



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

PLANNING BOARD August 9, 2004
Planning Board Meeting Minutes

Members Present: Mike Ruprecht, Thomas Bouchard, Penny Svensen, Susan Farrell, Joel Michaud

7:08 p.m. – Meeting opened.

The Board discussed the August 23, 2004 meeting, as some member will be on vacation that week and will not be available. Mr. Bott will contact petitioners and inform them of the Boards vacation schedule and reschedule those agenda items if necessary.

The Board reviewed correspondence from Kevin Donovan regarding use of Town Counsel without Town Administrators permission. Mr. Bouchard requested that Mr. Bott inquire into who was using their services.

7:15 p.m – Auditors Report – John LaBrache

Mr. LaBrache gave an overview of the Boards Guaranty and Inspection Accounts. (copy attached). John explained all 4 schedules and recommendations to the Board. The Board agreed with the recommendation. Susan Farrell thanked John LaBrache for his time and moved to accept the recommendations as presented. Mr. Bouchard second. Mr. Ruprecht wanted to know if the Board would be notified if someone did come forward and requested a return of their money. Mr. Bott said he would be putting together a schedule of bills that the Board would sign off on.

7:20 p.m. – ANR – 9 River St.

Mr. Scarzi presented the plan to the Board. Both lots have required frontage and set-back requirements and are in the R-20 Zone. Mike Ruprecht voted to endorse the plan. Joel Michaud second. Unanimous vote to endorse the plan. Mr. Scarzi presented a \$250 check and the Board signed the mylar.

7:30 p.m. - Copperwood Realty Trust

There was some discussion about the filing for the Copperwood Realty Trust Special Permit and Subdivision Plan application. Some abutters were not on the abutters list and notified, and the owners name was not on the application. Also the applicant's attorney cancelled the July 12, 2004 previous meeting late in the afternoon, after being told one board member would not be available and then called to put it back on the agenda at 4:20 p.m. that day, leaving the secretary not enough time to call abutters and tell them the applicant had changed his mind and was back

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on the agenda. The secretary also had already put an agenda together and copies were already made for the public, and Copperwood had been cancelled. This left everyone thinking that the hearing was indeed cancelled for that evening's meeting. The Board felt that Mr. Kraus may want to have the Board close the meeting, re-advertise the Special Permit and Subdivision Plan and start from scratch. Mr. Bouchard said that the Board would decide what Copperwood would do. Mr. Kraus, after conferring with his client, decided to continue the hearing. Mr. Bouchard moved to continue the hearing until September 13, 2004 at 7:15 p.m.
Mr. Ruprecht second.

7:30 p.m. – Ryan's Way

Mr. Kraus wants to know how many members of the Board can vote on the project. Mr. Bott went back to the office to check attendance from Planning Board minutes. The Board took a short recess. Mr. Bouchard, Mr. Michaud, Ms. Farrell and Mr. Ruprecht can all vote on the project. Mr. Kraus decided to go forward. Brian Wallace explained the beginnings of the project and gave an overview and everything that has transpired to date. Mr. Bouchard waived the reading of the hearing. Mr. Wallace said the new plan incorporates revisions from Tibbetts Engineering. He read and explained the waivers they were requesting. There were 5 in all. Mr. Ruprecht said that Open Space has issues with the project that haven't been addressed. Therefore he would not move the vote tonight. Brian Wallace said that he has set up meetings with Open Space, and they have not followed through. He also had a meeting with Conscom at 10 am to discuss drainage issues. Mr. Kraus said they are trying to work through these issues. Mr. Ruprecht said unless there are new issues, we need to continue the hearing. Mr. Bouchard opened the meeting to the public. Sue Maclellan would like to see trees planted on the property line. Arlene Yeaple believes more water will be an issue for her. There are 2 ponds, the road is flooded. Maureen Thomas, Conscom Agent, said that Open Space did work with Brian Wallace. They are waiting for more information on the drainage systems. Mr. Bott said that the drainage issues would come from the Highway Dept. Sue Farrell asked if 2 units would be affordable of the 14 proposed units. Brian Wallace said that 2 houses would be donated to Habitat for Humanity. One would be on Grove St. and the other at the project site. They will have deed restrictions on them. They will be the affordable units. Mr. Bouchard asked if the lots have been approved. Brian said there are some zoning issues relating to the lots. Mr. Bouchard wanted to know what the issues were. Mr. Kraus said they were mostly Conservation issues. Mr. Bouchard said there were highway issues also. Ms. Yeaple said she is not against the project. Mr. Bouchard said that in the meantime, the Board would look over the plans. Mr. Ruprecht wanted to look at the design of the boulevard. Mr. Wallace said it will have 4 lanes instead of 2 lanes. Mr. Bouchard wanted to know if developer had back-up plans. Mr. Wallace said the plans had not been corrected. He thought they had been. Mr. Ruprecht continued the hearing until September 13, 2004 at 7:30 p.m. Joel Michaud second. Unanimous.

8:15 p.m. The Board accepted the July 12, 2004 minutes. The Board signed the L.Knife Plans. The Board signed the 2nd Generation Dunkin Donuts Plan. The Board signed The Schedule of Bills that Mr. Bott had for engineering services for

8:30 p.m. – Mr. Ruprecht wanted to know what was going on with Tonsberg's Indian Pond issues. There are two outstanding issues, the lighting and emergency access. Mr. Ruprecht

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wants to know if they have any legal recourse. Can we ask him to come in and talk about issues at hand. Susan Farrell wanted to know if we were holding any money. Mr. Bouchard asked Mr. Bott to send a letter to Mr. Tonsberg about the 2 issues and to send certified, signature required. The Board would like Mr. Bott to mention in the letter about a 3rd issue. Mr. Bott will ask Horlsey and Witten for an update on the issue with the road first.

8:30 p.m. – Arbor Hills – Minor Modification

Rob Lally explained the turnaround issues. He has met with the Fire Chief. They have installed a 4-way stop sign to slow down the issues with traffic. They have added crosswalks. There will be plantings on 3 separate islands. Mr. Bott said that initially the travel lanes weren't wide enough. That Tibbetts Engineering and the Town Planner should have caught this problem, but didn't. Mr. Ruprecht said it would be difficult to plow with 3 islands. There would have to also be hand shoveling. Mr. Lally said the town is plowing. He said that the Highway Dept. may not want the islands. Mr. Bott explained that you must have 2 entrances, and if you don't, then one entrance must function as two. Susan Farrell motioned to accept the minor modifications. Mr. Bouchard second. Unanimous.

8:45 p.m. – Bearses Way

Mr. Bott passed out the decision for Bearses Farm for comments from the Board. Mr. Bott brought up the Senior Center and feels there is not enough room on the property for one. Ms. Farrell said that they either had to have a Senior Center on the property or a contribution to town. Also added was that the units would be 10% affordable housing, perc test and water decisions. Issues on Septic systems were also added. Mr. Ruprecht motioned to approve the Beases Farm decision with those additions. Susan Farrell second. Unanimous. Mr. Ruprecht motioned to approve the Site plan as presented. Ms. Farrell second.

9:15 p.m. – Discussion about L. Knife Plan the Board signed. Joel Michaud would like to reconsider the decision. The Board voted to reconsider the decision. In favor one. 3 opposed.

9:25 p. m – Mr. Bouchard motioned to adjourn. Mr. Farrell second.

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