



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

PLANNING BOARD September 8, 2008
Planning Board Meeting Minutes

Members Present: Tom Bouchard, Mike Ruprecht, Dennis Randall, Joel Michaud, Dave Gavigan, Sue Boyer and Thomas Bott

7:05 – Meeting Opened

Open Forum Nobody present for Open Forum. The board revisited ending Open Forum, as they had previously decided to give the concept until the end of August. The board motioned to continue leaving it on the agenda.

Motion: Mike Ruprecht
Second: Dave Gavigan
Vote: 5-0-0

The board had a Moment of Silence for Jo Ann Mei, a Town House Employee who died August 27, 2008.

The board will review minutes at the end of the meeting

7:15 p.m. – 40R Update

Tom Bott stated no news on the 40R, except all members should have reviewed the Design Standards and the application for anything they'd like to include in a hearing to amend the regulations. Also, Kevin Donovan sent him an email stating that Thorndike had a P&S Agreement for 10.2 acres of land off Raboth Road abutting Smelt Pond and the DiRicco property and that they intend to file a 40B for the construction of 42 apartments, to be built to the Design Standards developed for 1021 Kingston Place.

7:20 p.m. – William Gould Way Extension into Plymouth

Present: Jeff Angley, Attorney, Bill Shaw of Associated Engineers Ron Mueller of Greeman-Pederson.

Jeff Angley gave the board an update since the last meeting. Jeff stated he had met with Bill Shaw and they would be happy to pay for the engineering at the top of William Gould Way, as long as it's not over their budget. They are willing to contribute up to 5K for the design contribution. The timing of the signal lights they would prefer to do once the project is complete.

September 8, 2008

Ron Mueller from Greeman Pederson was present and stated the signalization is all part of a coordinated system and it is working as it should. If in the future traffic patterns change, that it should be monitored. Tom Bott explained the Police Chief is not satisfied with the way it is and wants it done sooner rather than later. Mike Ruprecht asked if Associated Engineers had met with the Police chief yet. They had not. Tom Bott stated again he would like to see the signalization done now, as once the project is complete, the Town of Kingston would have no leverage to get it done at all. Jeff Angley stated that the applicant has to do signalization as part of the process in Plymouth. Tom Bott felt that it would be in the Town's interest to ask the Board of Selectman to recommend retiming now and retiming after the project is complete. He would like a letter sent to Mass Highway also. Sue Boyer also agreed to send the letter now. If they say no to the signalization study now, then it's a no, but the process needs to begin now. Include comments presented tonight in the letter to Mass Highway. Mike Ruprecht stated that it would be 18-24 months to complete the signalization. The majority of the board wants it done sooner rather than later. He would like to see an escrow account or a performance bond if it would be done in 18-24 months. Jeff Angley stated that would be reasonable. The board motioned to accept the compromise.

Motion: Tom Bouchard
2nd: Joel Michaud
Vote: 5-0-0

7:50 p.m. – Zoning changes for Town Meeting

The board discussed the warrant articles for Town Meeting. Tom Bott explained that the trails at Tall Timbers would not be on the warrant.

Zoning change for 155 Summer Street

Petitioned article for zoning change at 155 Summer St., one change from Residential to 3A Design District, and another from Residential to Commercial District. Ben Barrack, real estate agent was present to answer questions for the petitioner. Tom Bott asked what types of business would be proposed for the property. He stated chiropractor or something similar. Many residents and abutters were present and were against any zoning change to the property, stating it was a residential neighborhood and they would like to keep it as such.

Motion: Joel Michaud to give unfavorable recommendation for changing the zoning from Residential to 3A Design District

Second: Joel Michaud
Vote: 5-0-0

Motion: Tom Bouchard to give unfavorable action for changing the zoning from Residential to Commercial.

September 8, 2008

8:30 p.m. – Five Minute Recess

Zoning change for 151 Main Street

Mary DeGone, petitioner, for the zoning change at 151 Summer Street was present. She explained she is a financial adviser and does not live at the property. Her business is open 4 days a week and clients make appointments. Tom Bouchard stated it had been before Town Meeting before and did not get the required votes needed to make the zoning change. Mike Ruprecht stated he dissented the last time.

Motion: Tom Bouchard to recommend unfavorable action for changing the zoning from residential to 3A Design District.

