Housing plan must be approved by both the BOS and the Planning Board. He suggested a joint meeting with both boards possibly August 4th at 6 p.m. to identify potential sites. Tom explained the Community Opportunities Group is updating the plan. He would like to also bring in the MPIC to the joint meeting.

7:20 p.m. – Kennedy Donovan Conceptual Plan - 37 Crescent St.

Present - Rick Bornstein – CFO, Nancy Alison, Attorney, Mark Casey, Engineer. Applicant presented a presentation about what the center does. It is for children with developmental disabilities, such as autism, etc. Services are provided in the families homes. There would be approximately 6-8 people in the building daily. No night hours. Discussion by Mark Casey regarding a decorative fence instead of a berm. The site has 38 parking spaces, only 25 are needed. He suggested a right turn only out of access driveways. Parking spaces are 9’x18’. Applicant provided a site plan with the building on site with a floor plan and design also.

June 22, 2009

The hours of operation are 8-5. Group meeting will be in the afternoon. The second floor is the healthy families program. The members talked about lighting, fencing and planting. (7:35 p.m. Dennis Randall arrived). Ron Gleason stated he was very concerned about the suggestion of turning right coming out of the property as it's a very busy area. Mike stated that Smith's Lane has been the brunt of a lot of development and he suggested the applicant get in touch with the neighbors.

8:02 – IPE Modification Amendment or Recession Hearing

Tom Bott said that he has not heard from the court on a decision yet. Work is to start by Bristol Brothers in the dry season.

Motion: Dennis Randall to notify Bristol Brothers about the work commencement, and that Fred Tonsberg should start work ASAP and be done by July

Second: Mike Ruprecht

Vote: 4-0-0

Motion: Dennis Randall to continue hearing until July 13, 2009 at 7:30 p.m.

Second: Mike Ruprecht

Vote: 4-0-0

8:10 p.m. – 40R Smart Growth Hearing

Lindsay Wilson, Dave Eastridge and Lloyd Geisinger present for the hearing.

Dispense with the reading of the hearing notice

Motion: Ron Gleason

Second: Dennis Randall

Vote: 4-0-0

Discussion regarding questions raised at last meeting, elevations and grading concerns. The maximum cut would be 54', and 875,000 cu. yds. of soil to be removed. Will be done in Phase 2. Phase 2 would include 300,000 yds. to be removed, slip ramp to be completed during this phase also. The pace of earth removal will slow down after this initial period but continue to the end of the project. Will have 6 foot fencing to help separate construction from the site. Dave described how they propose to start construction at Marion Drive and continue to adjacent areas continuing toward the pond. Mike asked about purification for Smelt Brook. Dave explained about a ridge between the pond and Smelt Brook. This would act as a material basin(?) Discussion about parking in one area to be rear garage. The board opened the discussion to the public. Pine was interested in the Pond features. Changes may affect smelt Brook. How do we know the volume of flow to Smelt Brook. Our Town wells are drawing from the source. Will this pond offset the volume we are losing to the Town wells? How will applicant achieve infiltration. Lloyd stated he has engaged Steve Smith to study this question and it will be fully answered in the Environmental Report Statement. August 10th Hydro logs will be discussed.

June 22, 2009

Motion: Dennis to continue hearing until July 13, 2009 at 7:33 p.m.
Second: Mike Ruprecht
Vote: 4-0-0

8:48 p.m. – 40R Smart Growth Design Standards and Rules & Regs

The board dispensed with the reading of the hearing notice.

Tom Bott read the changes.

Section: 1.3.2. - In the case of inconsistency between District by-laws and Design Standards, the District by-law shall govern.

In the case of inconsistencies between applicable state or federal laws, including without limitation, state building codes or left safety codes, and these Design Standards, the applicable state and federal laws, rules and regulations shall govern.

Motion: Ron Gleason to approve Section 1.3.2.
Second: Mike Ruprecht
Vote: 4-0-0

Section: 1.3.3. Relationship to Low Impact Development principles

The Planning Board may grant waivers from the Rules and Regulations Governing the Subdivision of Land where opportunities exist to incorporate Low Impact Development strategies.

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

Section: 2.5 – Fees and Costs.

