



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

PLANNING BOARD February 9, 2004
Planning Board Meeting Minutes

Members Present: Susan Farrell, Jim Colman, Tom Bouchard, Ed King, Penny Svenson, Thomas Bott, Town Planner

7:00 p.m. – Meeting Called to Order

7:05 p.m. - Coughlin Commons – Bob Gosselin

Bob Gosselin presented his plan and was looking for some advice on his residential scheduling. Mr. Bott explained that it is in the R-20 residential district and therefore he would need to go to the ZBA and request a variance. Mr. King recommended the planning board send a letter to the ZBA supporting Mr. Gosselin's scheduling request. Mr. Colman asked for discussion, there was none; he moved to vote on the letter to the ZBA. Unanimous.

7:10 p.m. Zoning By-Law Hearing

Mr. King read the hearing for the proposed by-law changes for the annual town meeting. Mr. Bott explained amnesty for affordable apartments and explained the three items. If someone has an illegal apartment, and they bring it up to code, it could be considered affordable and would be considered a legal apartment. Mr. King wanted to know what the incentive would be to do that. Mr. Bott said it would give the town the ability to police illegal apartments. Mr. King asked if it passes, would they still need a special permit. Mr. Bott said it would be a special permit from the Board of Appeals. Mr. King motioned to support the articles, Mr. Bouchard second. Mr. King motioned to continue hearing until February 23, 2004 at 7:05 p.m. Mr. Colman second. Unanimous.

7:15 p.m. – L. Knife

Mr. King read the hearing for L. Knife. Mr. Colman asked everyone to please sign the sign in sheet. Attorney Sullivan spoke for L. Knife, in regards to the three main issues that were of concern to the neighborhood. He explained they have contacted everyone who had concerns, and they were trying to solve as many of those as they could these past two weeks.

Noise from Glass Crusher - L.Knife has gone ahead and purchased an epoxy paint that does reduce the noise level. It will also be used on a can crusher.

Truck alarms – L.Knife has purchased a quieter truck back-up alarm for their trucks

Traffic – A traffic study has been completed (1/23 and 2/2) During the first study, 4 trucks took a left onto 3A. during the second, 4 trucks took a left onto 3A.

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Bus Stop - Spoke to the administration at Silver Lake School District and no buses are allowed to go down dead end streets, as it is too dangerous to turn around.

Bottle Bill Changes - L.Knife only picks up bottles they distribute. They cannot speculate whether the new bottle bill will be passed. The new law states that deposits will also include non-carbonated water and juice bottles.

Speeding – the fastest speeds recorded were regular passenger vehicles, and not the L.Knife trucks.

Mr. Sheehan then spoke about other issues of concern before the board.

Cleanliness – L.Knife has been cited for its cleanliness of operation.

The neighbors were invited in a few months ago, and they even commented on how clean the facility was. Also how efficiently it seemed to run.

Need for Expansion – put unsightly things that are outside inside. Presently they have no room to store anything indoors. They need more storage space.

Lighting – The lighting has been changed to point away from the neighborhood.

They have written to every person to address their concerns. They have agreed to construct a 3 ft. berm, and a stockade fence to lessen visual and sound that is impacting the neighbors.

They have demonstrated a willingness to work with the Board and the abutters.

Mr. Bott introduced Mike Burke, traffic expert for the Town, and Dale McKinnon engineer for the Town. There were drainage calculation, but he hasn't had a chance to look at it yet. Mr. Sullivan had also dropped off Neighborhood Concern Project Report which addressed all the issues.

There were questions about the statement L.Knife has made stating that there would be less trucks as a result of the expansion. Mr. Sullivan said there would be a reduction of 800 trucks a year. Mr. Bott wants to know how do we know that for sure. Mike Burke said he needs more information on the operation in order to validate that claim.

Mr.Colman moved to open the discussion to the public.

Don Nagle, attorney for the abutters, said that the major discussion has been traffic. There is not enough information available to determine that, and that too many of the original commitments have been unenforceable. That it is inappropriate for this type of facility to be expanded in a residential neighborhood. He has heard nothing substantial that would control the traffic problem. A full traffic study should be done at the expense of L. Knife. The noise level should be evaluated in the backyards of the neighbors including the paper street. The analyses was done from inside the building. The MDUP regulations indicate that 10 decibels is a violation. That this project exceeds the noise levels and can cause hearing damage. A real noise study should be done. Also, they should abide by stricter solid waste standards. This issue has not been addressed adequately. Also, trucks are backing up less than 100 ft. from neighbor's backyards. This is also unacceptable.

Other issues were conservation in regards to storm water run-off, in that there seems to be no design features for run-off, also the facility backs up to the Jones River. Questions about industrial waste, water discharge, and where is it going.

