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

Meeting Minutes of March 11, 2024
Approved March 25, 2024

Members:
Thomas Bouchard, Chair
David Gavigan, Vice Chair
Alexander Graham, Member
Robert Gosselin, Member
Jonathan Barnett, Member
Richard Kenney, Alternate Member

CALL TO ORDER

Chairman Thomas Bouchard called the meeting to order at 7:05 PM after some technical difficulty by PACTV.

ROLL CALL

Thomas Bouchard: Present
Jonathan Barnett: Present
Bob Gosselin: Present
Alexander Graham: Present

David Gavigan, and Richard Kenney were not present.

Staff Present:
Valerie Massard, Town Planner
Erin Benoit, Assistant Town Planner

AGENDA:

7:02 Appointment: Lynne Sweet, LDS Consulting and Valerie Massard to present the updates to the ADU (accessory dwelling unit) Bylaw.
Mr. Chairman gave a brief explanation of the definition of ADUs, the history Kingston's ADU bylaw and the reasoning for the proposed changes.

Ms. Massard introduced Lynne Sweet of LDS Consulting and the scope of the work.

Ms. Sweet shared her screen for the PowerPoint presentation: "MEETING WITH KINGSTON PLANNING BOARD REGARDING ADU BYLAW AMENDMENTS March 11, 2024"

(This presentation was also included in the agenda packets)

The presentation by Ms. Sweet reviewed proposed changes which were discussed at length with Board members. Final adjustments will be made to prepare the article to appear on the warrant for Town Meeting being held on May 4, 2024. The warrant closes on March 26, 2024.
The Planning Board will resume discussion at the next Planning Board Meeting March 25, 2024.

Appointment O'Donnell Family Trust to move the money held in escrow for the decommissioning of the wind turbines.

Tyler Duggan (O'Donnell family member) representing 48 Marion Drive is requesting to take back the payments for the decommissioning of the turbines in order to earn more interest. He distributed 2 proposal plans: One plan is to put the full amount for the decommissioning into Mountain One Bank. Proposition to move $346,000 into this bank and provide the Town of Kingston with statements. The second option is to move the money to an Ancora interest-bearing account that yields around 5% interest as opposed to the town's 2% interest rate. Mr. Duggan also requests statements from the Town for this account. *

Ms. Massard said this is a highly unusual request and does not recommend support. Mr. Bouchard agrees and asks the Board for their thoughts on the matter. Mr. Gosselin suggests the Town Counsel review the request. Mr. Bouchard said there seems to be little incentive to the Town of Kingston. If the matter is revisited, all parties will be informed.

It should be noted that full quarterly **bank statements cannot be given to the O'Donnell's as their accounts are held with all the other accounts held in escrow. A current balance for this account can be given at any time at the O'Donnell family's request from the Treasurer or Collector's office, of which they have been advised.*

Appointment for Site Plan Application: Michael Coward of Motor World Sports- 56 Main Street.
Mr. Joe Webby III of Webby Engineering described the site at 56 Main Street and the proposed use: to sell and repair recreational vehicles, i.e. golf carts. Mr. Webby III commented on the concerns of staff in regard to the turning radius for fire and emergency access.
Mr. Michael Coward addressed the Planning Board and described the nature of his business. Adam Harrington and Jacob Barnes, owners of the building, further described the current use of the space and the proposed use.
Discussion continued at length and touched on: the use of gasoline, the turning radius approval from the fire department, fencing, parking, display vehicles, curb appeal, plantings/landscaping, lighting, the sign currently being in the street layout, the hours of operation, etc. Ms. Massard provided a full staff report that had addressed these items ahead of the meeting to both the Planning Board and the Applicant. Conditions and contingencies were stated for approval of the site plan and recommendations to the Zoning Board of Appeals.

Motion to approve the site plan with the conditions listed on the Town Planner's report as amended during discussion and with Mr. Bouchard and Valerie Massard's final approval of recommended changes.
Motion: Jonathan Barnett
Second: Alexander Graham

All in Favor
Vote: 4-0-0

Enforcement of unmet conditions of the special permit for Scott Spencer at 121 Main St.
Mr. Spencer was allowed occupancy to Dunkin Donuts and the day care center with conditional approval. After many attempts by Mr. Bouchard, Ms. Massard, and Jason Silva, (the Building Commissioner), Mr. Spencer has still not responded to or met his obligations defined in the special permit with respect to landscaping and building architectural details. Mr. Chairman requests a certified letter be sent to all parties involved, that the occupancy permits may be revoked if conditions are not met.

Motion to have a letter of enforcement written and sent by the Planning Department for violation of Special Permit for 121 Main Street.
Motion: Jonathan Barnett
Second: Alexander Graham
All in Favor
Vote: 4-0-0

TOWN PLANNER REPORT:
Presentation by Town Planner Valerie Massard MBTA Zoning
Ms. Massard presented a PowerPoint presentation (also given in print) outlining the proposed MBTA Zoning Overlay District and current progress on meeting State requirements. This presentation is a complete outline that will also be presented the Board of Selectman and to the public. Ms. Massard thoroughly but concisely explained the proposal for compliance with the State's demands of Kingston.
Updates were given on the meetings of the MBTA Task Force and VHB's recommendations (VHB is the Town's consultant).

OCPC Corridor Study update. The Planning Department continues a survey of housing and businesses in Kingston and is working with OCPC to present to the State our findings and suggestions for improvement, with input from Town officials.

MINUTES: The January 8, 2024, minutes could not be voted on as there were not enough members present that attended that meeting. They will be voted on at the next meeting.

The minutes of November 27, 2023, were reviewed.

Motion to approve the minutes of November 27, 2023, as presented.

Motion: Jonathan Barnett
Second: Alexander Graham
All in Favor
Vote: 3-0-1 Tom Bouchard abstained as he was not present for that meeting.

NEXT MEETING will be Monday, March 25, 2024

Motion to Adjourn
Motion: Jonathan Barnett
Second: Alexander Graham
All in Favor
4-0-0

Meeting Adjourned.

<u>Materials Discussed/Reviewed at this meeting:</u>

- Agenda for Planning Board Meeting March 11, 2024
- Presentation by LDS re: ADU Bylaw
- O'Donnell email request for appointment re: escrow fund
- Site Plan Application 56 Main Street
- Staff report 56 Main Street
- 121 Main Street correspondence from Planning
- MBTA Zoning Presentation
- Minutes of January 8, 2024
- Minutes of November 27, 2023