

Kingston Planning Board
26 Evergreen Street
Kingston, Massachusetts 02364

Planning Board Meeting Minutes
December 12, 2011

Members Present –Tom Bouchard, Mike Ruprecht, Ron Gleason, Bob Gosselin, David Gavigan, Mike Ruprecht and Susan Boyer

7:00 p.m. – Meeting Opened

The board reviewed the October 24, 2011 Meeting Minutes

Motion: Ron Gleason to approve the minutes as presented

Second: Dave Gavigan

Vote: 5-0-0

The board reviewed the November 22, 2011 Meeting Minutes

Motion: Dave Gavigan to approve the minutes

Second: Mike Ruprecht with a change

Vote: 3-0-2

7:05 p.m. – Regal Cinema Independence Mall

Bill Hamilton, manager of the Independence Mall, was present to explain the coming of a new Imax screen at the Cinemas that will be completed by the summer of 2012. Ron Gleason asked what was the big store that has been announced by the Mall as coming soon. Bill explained they are not ready to announce it yet, but as soon as negotiations are completed he will make an announcement. Bill stated they project the cinema will attract 300,000 new visitors to the Mall.

7:10 p.m. - Communications

Mary O'Donnell has sent invitations to the Board for a commissioning celebration of her Wind Turbines on Thursday December 29, 2011 at 2 p.m.

7:11 p.m. – IPE Modification, Amendment of Rescission Hearings

The board dispensed with the reading of the hearing notices.

Motion: Dave Gavigan to waive the reading of the hearing notices

Second: Ron Gleason

Vote: 5-0-0

Tom Bott stated that following the Planning Board's decision to accept the Autumn Lane drainage basin and the recording of the street acceptance easements at the Registry of Deeds, and the Town's acceptance of a lot in lieu of unpaid sewer fees, Town Counsel has suggested the board can rescind their vote suspending the Indian Pond subdivision for non-payment of fees and the decision of March 23, 2009 saying such.

Motion: Mike Ruprecht to rescind the decision of March 23, 2009 to suspend all rescissions on Phase 3 and Phase 4.

Second: Ron Gleason
Vote: 5-0-0

The Board continued the hearing until January 23, 2012

Motion: Mike Ruprecht to continue both hearings until January 23, 2012 at 7:10 p.m.

Second: Dave Gavigan
Vote: 5-0-0

7:25 p.m. – 46 Summer St. – Site Plan – Westgate/Junior

Frank Westgate was at the meeting representing Bob Junior. He explained the Site Plan to the Board. They are not creating another condo, they are expanding the existing studio apartment. This would satisfy the issue from the Sewer Dept. regarding capacity. The remaining issue is the Fire Dept's concern about access. Mr. Westgate will meet with the Fire chief directly to address his concerns. The board continued the hearing, allowing the applicant to begin the Special Permit process with the ZBA in the meantime.

Motion: Ron Gleason to continue the Site Plan hearing until January 9, 2012 at 7:10 p.m.
Second: Dave Gavigan
Vote 5-0-0

7:45 p.m. – Landscape Plan for 46 Summer St.

The Board discussed the approved Site plan for the new condos on Evergreen St. There are still no trees planted on the abutter's side of the lot as requested and shown on the Site Plan. There is an abutter who had requested that the developer put these in place to protect her property. Mr. Westgate stated they are 3 units for sale and they do have agreements on them, but he only has 2 occupancy permits and would like to expedite the process so the last unit can get an occupancy permit and be sold. The board felt that the landscape plan has not been adhered to, and that Mr. Junior would have to either put up a bond to ensure its completion, or give the board a check for the incomplete plantings. Also there is a rain garden that is missing. The site plan calls for 2 rain gardens, there is only one completed. Mr. Westgate stated that the Conservation Commission allowed them to use rain gutters in place of the other rain garden. Mr. Bouchard asked Tom Bott if the Conscom was allowed to change an approved Site Plan by the Planning Board. Mr. Bott stated they were not. Tom Bouchard stated to Mr. Westgate that he needs to have Webby Engineering come out to review the landscaping plan, including whether the applicant should install the missing rain garden, and to review the plantings list and give him an estimate of the

cost to complete the landscape plan and site plan. He would need to write a check for the full amount to add the missing trees and to check the cost of installing the rain garden, if Mr. Webby felt it was necessary. Applicant will bring a check to the Planning Board after the estimates are complete.

8:05 p.m. – The Mews Definitive Subdivision Plan – Baker Ave.

The Board has received a continuance letter from the applicant's lawyer and has replenished their engineering account. They are working on their subdivision plan and will return to the board January 23, 2012

Motion: Ron Gleason to continue the hearing until January 23, 2012 at 7:15 p.m.
Second: Mike Ruprecht
Vote: 5-0-0

8:10 p.m. – Tall Timber Phase IV Staged Construction Plan

Peter Opachinski has requested a sub phase of the Phase A of TTE Phase IV. They will extend the existing cul du sac at Pine Hill Rd to approximately 150 ft. past Road C. The remainder of Road B would be graded and serve as an emergency access and construction road. The affordable units wouldn't have to be built until 30% of the market rate units are built. The applicant is requesting to build 12 units now instead for the 25 originally planned for Phase A. The board motioned to allow the 12 units to be built as applicant has stated funding for all the approved units is not available at this time. Applicant will have to speak to the Fire Chief regarding access as part of the approval of the 12 units being built at this time.

Motion: Mike Ruprecht to allow the request for the 12 units to be built now with condition that the Fire Chief is ok with the plan and that the affordable units be deferred until later in the project.

Second: Ron Gleason
Vote: 5-0-0

8:20 p.m. – Tree Farm Landing Re-affirm vote

As a result of a procedural issue, the Board was asked to revote the Tree Farm Landing Special Permit Plan

Motion: Ron Gleason to reaffirm the previous vote
Second: mike Ruprecht
Vote: 5-0-0

The Board adjourned
Motion: Dave Gavigan to adjourn
Second: Ron Gleason
Vote: 5-0-0