2.5 Fee and Costs (to reflect updated costs for subdivisions and Form A's

2.5.1.1. The fee for a plan submitted under Section 3.1. shall be two hundred and fifty (\$250.00) dollars for the first lot division, and two hundred (\$200.00) dollars for each additional lot division thereafter shown on the plan.

Motion: Dennis Randall to accept change in fees
Second: Mike Ruprecht
Vote: 4-0-0

Section 2.5.1.2. The minimum fee shall be five hundred dollars (\$500) or be one (\$1.00) dollars per linear foot of street shown within the subdivision on a preliminary plan, or a definitive plan if a preliminary plan is not submitted, whichever is greater. The minimum fee for a non residential subdivision shall be one thousand dollars (\$1,000) or one dollar per linear foot of street shown on the required preliminary plan whichever is greater.

Motion: Dennis Randall to accept change in fees
Second: Mike Ruprecht
Vote: 4-0-0

Section 3.4.7.3. Automatic rescission of incomplete approved subdivision

3.4.7.3. The endorsement of plan approval by the Planning Board shall be valid for a period of two (2) years from the date of said approval or such other period of time as is specified in Section 3.5.1.3. Prior to the expiration of the said approval period, the developer and/or owner shall request in writing to the Planning Board an extension of time, if necessary. Failure to request an extension of time prior to the expiration of the said approval period shall result in the Planning Board notifying the Building Inspector that no additional building permits should be issued in said development. The request for extension shall state the reasons for said extension and also the length of time requested. Extension of time shall not in any case exceed one (1) year. Additional extensions after the first may be applied for but not until at least ten (10) months have expired on the extension in effect. For any approved subdivision that is not completed with the time lines above the Planning Board will automatically rescind the subdivision approval.

Motion: Ron Gleason to accept changes for automatic rescission of incomplete approved subdivision
Second: Mike Ruprecht
Vote: 4-0-0

Section 4.2.14. and 4.2.2.1.

4.2.1.4.(b)/§4.2.2.1. Incorporation of Low Impact Development techniques

Section 4.2.1.4. b. Provisions for narrower pavement widths and smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures." and for developments employing accepted "low impact development methods" as shown in the Massachusetts Low Impact Development Toolkit.

Section 4.2.2. 1. On all classification of streets, the following characteristics shall be the minimum acceptable. Provisions for narrower pavement widths and smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures," and for developments employing accepted "low impact development methods" as shown in the Massachusetts Low Impact Development Toolkit.

Motion: Ron Gleason to incorporate LID techniques
Second: Mike Ruprecht
Vote: 4-0-0

Section 4.2.5.2. cul de sac diameter to incorporate Low Impact Development methods

4.2.5.2. Dead-end street shall be provided at the closed end with a turn-around having an outside roadway diameter of a least one hundred and ten (110) feet, and a property line diameter of at least one hundred and twenty (120) feet unless otherwise specified by the Planning Board. The Planning Board may, at its option, require a minimum outside roadway diameter of one hundred forty (140) feet, a property line diameter of one hundred sixty (160) feet. If the dead-end street is not intended to connect with another street at some future point in time. Where a future street is projected beyond the circle, the circle shall be designed in relation to such extension. The turn-around or stub shall be located at the property line of the subdivision unless the Planning Board approves otherwise. Provisions for smaller cul-de-sacs may be made by the Planning Board for developments employing accepted "traffic calming measures."

June 22, 2009

Provisions for flexibility of cul de sac design are permitted for Low Impact Developments (Previously Amended November 30, 1998)

Section 4.4.3. Maintenance easements

4.4.3. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Planning Board may require a storm water easement, maintenance easement or drainage right-of-way of adequate width and proper side slope to conform substantially to the lines of such water course, drainage way, channel or stream and to provide for construction or other necessary purposes. In no case shall the width be less than twenty (20) feet or the side slope be steeper than two (2) horizontal to one (1) vertical. The boundaries shall not be closer than five (5) feet horizontally from the annual high water line. Parallel streets or pedestrian ways and/or appropriate access may be required in connection therewith. Streams and watercourses shall remain open except at street crossings.

