



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

Meeting Minutes of June 12, 2023
Approved 11/27/2023

Members:

Thomas Bouchard, Chair
David Gavigan, Vice Chair
Joanne Cullen, Clerk
Robert Gosselin, Member
Jonathan Barnett, Member
Richard Kenney, Alternate Member

CALL TO ORDER

Chair Tom Bouchard called the meeting to order at 7:03 PM

ROLL CALL

Tom Bouchard: Present
David Gavigan: Present
Joanne Cullen: Present
Jonathan Barnet: Present
Bob Gosselin: Present

Staff Present:

Valerie Massard, Town Planner
Erin Benoit, Assistant Town Planner

Community Present via Zoom: Megan Hickey

COMMUNICATIONS

There were no communications.

DISCUSSIONS:

Reorganization:

Tom Bouchard asks Joanne Cullen if she would like to continue with her term as Clerk for the Planning Board.

Motion to nominate Tom Bouchard for Chairman, David Gavigan for Vice Chair and Joanne for Clerk.

Motion: Bob Gosselin
Second: Jon Barnett
All in Favor
Vote: 5-0-0.

Mr. Bouchard asks for a volunteer for the Community Preservation Committee. Ms. Cullen is currently the Chair and said she will continue until April 2024

Motion to nominate Joanne Cullen for CPC seat.
Motion: David Gavigan
Second: Bob Gosselin
All in Favor
Vote: 5-0

Appointment STS realty: Rick Grady from Grady Consulting with Scott Brown the applicant.
1 Tremont Street and 163 Summer Street- Special Permit new Apartments.

Presenting updated Tremont and Summer Street plan. Discussion of changes to the plan:

Phase 1:

- Retain the 12 unit building at rear of property.
- Retain a 3-unit building at front of property.
- Remove Scott's existing office and move garage style building to the rear of the property and construct 2 new buildings.

Phase 2:

- Eliminate the existing 3-unit white house on front of property.
- Construct a 12 unit building parallel to Tremont Street.

-Modifications were made to split the 12 unit building into (2) 6-unit buildings which was previously approved by the Planning Board and there is water department approval and water quality certificate.

-All units will be one bedroom which enables maintaining existence of sewer system and opening onto Tremont Street. The water department is in favor. Fire department is in favor of the circulation and has written approval.

-There is a slight (1.4%) decrease in impervious coverage. General drainage remains the same.

-There is sufficient parking- 36 spots required and 37 exist.

-Signage was added per request of Zoning BOA. This includes designated Visitor Parking spaces and signs. Parking spaces will be labeled for designation of residents. Also added are signs as reminders to respect the privacy and noise level for neighboring homes.

-Privacy screening fence and arborvitaes added at rear line of property.

Comments from Ms. Massard and Mr. Bouchard indicate the changes are good improvements.

Mr. Gavigan inquired as to any changes in the traffic pattern.

Mr. Grady explained existing road will be the same curb cut etc., and there will be a one way in and out lane designated by signage.

Motion to approve the changes to the Site Plan with the removal of the previously stated condition to paint the crosswalks since they have already been painted by the State.

Motion: Joanne Cullen

Second: Bob Gosselin

All in Favor

Vote 5-0-0

Appointment: Captain Jones Landing: Kyle Little, 4 Captain Jones Way. Questions definition of the neighborhood and how to mitigate speed and traffic. Concerns regarding singular speed table and the design is regarded as inadequate for speed control. Temporary speed tables are in place. Notes high concentration of small children. Current situation is one raised crosswalk in the middle of Captain Jones Way. Residents are seeking a relationship with the Town and guidance as to what they can do to change what is proposed to be constructed as approved during final paving- to perhaps add more speed tables and/or other changes for the better in general. Mr. Little asks what are considered minor vs. major changes and what does the peer review process look like for the single speed table.

Mr. Bouchard acknowledges the frustration and defaults to Ms. Massard to address.

Ms. Massard points out that to her knowledge, there is no official Homeowner's Association in place yet. There are speed tables that the residents have put in, but they cannot be left in place when paving takes place.

Ms. Massard has explained to the residents, regarding adding a speed table, the Planning Board/Town is not the designer of the road, and said road is privately owned by the developer. The developer had been asked if he was willing to hire an engineer to develop a new design plan for the roadway. When the price came back, Mr. Sheerin (who has an approved plan already in place), said that he was not interested in pursuing this. Ms. Massard made the (unofficial) representatives of the neighborhood aware of the price quote and asked them if they wanted to pursue working with Paul Sheerin to get this approved and done at the same time as the final paving, but she received no response. Ms. Massard thinks this would be a modification that would require Public Hearing and Notice to all the residents since there is no official HOA, and the need to affect road design in terms of distance between speed tables, visibility, etc.

Mr. Little expressed further frustration in communication with the remaining developer. Mr. Little said the residents he has spoken with agreed to use the HOA funds available currently to pay for the paving to add a speed table. Ms. Massard has no knowledge of these said funds.

In Mr. Gosselin's professional opinion, this is not a Planning Board issue, but rather, an issue between the HOA and the developer.

Mr. Little presented a series of camera images that depict a car allegedly travelling at high rates of speed based on the timestamp of the images.

Mr. Barnett suggests that the residents should approach the developer and ask to fund the engineering for additional speed tables etc.

Mr. Bouchard repeats that, as a town, our hands are tied in terms of stepping in to do anything currently.

Resident Annie Amity of Captain Jones Way expresses concern that the road “may not” be accepted. She questions what the stipulations are for the Town to accept the road and what the town is doing, if anything, to hold the developer accountable to get the road accepted by the town. Inquires as to what happens if the town does not accept the road ie: who will own it?

