



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

**PLANNING BOARD January 10, 2005**  
**Planning Board Meeting Minutes**

**Members Present:** Susan Farrell, Thomas Bouchard, Ed King.

**7:05 p.m. – Meeting opened**

The Board reviewed the minutes of the December 27, 2004 meeting. The Board accepted the minutes with one minor change. The Board signed the Departmental Schedule of Bills. Mr. Bouchard asked Thomas Bott to provide a receipt for the purchase of the Palm Pilot.

**7:08 p.m. – Request for release of Inspection Account monies for Ryan’s Way.**

Thomas Bott stated that they are waiting for the final bill from Tibbetts Engineering before releasing any monies.

**7:09 – Kings Grove Subdivision Electricity**

A builder from Kings Grove has informed the Town that there is still no electricity at Kings Grove. The Board discussed whether Bond money from the developer could be used to set up the electricity. Mr. King suggested Mr. Bott write a letter to the developer asking when electricity will be turned on.

**7:10 p.m. – Contribution to the Binding Machine**

Mr. Bott explained the Secretary to the Town Administrator requested a contribution from the Planning Boards office supply budget, for a new binding machine for projects. The Board contributed \$300.00 at the request of the Town Administrators office. The Board signed off on the schedule.

**7:12 p.m. – William White Special Permit**

Thomas Bott received a call from Nancy Erbe stating that she has an appointment with the Water Commissioner, and must see them first before coming back to the Planning Board. She has asked for a continuance. Mr. King motioned to continue the hearing until February 14, 2005 at 7:30 p.m.

**7:13 p.m. – Joel Michaud arrived**

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### **7:15 p.m. – Stone Meadow Farm**

The Board received the subdivision plan for Stone Meadow Farm. The majority of the property is in Pembroke. The hearing for the sub-division will be February 14, 2005.

### **7:20 p.m. – Krzyewski ANR Plan**

Mary Ellen Krzyewski came before the board with an ANR plan to divide a lot on 43 Smith's Lane, which would cut 30 ft. off of the original lot, and create a non-buildable lot. The Krzyewski's would like to purchase the lot behind their property, and use the smaller lot as access, as the lot they wish to purchase has no frontage. Mr. King said this was not in the best interest of the town. Mr. Bouchard suggested they come back after they purchase the lot, and then resubmit their ANR plan. Kathy Muncey, came in and stated she was representing Mrs. Krzyewski. She asked if there was any downside to withdrawing the plan. The Board said no. The Board collected no fees for the ANR Plan. The applicant withdrew her plan.

### **7:28 p.m. – Indian Pond Estates**

Present was Fred Tonsberg and Mr. Fleming, his attorney.

Mr. Bott explained that the safety officials in town still have concerns about the emergency access gate. Mr. Bott referenced a meeting last year where these issues were discussed, and the issues have never been resolved. Mr. Fleming read minutes of the October 20, 2003 Planning Board meeting. He did not remember agreeing to install the gates. He was under the impression that Thomas Bott was going to provide information and it would be discussed at a later date. The suggested emergency access devices, according to someone he spoke to, were not reliable. Mr. King stated that if the Police and Fire Dept.'s are satisfied, the Board is satisfied. Mr. Fleming said he would try to get the man he spoke with, to come down to the Board and explain why they are not reliable. Mr. Bouchard stated that he wants to be sure that the Board continues this discussion. Thomas Bott asked about the detention pond that needs to be cleaned out near the Indian Pond Subdivision. Mr. Tonsberg said that if SLT doesn't clean it up, that he would see that it gets cleaned out. Mr. Fleming stated that they would maintain the lights and emergency access. Mr. Tonsberg explained that they had adjusted the wattage of the lights that were a problem, and reduced the amount of lights from 12 to 6. There is still not enough visibility at the island. Mr. King said if there are no complaints from the neighbors, then let sleeping dogs lie. Mr. Bott would like to see a plan showing the lights as they are now. Mr. Tonsberg said that they should be on the plan. Mr. Bott doesn't think they are. Mr. Tonsberg stated he would provide a surveyed plan to the Planning Board. Ms. Farrell asked if they could install island lighting to provide better visibility. Mr. Bouchard opened the meeting to the public. Mr. Kowalczyn of 126 Country Club Lane wanted to know what is preventing IPE from installing lighting at the entrance. Mr. Kowalczyn also had questions about the lighting at the entrance. Mr. Bouchard said the Board had gone down to look at the lights at the time of the complaints, and it was very bright. Mr. King of 198 Country Club Lane said he thought they did a good job dimming the lights, but does not want to let the other issues ride. He would like to see a plan. He would like a decision made on the sign and the lights around the island. Mr. Cohen of 204 Country Club Lane said it's a matter of safety when visitors come, more so than residents, as they are not familiar

