



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

PLANNING BOARD July 11, 2005
Planning Board Meeting Minutes

Members Present: Susan Farrell, Michael Ruprecht, Thomas Bouchard, Dennis Randall, Penny Svenson, Joel Michaud, Thomas Bott

7:07 Meeting Opened

The Board signed Departmental Bills. The board discussed what the proper method of approving April 11, 2005 minutes. There are only 2 original members remaining that sat on the April 11, 2005 meeting. The board motioned to approve the minutes with the members present.

7:15 p.m. – IPE Update and other updates

There is no news on Indian Pond Estates.

Email from Kevin Donovan re: Ethics and Open Meeting Law Seminar 8/23/05 at 6 p.m. All members invited.

Joint meeting with Plymouth Planning Board postponed until Fall

Copies of revised OCC Plans distributed to Board for future discussion.

7:20 p.m. – Chapter 91 Waterways Licensing – 10 Marsh Rd.

Thomas Bott explained the Municipal Planning Board Notification for a license for the pier at 10 Marsh Rd. Basically the board just has to sign off on the form that they have seen the plan as a municipal board. The applicants are Jennifer Layton and Bonnie Boyd. The Board signed the form.

7:25 p.m. Minutes

The Board approved June 27, 2004 minutes as presented.

7:30 p.m. – Surf Trust - 21 Pottle St.

This is a follow-up to the drainage issues with the applicant for a retail/professional building. Mark Casey has stated that there was a drainage report done for the site, but Conscom has been unable to find any drainage report. The Board would also like to know what the building would be used for. Mr. Armstrong may ultimately take this to the Building Dept. for approval. Mr. Bott

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feels the board needs the drainage reviewed in lieu of all the activity at that end of town. This area also has a high ground water table.

7:40 p.m. – Tuscon Tacos

(Joel Michaud arrived)

Michael Lynch called to say he would not be able to attend the meeting because of illness and asked for an extended continuance. He will contact the Board when he is available to come back. Mr. Randall requested that the June 27, 2005 BOH meeting minutes addressing this application be included.

Dennis Randall requested that an excerpt from the BOH June 27, 2005 meeting minutes in regards to Tuscon Tacos, be included as an attachment as part of PB minutes.

“Julio Leitao, Project Manager stated that he represents Summer Hill LLC, Joe Iantosca owner, - they have no intention of allowing Mr. Lynch to put anything else on the property for liability purposes and other tenants in the plaza that do not want to see that happen. We have to do the right thing by our tenants, and would like to state that DEP had contacted them and stated that they also have sewerage problems out there and do not want to add to the problems”.

7:50 p.m. – Harvest Drive Extension Subdivision

Joe Webby and John Matthias were present for the Harvest Drive Extension. Susan Farrell read the notice. Mr. Mathias is under agreement for this property which is 7.5 acres. They have extended Harvest Drive 200 ft. to get the required frontage. Some of this property belongs to the town and Ms. Farrell stated that she feels they will need to get approval from the Selectman. Joe Webby explained the plan to the Board. The Board opened up the discussion to the public. Katie and Kevin Winn of 12 Wilder Drive had concerns about the project. They have wildlife concerns, and water pressure. They said they were told that there would be no building behind their house and if it wasn't ok then, why is it ok now? If Ms. Carvalho owns most of Ring Rd., why doesn't she open up Ring Rd. instead of going through McFarland Drive. Mr. Bott explained they would have to circumvent traffic through the subdivision to allow people to egress. Mr. Webby said they have chosen South Shore Survey to generate a drainage report. The Joel Michaud motioned to continue the hearing until August 8, 2005 at 7:30. Mike Ruprecht second. Unanimous.

8:05 p.m. – Marty's GMC Special Permit

Susan Farrell read the hearing notice for Marty's GMC. Ted Lyzenga and Rob Kraus explained that they would like to obtain a Special Permit for the temporary use of 47 Marion Drive for car sales. The applicant is looking for a permanent site, but would like to use this area until then, which would probably be 24 months. There is a 189 sq. ft. trailer presently on the site which is 40,000 sq. ft. It has a gravel driveway. They plan on having 2 or 3 employees to sell commercial sized vehicles. They have 31 parking spaces, 2 are for handicapped and 3 for employees and the

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rest would be used for storing the vehicles. It is surrounded by a chain link fence and will not disrupt the surroundings. The board had some reservations about the plan. The temporary nature of the plan, the location, the amount of parking and the size of the commercial vehicles, plowing with the gravel driveway and emergency access. Mr. Kraus stated if the Board would like, they would add on the plan that it would be for temporary use and they would post a bond. He said it would take 2 years to permit a new site. He also said that he didn't feel the driveway would need to be paved. Mr. Randall had problems with the amount of handicapped parking. Mr. Kraus stated that he could reduce the amount of spaces for cars from 26 to 20. Mr. Randall said that even though it was temporary, it would still have to comply with the by-laws. Mike Ruprecht said he was uncomfortable with the plan for safety reasons. If there was a fire, how would the fire dept. access the site. Mr. Kraus said they would speak with the fire dept. and that he would be willing to post a 20K bond. Mr. Randall said how do we know it wouldn't become permanent. Why couldn't they potentially give up the 20K bond and stay at that location. Mr. Bott stated that the gravel driveway is not appropriate for this type of business. The Board also wanted to know what the 20Ft. easement was for? Mr. Kraus stated he didn't know, but would find out. Mr. Randall has a concern about drainage, lack of impervious material on the driveway and no catch basin. He said it's second generation and a second use. Access is also an issue as well as the configuration of the site. He asked exactly what kind of commercial vehicles would be sold there, and would they fit in 10x20 parking spaces. Mr. Kraus said no tractor trailers would be stored there. Just box vans and large trucks. Mike Ruprecht motioned to continue the hearing until July 25, 2005 at 7:16 p.m. for a status update. Dennis Randall 2nd. Unanimous.

8:45 p.m. – McFarlane Farms

Peter Koska of Chilton Development was before the board for lot releases. The Board will sign a tri-party agreement on the 25th of July for lot releases. The amount will be \$273,000 plus 40% contingency, which will total at \$382,200.14. The Board motioned to approve the contingency and the agreement. Dennis Randall motioned to accept both the agreement and the contingency. Mike Ruprecht second. Unanimous.

9:00 p.m.

The Board approved the April 11, 2005 minutes. Dennis Randall motioned to accept the minutes. Mike Ruprecht second. Susan Farrell also accepted the minutes. 3 accepted – 3 not voting.

The meeting adjourned at 9:30 p.m.

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