Section 4.7. Allow for flexibility for Low Impact Development methods for Lot drainage

4.7.1. Lots shall be prepared and graded in such a manner that development of one shall not cause detrimental drainage on another, if provision is necessary to carry drainage to or across a lot, an easement or drainage right-of-way of adequate width and proper side slope shall be provided. Storm drainage shall be designed in accordance with the specifications of the Planning Board. Where required by the Planning Board or the Board of Health, the Applicant shall furnish evidence as to any lot or lots to either Board that adequate provision has been made for the proper drainage of surface and underground waters from such lot or lots. The Planning Board will also consider Low Impact Development drainage designs based on Appendix A: Stormwater Technical Design Criteria

Section 4.10. Allow for Low Impact development Drainage methods

4.10.1.3. Adequate disposal of surface and sub-surface water shall be provided on both sides of the roadway at intervals not to exceed three hundred (300) feet, unless otherwise approved by the Planning Board and at such other places as deemed necessary by the Planning Board to assure adequate drainage of all low points and to provide proper run-off of storm water. In no instances shall catch basins be located along a driveway cut. The Planning Board will also consider accepted “low impact development methods” as shown in the Massachusetts Low Impact Development Toolkit.

<http://www.eot.state.ma.us/smartgrowth/07toolkit/LID/LID.htm1>

Section 4.10.4.1. A complete system of drainage shall be constructed in a manner satisfactory to the Planning Board and in conformance to the Commonwealth of Massachusetts Highway Department, formerly the Department of Public Works, standard specifications and provide adequate control of surface and subsurface water, information from the subdivision and adjacent land. Pipe size, location and number of catch basins, manholes, headwalls, and other appurtenances shall be in accordance with the regulations of the Board. The Planning Board will also consider accepted “low impact development methods” as shown in the Massachusetts Low Impact Development Toolkit.

Motion: Dennis Randall to accept changes to LID Methods

Second: Ron Gleason

Vote: 4-0-0

Section 4.12.1.1. Allow for flexibility for Low Impact Development methods

4.12.1.1. Minimum Width: Eighteen (18) feet for residential use; Twenty four (24) feet for all other uses. Narrower widths may be permitted by using accepted “low impact development methods” as shown in the Massachusetts Low Impact Development Toolkit.

June 22, 2009

Section 5.2.5. Incorporate Low Impact Design standards for loam and seed

5.2.5. Loam shall be placed on all shoulders, embankments and other areas disturbed by the construction to a depth of four (4) inches. Grass conforming to Section M 6.03.0 of the Standard Specifications shall be placed at the rate of four (4) pounds per one thousand (1000) square feet, or such other ground cover as the Planning Board may approve. The Planning Board may also approve alternative methods as described in Appendix B: Landscape Design Standards for Storm water Treatment

Section 5.2.6./Section 5.6 allow Low Impact Design standards for curbing

5.2.6. Granite curbing shall be installed in all subdivisions. The Planning Board may waive granite curbing where accepted "low impact development methods" as shown in the Massachusetts Low Impact Development Toolkit are employed.

Motion: Dennis to accept changes on the above amendments

Second: Mike Ruprecht

Vote: 4-0-0

Section 5.8.7. All reasonable care shall be exercised to preserve the trees in the subdivision.

Motion: Dennis Randall

Second: Mike Ruprecht

Vote: 4-0-0

Section 6.4.6. Automatic rescission of subdivision 6.4.6. Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicants or rescission of the approval of the plan in accord with Chapter 41, Section 81-W of the General Laws of Massachusetts For any approved subdivision that is not completed with the time lines above the Planning Board will automatically rescind the subdivision approval.

Motion: Ron Gleason

Second: Dennis Randall

Vote: 4-0-0

The board returned to Section 1.3.2.

Tom Bott read from Design Standards and referenced the two documents

Motion: Dennis Randall to accept rephrasing of Section 1.3.2.

Second: Mike Ruprecht

Vote: 4-0-0

9:50 p.m. :The Board motioned to accept Tall Timbers and to sign the mylar subject to the plans meet or exceeds by-law requirements

Motion: Dennis Randall to accept Tall Timbers and sign mylar subject to the plans meet or exceeds by-law requirements

Second: Ron Gleason

Vote: 4-0-0

June 22, 2009

The board paid bills

Motion to adjourn – Dennis Randall

Second: Ron Gleason

Vote: 4-0-0