

Kingston Planning Board
26 Evergreen Street
Kingston, Massachusetts 02364

Planning Board Meeting Minutes
March 28, 2011

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

Meeting opened at 7:10 p.m.

The board reviewed the minutes of March 14, 2011.

Motion: Dave Gavigan to approve the minutes

Second: Ron Gleason

Vote: 4-0-0

7:12 p.m. – The Mews- Baker Ave

Tom Bott stated no subdivision plan has been presented to the Board. Attorney for the project, Rob Kraus agreed and stated that he will be contacting Webby Engineering and will get back to the board with an update.

7:15 p.m. – New England Village Definitive Subdivision Plan

Applicant has requested a continuance until April 11, 2011. They are still working through issues with Conscom.

The Board waived the reading of the hearing notice

Motion: Mike Ruprecht

Second: Dave Gavigan

Vote: 4-0-0

The board continued the Subdivision hearing and the Site Plan until April 11, 2011 at 7:10 p.m.

Motion: Ron Gleason

Second: Mike Ruprecht

Vote- 4-0-0

7:20 p.m. – RK Crossing - Dunkin Donuts Special Permit

Present for the hearing was Ron Muller of Muller Associates, and Dave Baker of RK Crossing Gary Hebert, the Town's Peer engineer was not present. Ron Muller presented peak hour comparisons and stated Saturday was not much different than earlier traffic counts. They have received comments from the Police Department and Mr. Hebert's traffic study. Discussion regarding interior changes to the site, re-striping of the lanes externally and narrowing and altering of northbound lanes on Summer St. from 3 lanes to 2 lanes Applicant has written a letter to the Board stating they intend to close the drive thru Dunkin Donuts if the Special Permit is approved. Mr. Krause stated that the applicant will be going to court April 12, 2011 for their appeal of the previous Special Permit for the same project. He would like to get an idea how the board feels about the project. Sue Boyer and Mike Ruprecht stated that they like the interior changes, but there are still issues with the entering and leaving the site. Bob Gosselin and Ron Gleason said there are still unresolved issues externally and they are not sure narrowing of the roads won't add to more congestion at the site and the surrounding area. Tom Bouchard agreed with all the board's comments, and he also had concerns about whether the board would approve the Special Permit. He said he couldn't give Mr. Kraus an answer at this time. Applicant requested to come back before the board April 11, 2011 for a decision.

The board continued the hearing until April 11, 2011 at 7:15 p.m.

Motion: Dave Gavigan

Second: Ron Gleason

Vote: 5-0-0

8:20 p.m. – Cumberland Farms Special Permit and Site Plan

Mr. Pellegrini gave the board an overview of the project. They would like to add a 148 sq. ft. freezer unit. They have received a Special Permit from the ZBA for setbacks. Tom Bott read a letter from abutter Mark Guidoboni and his objections to the project for noise, and safety reasons. Tom Bouchard opened the discussion to the public. Michael Stamos of 22 Crescent St. stated he is 100% against the project and noise lights and traffic because of the late night hours and his homes proximity to the store. Peter Boncek of Tree Farm Estates stated that the applicant went before the Selectmen previously and said there would be no modifications and hours would be 5 a.m. til 11 p.m., not 24 hours. Mike Ruprecht suggested incorporating some of the language from the Cumberland Farms 2000 Site Plan Approval to the new Special Permit. Conditions are:

1. proponents "adopt a highway" approved by Mass Highway and the Town of Kingston,
2. that there be a trash receptacle at all times at the speaker box
3. Hours of operation be limited to 5:00 AM to midnight.

Motion: Mike Ruprecht to grant the Special Permit with above mentioned conditions

Second: Ron Gleason

Vote: 5-0-0

The board motioned to approve the Cumberland Site Plan.

Motion: Ron Gleason to approve the Site Plan dated October 27, 2009

Second: Dave Gavigan

Vote: 5-0-0

8:30 p.m. Hearing Zoning Articles for Town Meeting

The proposed zoning by-law would allow the Building Inspector to issue permits for small scale wind turbines in any zoning district, providing the minimum area and setback requirements are met. Mark Robinson of 13 Foster Lane addressed the height and energy usage for smaller turbines, which make it more acceptable to neighbors. 5kw turbines cost around 40k, 3kw turbines cost around 22k.

Motion: Ron Gleason recommended favorable action at Town Meeting

Second: Mike Ruprecht

Dave Gavigan and Tom Bouchard abstained.

Vote: 3-0-2

9:15 p.m. ANR Plan 54 Evergreen St.

Applicant wishes to change the lot line at the Loring property. Map 36 Lot 115.

The Board motioned to endorse the plan as presented.

Motion: Ron Gleason

Second: Bob Gosselin

Vote: 5-0-0

9:20 p.m. -The Board motioned to adjourn

Motion: Dave Gavigan

Second: Mike Ruprecht

Vote: 5-0-0