Mr. Bouchard states that the developer must finish everything the way it was designed and engineered and stamped. They must show the as-built plan. Then the owner must go to the Selectman to ask for acceptance of the street and then it goes to Town meeting.

Planning Board reassures the residents present that they believe the developer will honor his contractual obligations. The residents are advised to wait until the project is completed.

Dottie McFarlane, an abutter to houses in this development, has 3 major problems:

1. There is a service road behind her that is partially built on her land.
2. Where the road comes, it just drops off, at the edge, several feet and it's built into shrubbery. Several people and a dog have allegedly fell. She fears liability, as it is technically on her land.
3. There is a pile of debris on her land including concrete blocks, shrubbery, and metal. The lawns have been graded so that all the water goes into a hollow and into her lawn and into the road that includes rocks and dirt etc. She demands it removed.

Mr. Bouchard acknowledges her concerns and will look into them.

Administrative items: Prospective plans for subdivision for Norrie Village has been previously voted by the Planning Board as incomplete. No further communications or response have been received from the Applicant or his legal/surveyor representatives.

Motion to vote that Norrie Village Form B application is incomplete and No Action will be taken.

Motion made: Joanne Cullen

Second: Jonathan Barnett

All in Favor

Vote 5-0-0

DISCUSSIONS:

Freedom Boats 30 Prospect Street: Ms. Massard did multiple site visits on Prospect Street and spoke individually with residents in the line of sight of the boatyard. Review of the plan of plantings that are substantial in nature as to screen the boat field. The planting plans have been mailed to all the affected parties with information on how to comment and when the plantings will take place. The neighborhood seems satisfied with the plans. Plantings will be completed in the Fall as it is not ideal to plant this late in the season.

Since this landscape plan was previously voted on and approved. No new vote was necessary.

Dance Studio 121 Main Street: Dunkin Donuts is doing well. Mr. Scott Spencer is looking for tenants to occupy space during off-hours. A dance studio during opposing hours is proposed as a possible tenant. Proof of peak hours of both Dunkin Donuts and the Dance studio are requested. Another condition is that the day care may not open during the weekend as there will not be insufficient parking.

Ms. Massard has asked for a written document with official hours of Dunkin' Donuts and the daycare so that moving forward, he can rent to a business in a more efficient way with the Planning Board knowing ahead of time what businesses are appropriate when considering peak hours and parking etc. Planning Board is also waiting for Mr. Spencer to produce a landscape plan-which he said he is working on.

Greystone Village: Agreement between all parties (Town, developer and with Fire and Building review) of informal 12.5-foot side yard setback. The RODEO doesn't say what the side yard setbacks should be. Currently, roughly 15 feet is observed in general with a few exceptions. Fire Department, the Building Commissioner, Greystone's council, and the developer, have come to an agreement that 12.5 feet is a safe and reasonable setback for the structures from the side yard lines.

Motion Charles Drive RODEO for Greystone Village for 12.5-foot side yard setback, 20-foot rear setback, 25-foot front setback as described on draft.

Motion: Bob Gosselin

Second: Joanne Cullen

All in Favor

Vote 5-0-0

Form A Land Swap: West Street and Quail Run. Tom Bouchard and his neighbor would like to swap identically sized pieces of land so that his neighbor can build on his property.

Motion to endorse ANR plan as shown for 42 West Street and 6 Quail Run.

Motion made: Joanne Cullen

Second: Jonathan Barnett

All in Favor

Vote: (called by David Gavigan) 4-0-1

Tom Bouchard abstained from voting as his land is one of the properties involved in the ANR plan.

NEW/OLD BUSINESS:

- Updated consultant list. Review of individuals and companies added and removed from list and a brief explanation.
- Zoning is being reviewed and changes should be made at Fall Town meeting. Building department, Conservation and Planning have been working together to gather information and draft recommendations. Planning Board is welcomed to submit ideas or opinions on changes.
- Correspondence regarding Right of First Refusal on town line near Halfway Preserve owned by Roger Correia. Mr. Bouchard would like to know what pieces of the land are already protected, based on natural resources.

TOWN PLANNER REPORT:

- Sylvia Pond estates is under construction.
- Greystone Village is under construction.
- Bids for Complete Streets will be coming in soon and construction will take place late summer.
- Corridor study by OCPC will look at zoning, land use and traffic.

MEETING MINUTES

Meeting minutes from April 10, 2023, and May 8, 2023 reviewed.

Motion to approve the minutes of April 10, 2023, as presented.

Motion: Bob Gosselin

Second: David Gavigan

All in Favor

Vote: 4-0-1

Joanne Cullen abstained as she was not present for the meeting.

Motion to approve the minutes of May 8, 2023, as presented.

Motion: Joanne Cullen

Second: David Gavigan

All in Favor

Vote: 3-0-2

Bob Gosselin and Jonathan Barnett abstained.

Motion to adjourn.

Motion: Joanne Cullen
Second: David Gavigan
All in Favor.
Vote 5-0-0

Meeting adjourned.

Materials Discussed/Reviewed at this meeting:

- Agenda for Planning Board Meeting June 12, 2023
- Norrie Village proposed subdivision plan filing finding incomplete.
- Freedom Boat Planting Plan
- 125 Main Street Dance Studio request and recommended vote.
- Draft memo approved by Greystone Village's council accepting a side yard setback of 12.5 feet.
- Form A ANR West/Quail Run
- Consultant lists
- Meeting minutes for April 10, 2023
- Meeting minutes for May 8, 2023
- Correspondence from Mr. Correia regarding Right of First Refusal