



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

PLANNING BOARD September 26, 2005
Planning Board Meeting Minutes

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

7:15 Meeting Opened

7:20 p.m. - Stone Meadow Farm

Susan Farrell read the notice for the hearing. Joe Webby was present for Stone Meadow Farms. He said he believes they have provided the board with all the necessary information they had requested. Thomas Bouchard asked Thomas Bott to give the board an update on the project. Thomas gave an update of events. Thomas read a letter from Kathy Acamporo of 231 Pelham St. in regards to water problems. Her husband Dave was present at the hearing and spoke about flooding in his yard. Victor Hult stated that the land had been filled and wasn't it illegal to dump huge amounts of fill to build homes. He also has water and drainage issues. Dennis Randall felt that no solutions have been offered by the applicant for the flooding at abutter's homes. Thomas Bouchard said it was not in the Planning Board's purview to consider past water issues. Conservation in Kingston and Pembroke has to address that. Dennis Randall stated that even though the problems are pre-existing, now we have an opportunity to rectify the problems. Joe Webby explained to Dennis where the problems lie. It's only a 2-lot subdivision and it won't impact the current situation. John Hanna arrived at 7:45 p.m. David Acampora wanted to know what was going on with the other 16 acres. He also mentioned that the trees were cut down and this has caused flooding in his back yard. Joe Webby said we are here for a 2-lot subdivision. No plans have been made for the 16 acres. Mr. Hanna said that the trees were cut down in 1996 and 1997 and it was all legally done. This is not causing the draining issues. Dennis Randall stated that something happened to alter the terrain. John Hannah stated that the water is drained away from their homes onto his land with a courtesy pipe. This was originally a cranberry bog and the soil is sand. When the bogs failed, he went back to the original grounding, removed the bogs and took it back to it's original form, and did not fill it, as was suggested. Mr. Acampora said it was not a courtesy pipe, the pipe had always been there. Dennis Randall said you can't order people not to cut down trees on their own property. But if the water level has risen, something happened to cause that. There still are no offers to mitigate the problems. John Hanna stated that Mr. Acampora built his house on a cranberry bog. Joel Michaud asked if prior to this development there had been any of these complaints. Mr. Hanna didn't think so. Susan Farrell said that the road in Kingston should comply with what's in Pembroke. Mike Ruprecht asked about hydrants. Mr. Hanna said that Kingston residents would be hooked up to the Pembroke water main. Mr. Acampora wants to have an enforcement for the construction sight for portalettes. Victor Hult of 25 Stagecoach Dr. said the grade has gone up 7 ft. Dennis Randall said the Board should benchmark current conditions and if they change, the Board should be made aware of that

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change. Susan Farrell motioned to close the public hearing. Mike Ruprecht second. Dennis stated that he was present but not voting. The Board stated the waivers that were requested.

Waivers:

1. Perk Tests
2. Right of way pavement width
3. Cul-de-sac diameter
4. gravel base for road.
5. sidewalk gravel
6. grass width between roadway and sidewalk
7. 48 instead of 40 trees.

The Board denied Waivers 1 and 7.

The Board set the conditions for the Approval.

1. Subject to Perk Test
2. Municipal water required if any additional development
3. Stream gage monitoring system installed
4. The subdivision is limited to 2 lots

Susan Farrell motioned to approve Stone Meadow Farms 2- lot subdivision with the above conditions and with waivers 2,3,4,5,6. Mike Ruprecht second. 3 unanimous, 2 present but not voting.

9:15 p.m. – Schedule change

The Board voted to change the agenda schedule and move the Plymouth Earth Removal Permit to this time slot. Dennis Randall motioned yes, Thomas Bouchard 2nd. Mike Ruprecht no. Susan Farrell yes.

9:20 p.m. – Plymouth Earth Removal Permit

Thomas Bott explained the circumstances surrounding the Earth removal at William Gould Way and the connecting road to Kingston. They would like to remove 286,000 cu. yds. of Earth. Thomas Bouchard stated that there isn't much we can do about that. Henry Stout of Atlantic Properties was in the audience and he stated that this is something the Plymouth ZBA and the Kingston Planning Board can work together on. They also would like to see the connection done at Cherry St., and although they have a bid in, they presently don't own that parcel of land. They also stated that the cart path was not an acceptable alternative. They are not sure at this time what the connecting road will be, but they are willing to work through this with the Kingston Planning Board. Thomas Bouchard stated that he would like to see the conditions. Susan Farrell wanted to know if it was appeal able. Thomas Bott said it was. Henry stated that the conditions would be ready the middle of next week. Then there would be a 20 day appeal period. The board put him back on the agenda for October 17, 2005 at 7:35 p.m. They also added the date of October 3, 2005 at 7:35 p.m. to allow Henry Stout to

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make a presentation before the Planning Board. Thomas Bouchard said to let the Town Administrator know about this.

