



TOWN OF KINGSTON
Office of the Sewer Commission/Wastewater Department
26 Evergreen Street
Kingston, MA 02364

781-585-4058
781-585-5874 FAX

Elaine A. Fiore
Peter C. Cobb
Thomas W. Taylor, II

Minutes
January 11, 2011

The meeting of the Board of Sewer Commissioners was called to order at 7:13 P.M. by Elaine Fiore. Members attending tonight were Elaine Fiore and Peter Cobb. Mr. Taylor was unable to attend tonight. Also present tonight was Jason Talerman, Town Counsel, to discuss pending litigation and answer any other questions the Sewer Commission may have.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to go into Executive Session to discuss pending litigation with the Town of Kingston, et al v. Indian Pond Country Club, et al and Revoli Construction Co., Inc. v. Town of Kingston. The Board will return to regular session at the conclusion of the Executive Session. A roll call vote was taken resulting in Ms. Fiore voting YES and Mr. Cobb voting YES. The motion was approved.

MOTION, by Peter Cobb, seconded by Elaine Fiore, to conclude the Executive Session and return to the regular session. A roll call vote was taken resulting in Ms. Fiore voting YES and Mr. Cobb voting YES. The motion was approved.

Ms. Fiore asked Mr. Talerman if the Sewer Commission has been obtaining the correct paperwork for some of the agreements that have been made, with various property owners, regarding sewer capacity. Mr. Talerman stated that he would like to see sections on any agreement letter for the property owner(s) to sign and the Board of Sewer Commissioners to sign. He would like the opportunity to review any such letters before they are sent. In regard to the Mews project, a letter should be sent to the property owner stating that they did not comply with the deadline to make their deposit and now that additional capacity is gone.

Ms. Fiore discussed that there have been several letters sent to MEPA commenting on the Notice of Project Change (NPC) submitted by CDM on behalf of the Sewer Commission. So far copies of letters from the Board of Health, Streets, Trees & Parks, the Conservation Commission agent and the Jones River Watershed Association (JRWA) have been received.

Ms. Fiore discussed that she had spoken with Alicia Busconi regarding the Kingsbury Square Plaza's request for addition sewer capacity for the Hannaford's Supermarket. Ms. Busconi wanted to know if the plaza would be allowed to use the capacity they received for the 65 seat, fast food restaurant for a use other than a fast food restaurant. Ms. Fiore asked Mr. Talerman whether this would be permissible or not and he indicated that it would be since the capacity would continue to be used by the strip mall complex.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to allow the Kingsbury Square Plaza to use the 4 ERUs of sewer capacity they purchased for a 65 seat fast



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food restaurant within the plaza complex as is needed by the strip mall. The motion was so voted.

The Board reviewed a Building Permit Application for 17 Rocky Nook Avenue. They propose to finish the 3rd level with an office and half bath. The plans of the existing house indicate that there are already 4 bedrooms and 3 bathrooms. The property card indicates there are 3 bedrooms and 3 bathrooms. They have been allocated 330 gallons per day. A letter will be sent detailing these issues and asking that the property owner execute a deed restriction for 4 bedrooms before the permit can be approved.

The owner of 3 Braintree Avenue has contacted the office stating that his existing house is 4 bedrooms, not 3 bedrooms as stated on the Assessors' field card. He purchased the property as a 4 bedroom house. He has contacted the Assessors' office about this and the property card has been reviewed and updated to reflect that it is already 4 bedrooms. He is willing to execute the Deed Restriction for 4 bedrooms.

CDM Amendment #2 totaling \$12,000.00 for GIS work was signed. The contract with Amendment #1 and #2 now totals \$188,500.00.

The Board briefly discussed the NPC comment letters that have been sent to MEPA. All have been favorable except the letter from JRWA, which raised several concerns that will be addressed in a reply letter to MEPA.

A Drain Layer License renewal application was reviewed and approved for Rorke Excavating Inc. The license application was signed as was the license card.

A letter to Diane Hubbard was signed and will be sent out with her refund check. Connection deposits were made for sewer capacity that had been reserved for potential development of the land. The capacity has since been relinquished when the Town purchased the Calista property on Elder Avenue.

The Board briefly discussed placing an article on the Town Meeting Warrant for land acquisition. The language for the article was not discussed.

MOTION, by Peter Cobb, seconded by Elaine Fiore, to adjourn the meeting at 8:30 P.M. The motion was so voted.

Suzanne Richards
Administrative Assistant