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with the entrance and the island. There was talk about the size of signs allowed in the town. Mr. Tonsberg said the signs that are allowed are so small that it's not possible to see the entrance. Mr. Bouchard said they would need to go before the ZBA for a sign that is larger than what is allowed. Ms. Farrell said that she felt Kingston was liberal with their signs, compared to Vermont or other areas she has visited. Mr. Tonsberg agreed to come back before the board with a plan showing lights and a sign.

### **8:05 p.m. – Cobblestone Lane**

Richard Beal of A.W. Perry requested a continuance for Cobblestone Lane. The Board continued the hearing until February 14, 2005 at 8:15 p.m.

### **8:07 p.m. – MacFarlane Farms Model Home**

Peter Koksa of Chilton Development is requesting a release of one lot from the covenant, which requires binder pavement to be in place prior to receiving a building permit for a home. Mr. Koksa would like to have one model home open to the public. This is a second request. He stated that Paul Armstrong has no problem with issuing the building permit without the pavement, but would need the Planning Board to release the lot from the covenant. Ms. Farrell feels that access safety would be an issue. If someone got hurt, the Town would ultimately be responsible. She suggested Mr. Koksa get a letter from the Police, Fire and Highway Departments saying it would give its approval. The lot has pavement in front of a portion of it, but not where the driveway will be. Mr. Bouchard stated that in order to release the lot, the pavement would have to be enough to accommodate a car backing out and clearing the driveway. They would also need to do a minor modification of the detention basin.

### **8:20 p.m. – Barrows Brook 40B Development**

Discussion of Barrows Brook 40B Development with the Board. Chairman of the ZBA, John Haas was also in attendance, as this will eventually be a ZBA application. The proposed development is at Sunrise Drive at Grove St. They are proposing 64 age restricted condo units, with 16 being affordable. The law offices of Peter Freeman are representing Delwin, LLC, Principals, Peter Delprete and John Baldwin of Plymouth. The total acreage is approximately 76 acres. The board discussed various potential problems with the Conceptual plan presented by the applicant. Site distance problems, water and hydrant problems. Mr. Haas commented on the amount of cul-de-sacs – 5 – in the plans. Mr. Haas asked the board for their comments on the plan, and what potential problems they saw, if this had been presented as a regular subdivision. Mr. King stated it would be impossible to approve as it is, due to poor density, too many cul-de-sacs. Mr. Bouchard said there were also safety issues. Mr. Haas stated that a denial due to public safety may be the only thing that is considered an acceptable denial of a 40B. Mr. Bouchard brought up the value of the land, and what profits would be, and would the project be economically worthwhile for the developer. Mr. Bott stated that the developer could ask for a waiver, but the ZBA does not have to give approval of every waiver asked for.

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Mr. King said the development was of no benefit to the town. Mr. Bouchard said that what is the value of 1 building lot on 49 acres? It is not economically feasible. Ms. Farrell said it would need a buffer from the MBTA and the Jones River. Mr. Haas said they would be limited to what they do by the pro-forma they would need to provide. Mr. Bouchard requested that Mr. Bott give Mr. Haas copies of the responses they will be sent to Mass Housing.

February 3, 2005 is the meeting with Finance Committee. Mr. Bott asked if anyone wanted to represent the Board. Mr. Bott will represent the board.

The Board motioned to close the meeting at 8:50 p.m.