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Mr. Sullivan said a traffic study has been done, but there were not enough copies for the full board to read. He will have the study copied before the end of the meeting and will pass out copies to everyone on the board. Mr. Sullivan said every issue has been addressed by L.Knife. Mr. Colman said it was hard to believe with the expansion, there would be less truck trips. Terry Stanley asked when do the trucks come and go? Mr. Gillan, who did the traffic study, said 3 trucks go out between 6 –7 a.m., 4 go out between 7 –8 a.m. 44 total trucks come and go throughout the day. Traffic counts are done by machine each hour over a 10 day period of time. Stacey Antoniou asked when was the busiest time of year. Mr. Gillan said the summer, with the exception of super bowl. Stacey stated that would mean football and baseball also. Nathaniel from Spring said that between 10 p.m. and 4 a.m. there are 7 trucks that come and go an hour. These are not L.Knife trucks. Mr. Gillan said to refer to Page 4 of the traffic study. It does not reflect that number. Kieran Nolan said these are independent truckers they are referring to. Don Nagle said the board hasn't had a chance to see the traffic study. Mr. Burke said the counts include independent trucks. Mr. Nagle said the traffic is inappropriate for the neighborhood. Kristen Nolan said 14 trucks a day is not 800 a year. Their quality of life is diminished and also their property values. Where will it end? Joann Murphy has 5 grown children, but the buses did come down the street until 2 years ago. Terry Stanley said she was concerned about storm water issues. Dan Sapir had concerns. What about using a vortecnic system. Also, are the traffic studies email ready? Can they be distributed via email or posted somewhere to all neighbors and the town. He also stated that once the permit was granted, it's hard to control conditions. It was a mistake from the beginning to grant the permit. Robert Putin, Pleasant St. again asked about the traffic on 3A.

Deb Stanley from the Road to Responsibility talked about how L.Knife hires special needs people looking for work. L. Knife has integrity and they embrace inclusion. Dennis Randall said he was glad about L.Knife's integrity, but what has that got to do with the issue before us. A good indicator of growth and where L.Knife will go from here with their expansion would be to find out what their sales forecast is. What is their capacity and target number for bottle crushing? Stacey said that she was at the bus stop to put her children on the bus, which is over at the Shell Station, and a truck was in there with Tennessee plates. He threw a bottle of urine out the door. She doesn't care if it wasn't an L. Knife truck, they are responsible for every truck that comes and goes to their facility. Mr. Maguire said that was reported to the company and they spoke to the individual responsible. Mr. Sheehan said many of these items were discussed at the last meeting. Mrs. Brock said that although people are saying they are responsible neighbors, and care about the neighborhood, L.Knife is not a good neighbor They have not been honest. How long is Special Permit good for? And that we don't know all the subsidiaries that are part of L.Knife. She asked if the building was climate controlled. Mr. Maguire said no. Ms. Stanley said to change the hours of the trucks. And get a fumes report. Mr. Daniels asked the L.Knife group if They would like this in their neighborhood? Mr. Colman asked if there were any new comments. Kristen Nolan said that trucks were driving over the sidewalks when they were turning around. That they should come down Elder St. and see that there are no speeds posted. Who is responsible for that? Mr. Randall asked how much work would they get as a result of the expansion. Mr. Bouchard asked Mr. Bott to explain what we are here for. There is nothing that can be done about what has already been permitted. Mr. Bott said that the Special Permit they are asking for is because they want an expansion of 10,000 sq. ft. If it was smaller than that, they could do it without a special permit. The Board can put restrictions on it, but they can't undo

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what's already been done. Ms. Farrell asked if they could put restrictions on it that would make it possible to monitor it. Mr. King said if you read the graph, it says 1 and a half vehicles per minute is acceptable. And if the trucks were prohibited from 8 p.m. til 6 a.m. Mr. Sheehan said that they have a contractual agreement with Budweiser to take bottles 24/7. Penny Svenson wanted to know if the building had to be that size. Mr. King moved to continue the hearing until March 8, 2004 at 8 p.m. Mr. Colman second. Vote unanimous.

9:25 p.m. Mr. Colman read the hearing for Q&J Automotive

Mr. Kraus requested a continuance, as Mike Ruprecht was not here tonight, and he preferred a full board. The board continued the hearing until March 8, 2004 at 7:40 p.m.

9:30 p.m. Mr. Colman read the hearing for The Pines at Kingston

Mr.. Kraus requested a continuance, as Mike Ruprecht was not here tonight, and preferred a full board. The board continued the hearing until March 8, 2004 at 7:50 p.m.

9:45 p.m. – Ryan's Way - Conceptual

Mr. Wallace showed a conceptual plan to the board. Mr. Kraus is now representing for this project. They have chosen option 3 of the previous plans shown, which may be 20% affordable.

9:50 p.m. – Meeting Adjourned