9:45 p.m. – The Bog – Brian Cook

Brian Cook explained their project to the board. They would like to build a 200 x 85 ft. ice skating rink, public hockey, skating and ice dancing; a turf field and a soccer turf field near the Kingsbury Club. Nathan Collins of McKenzie Engineering explained some of the drainage and water issues. Below they are listed.

- 1) 4 detention facilities
- 2) Include Storm Center units
- 3) It accommodates the by-laws.
- 4) Part of this project is in the water resource district
- 5) A hydrant will be installed
- 6) They would construct an on-site sewer until they are allowed to tie in.
- 7) Traffic study to date shows 136 trips – 800 daily trips

Mike wanted to know what the time slots would be. 6:30 –7:30 would be busy with ice time. 9- 3 should be slow. 3-9 peak hours, 6-9:30 p.m. core hours. Mike also brought up the traffic at CVS and Tarkiln Rd. and how dangerous that spot is. Nathan Collins stated that they are going beyond that spot for the entrance. Dennis wanted to know if they intended to address the flow pattern. Susan Farrell mentioned that the lighting would need to be directed downward. Joel asked if it would be open to the public. Brian Cook stated it would be. Susan asked about the water resource district. Brian said that they would contain the water. Susan asked about snow removal in relation to the water district. Brian said that the earth would be moved, but not removed. Thomas Bott thought Coler and Colantonio would be a good engineer for the Town. Dennis asked about parking and the radius for the buses. Mike asked about the timing of the street lights. Dan Sapir from the Board of Health asked about DEP requirements and how much water would be generated. They said 3500 gallons a day. The Board moved to continue the hearing until November 14, 2005 at 7:35 p.m.

10:20 p.m. – ANR Woods – 35 Reed St.

Mr. Woods presented to the board a plan for an ANR that was a bit out of the norm. Paul Armstrong was not available to comment on the plan as he was at a funeral. Mr. Woods stated that his client was in a foreclosure on the property, and he was trying to save this from foreclosure. Mr. Woods will come back on October 3, 2005 at 7:47 p.m. after he has a chance to speak with Paul.

10:30 p.m. – Bond Release for Fred Tonsberg IPE Phase III and IV

Fred Tonsberg and Peter Opachinski were present for the information regarding how much bond money was available to complete the paving of the road. Thomas Bott stated that he has not had the time to look this up, but he does know that there is \$49,928.01 plus interest in a surety bond for Phase III, and \$141,074.81 for Phase IV. Peter Opachinski wanted the bond

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estimate strictly for paving. The Board requested the Thomas Bott give Fred the information he has requested and Peter Opachinski wanted to know if anyone else should look at the road before they put the top coat on. Thomas Bott said Horsely and Witten would look at it. Peter asked why the problems weren't picked up by Horsley and Witten before. Dennis Randall said that there were two errors. They didn't go by the specs and/or the inspector wasn't going by the specs. Thomas Bott will write a letter requesting Horsley and Witten look at the road. Peter stated that this needs to be done quickly and he needs the bond estimate.

Mike Ruprecht said while Fred was there, he would like to address the gate and lights with him. Fred stated that the gate issue was done. It would be made a manual gate. The light issue he would take up with the ZBA as well as the sidewalks as they were going there for the 40B condos. Mike Ruprecht suggested that Tom Bott send to the ZBA a letter, along with meeting minutes, to explain what has transpired to date.

10:50 p.m. – Thomas Bott explained that there was a ZBA workshop on Wednesday September 28, 2005 at 7 p.m. in regards to their application for Old Colony Commons. Thomas would like a member to attend with him. Dennis Randall volunteered to attend. Thomas Bouchard motioned to approve Dennis Randall attending the ZBA workshop. Mike Ruprecht second.

The Board adjourned at 11 p.m.