



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

Meeting Minutes of July 25, 2022

Approved 8/21/23

Members:

Tom Bouchard, Chair
Dave Gavigan, Vice Chair
Joanne Cullen, Clerk
Bob Gosselin, Member
Jonathan Barnett, Member
Rich Kenney, Alternate Member

Staff:

Valerie Massard, Town Planner

Joanne Cullen called the meeting to order around 7:05 PM

ROLL CALL

Dave Gavigan: Present
Bob Gosselin: Present
Jon Barnett: Present
Joanne Cullen

Tom Bouchard and Rich Kenney were not present.

MEETING MINUTES

None available for review.

COMMUNICATIONS

There were no communications.

Continued public hearing, Independence Center Newco, LLC for designation of remainder portion of Kingston Collection Way (Map 89, Lot 4) for designation of portion of the roadway as an Acceptable Way under Definitive Subdivision Approval, way remains private.

David Gilmore Pyramid Group LLC and Richard Tabyzinski PE of Atlantic Engineering presented a revised plan which would allow the road layout of the “ring road” to connect to the already Acceptable Way near the Fire Station, as an alternative to finding the continuation of the existing driveway, which is partially owned by Trammell Crow (new apartment building), part of the acceptable way. Valerie Massard explained that some additional landscaping along the main part of Kingston Collection Way

approaching the Fire Station heading easterly, noted that all the concerns of the Planning Board from the previous hearing had been addressed and trimming of the trees and shrubs around the ring road and Kingston Collection Way had been completed. There was no one in the audience or on Zoom to comment. Ms. Massard reviewed that the turning radii and other safety concerns have been addressed, and the connection for the layout will not be constructed at this time.

Motion: Joanne Cullin to close the hearing

Second: Bob Gosselin

Vote: All in Favor 4-0-0

Motion: Joanne Cullin to find the new layout and portion constructed from Target to the new layout as acceptable

Second: Bob Gosselin

Vote: All in Favor 4-0-0

Motion: Joanne Cullin to grant waivers as noted

Second: Bob Gosselin

Vote: All in Favor 4-0-0

Continued public hearing Rader Properties, Inc. for approval of Special Permit and site plan for proposed adult use marijuana cultivation, product manufacturing and sales at Map 12, Lot 3-2 off Independence Way. Request to continue hearing to August 8, 2022.

Motion: Bob Gosselin to continue the hearing to August 8, 2022 at 7:01 PM

Second: Jon Barnett

Vote: All in Favor 4-0-0

Continued public hearing Masse Builders, LLC Special Permit at 79 Elm Street, Map 55 Lot 7, for construction of a 2-family residential dwelling in R20 Zone. Request to continue hearing to August 8, 2022.

Motion: Joanne Cullen to continue the hearing to August 8, 2022 at 7:02 PM

Second: Bob Gosselin

Vote: All in Favor 4-0-0

Appointment Hyundai of Plymouth – Valerie Massard presented the proposal.

When the Independence Mall (now Kingston Collection) was originally constructed, land protection minimums that overlay both Plymouth and Kingston (here at the shared town line) were imposed through the Massachusetts Environmental Policy Act (MEPA) in 1992, which require a minimum percentage of the land to be left in its natural state in order to protect the groundwater that is feeding the two municipal water supply wells which were sited during the permitting of the mall. This document is called a “restriction of excess development” and is on record at the Plymouth County Registry of Deeds. The Kingston Collection is over the minimum percentage imposed by MEPA and can legally make further developments on its land within the limits imposed. This transaction will only move forward if the two towns, Kingston and Plymouth, through their Planning Boards, agree to the deal – MEPA is not actually involved at this time, through the notification process created by the covenant restricting excess development.

The proposed new location of the Hyundai dealership, currently on Court Street in North Plymouth, is near the intersection of Cherry Street and Commerce Way in Plymouth, and would include a parcel being conveyed out of the Independence Mall holdings meeting the minimum percentage requirements imposed by MEPA. A portion of this parcel is in a Zone II. Monitoring wells, location of potentially hazardous materials moved outside of the Zone II were included in the Water Commission's action and negotiations. Planning has added an additional monitoring well on the downgradient side between the "clean" portion of the site and the nearest well, training of dealership employees, powers to inspect the dealership by Kingston Fire and Building Departments, copies of monitoring reports, have been negotiated. The Water Commission, working with Town Counsel has approved the proposed transaction. Chairman Bouchard, staff and the representatives of the dealership met and reviewed all of the information in detail several days ago.

A draft letter has been prepared by staff and working with Attorney Robb D'Ambrosio, representing the Hyundai dealership, and is based on a letter drafted in a similar situation when the Amazon Warehouse was proposed. This draft is a suggestion only, if the Planning Board is favorable, and can be modified here as needed, with the representatives of the dealership here to respond to any questions. All of the dealership is located in Plymouth, and the land is owned by the Kingston Collection group at this time. Mr. D'Ambrosio reviewed that the process with the Water Commission, town counsel and the Water Commission's engineers (CEI), took about six months. Mr. D'Ambrosio also touched on the history of the mall permitting and the MEPA process.

Questions and discussion were responded to by staff and the representatives of the dealership.

Motion: Joanne Cullen moved the draft letter with the added request to be notified if anything changes during the Plymouth permitting process

Second: Bob Gosselin

Vote: All in Favor 4-0-0

Partial Lot Release - Greystone Village developer Briarwood Construction is seeking a partial release of lots, now that the road is to binder, where less than half of the lots would be released at this time. The remaining lots will remain as a conservative performance guarantee, 11 lots are proposed to be released, as illustrated on a plan handout, to be included in the fully typed lot release which will be prepared tomorrow – time ran short and there is no assistant. The developer had a family emergency and staff offered to cover the request without their attendance.

Motion: Joanne Cullen to release the 11 lots shown on the plan

Second: Bob Gosselin

Vote: All in Favor 4-0-0

There was discussion that it is known there is not a quorum for the second meeting in August, there are the two continued hearings from tonight that would be on August 8th, David will be on vacation.

Motion: Bob Gosselin to adjourn the meeting

Second: Jon Barnett

Vote: All in Favor 4-0-0

Meeting adjourned 8:05 PM

Next regular meeting to be held Monday, August 8, 2022

Materials reviewed for this meeting:

Amended Agenda July 25, 2022

Landscaping memorandum Kingston Collection

Profiles and Extension revised for portion of Kingston Collection Way

Rountree Hyundai of Plymouth Site Plan

Letter to Kingston requesting Consent Release re Hyundai of Plymouth at Commerce Way and Cherry Street

11x17 cover sheet of Greystone Village with sketch of lots to be released