Second: Mike Ruprecht
Dennis Randall weigh-in for support
Vote – 5-0-0

Motion: Tom Bouchard recommended unfavorable action for changing the zoning from Residential to Commercial
Second: Joel Michaud
Vote: 5-0-0

Street Acceptance at Tall Timbers Phase III

Tom Bott explained that the developer has promised to get the streets and basins cleaned, and loamed and seeded before Town Meeting, and that the streets will be ready to be accepted by the Town.

Motion: Tom Bouchard to move forward with street acceptance for Tall Timbers Phase III
Second: Mike Ruprecht
Vote: Unanimous

Walking Trails Tall Timbers Phase III

Tom Bott explained it was not a good idea to do this now, and if the board recommended accepting the trails before the sidewalks are done, it would be very costly. Therefore it was not placed on the warrant for Town Meeting.

The board motioned to close the public hearing

Motion: Tom Bouchard
Second: Mike Ruprecht
Vote: Unanimous

September 8, 2008

8:55 p.m. – Tree Farm Landing

Christian Farlane and Bill Cushing were present for the hearing. Christian stated that the applicant has changed the plan. They will shift the road so site distance will no longer be an issue. They will add a new catch basin and they will need a grading easement. Tom Bott stated they needed to get the grading done, put the package together again, and come back before the board. Also, South Shore Survey is reviewing the new plan. Motion to continue the hearing until September 22 at 7:30 p.m.

Motion: Tom Bouchard
Second: Mike Ruprecht
Vote: Unanimous

9:05 p.m. – 40R Discussion

Dennis Randall would like to have a Design Standards hearing. He stated he would like to change the Design Standards in regards to parking. Tom Bott explained the parking is part of the by-laws and can't be changed without going to Town Meeting. Discussion regarding what can be changed in the Design Standards. Mike Rupecht suggested meeting Monday September 15, 2008 to discuss scheduling a hearing. The board motioned to meet again September 15.

Motion: Mike Ruprecht
Second: Joel Michaud
Vote: Unanimous

9:10 p.m. – Tall Timbers Phase IV

Joel Michaud recused himself, as he is an abutter. Susan Boyer, as an alternate will vote on the project. Brad McKenzie, Dana Miller and Peter Opachinski were present for TT Phase IV.

They would like a waiver for granite curbing, and instead use Cape Cod berm, as it's consistent with the rest of the development. The sidewalk would be one mile long, connecting Phase I and Phase IV, and they would do that if the board would give them the waiver for the granite curbing. Mike Ruprecht and Sue Boyer are still not sold on the sidewalk. Dave Gavigan is for the sidewalk. Joel Michaud, as an abutter feels there is no purpose in it. He requested a fence for privacy for his property. Peter Opachinski stated they are already putting up a fence for the turtles, at the request of the Natural Heritage Foundation. Pine Dubois stated she would like the board to look at the waste water and water dept. concerns. Mark Guidoboni wants the bike path done in place of the sidewalk. Tom Bott stated the sidewalks could be completed on Elm St. in increments. Discussion regarding Cape Cod Berm versus granite curbing. Tom Bott mentioned that Paul Basler, Highway Superintendent would prefer Cape Cod berm for plowing purposes. The board motioned to continue the hearing until October 27, 2008 at 7:35 p.m.

Motion: Mike Ruprecht

September 8, 2008

Second: Tom Bouchard
Vote: 5-0-0

ANR – Mark Guidoboni – off Indian Pond Road

Mark Guidoboni has purchased the MIT property, which the original owners were supposed to donate to the town. He explained that it was against MIT policy to make donations. Mark would like to donate 6.8 acres of the land to the Boy Scouts and Girl Scouts with conservation restrictions. The board motioned to endorse the ANR and waive the application fees.

Motion: Tom Bouchard
Second: Joel Michaud
Vote: 5-0-0

Indian Pond Estates

The board motioned to continue the hearing until September 15th at 7:15 p.m.

Motion: Tom Bouchard
Second: Joel Michaud
Vote: 5-0-0

The Board motioned to go into Executive Session to discuss pending litigation and not return to regular session.

Motion: Tom Bouchard
Second: Joel Michaud
Vote: Unanimous

Roll Call

Joel Michaud – YES
Tom Bouchard – YES
Dave Gavigan – YES
Mike Ruprecht - YES
Dennis Randall – YES