



Office of the Kingston Planning Board

Kingston Town House
26 Evergreen Street
Kingston, Massachusetts 02364

Meeting Minutes of January 8, 2024

Approved June 10, 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 7:02 PM.

ROLL CALL

Thomas Bouchard: Present
David Gavigan: Present
Jonathan Barnett: Present

Bob Gosselin, Alexander Graham, and Richard Kenney were not present.

Staff Present:

Valerie Massard, Town Planner
Erin Benoit, Assistant Town Planner

Community Members Present: Carl Djusberg

AGENDA:

7:02 Appointment: ANR 37 Nottingham Drive Map 11 Lot 29 and 39 Nottingham Drive Map 11 Lot 30. Mr. Bouchard, Mr. Gavigan and Mr. Barnett consult the site plan that shows the land swap. Ms. Massard recommends endorsement as it does not affect lot area or frontage.

Motion. To endorse the ANR 37 Nottingham Drive Map 11 Lot 29 and 39 Nottingham Drive Map 11 Lot 30 as specified on the map.

Motion: David Gavigan

Second: Jonathan Barnett

All in Favor

Vote: 3-0-0

7:04 Appointment: Performance guarantee and lot release for Nava Landing.

Valerie Massard introduced the numbers presented for finishing up the subdivision Nava Landing (formally known as Sylvia Pond Estates). Mr. Djusberg was there to answer any questions from the Board. Ms. Massard stated that she and Pat Brennan from Pat Brennan Engineering had walked the property with Mr. Djusberg. She referenced the proposed amounts that included a 20% contingency. There is one lot remaining to be released and once the contingency is set, Mr. Djusberg can prepare the paperwork and then Planning can do the Performance Bond, have the Board sign an agreement for the performance guarantee and release the remaining lot.

Ms. Massard further explained that there are 2 houses sold and a third house is under construction. Everything is in order with the exception of the drainage basin that needs maintenance which can occur in part now, and the rest in the Spring. Mr. Chairman, Tom Bouchard asked about trees and Ms. Massard responded that we are not to that point yet-they are just to binder. Trees, sidewalk, final wearing course and typical loam and seed as well as driveway lights are included. Mr. Bouchard questions Pat Brennan's proposed 20% contingency and states that it should be 40% as is the standard. Mr. Chairman explained that the contingency must account for the future price increases, etc.

Ms. Benoit calculated the numbers for the contingency at 40% instead of 20% which brought the final guarantee to \$168,028.00 as opposed to the previously quoted amount of \$144,024.00.

Ms. Massard noted a small amount of configuration has been requested by staff, in terms of access to the drainage easement. Ms. Massard has met with the residents of 318 Elm who have their driveway on the Elm Street side but have constructed a new drive at the end of the cul de sac. In that meeting Ms. Massard advised the homeowners that it was in everyone's best interest that they consider giving access to the drainage easement and that they consider joining the Homeowner's Association, who maintains the road, or in the alternative, gate this off as an emergency egress only. They were amenable to granting said access and gating the road and will be working with Mr. Djusberg.

Ms. Massard said a triparty agreement, cash or bond will be made and the vote to agree on the amount of \$168,028.00 should be voted on at tonight's meeting.

Motion to approve with 40% contingency rate the amount of \$168,028.00 for the performance guarantee at Nava Landing

Motion: Jonathan Barnett

Second: David Gavigan

All in Favor

Vote: 3-0-0

TOWN PLANNER REPORT:

Town Planner Valerie Massard reviewed the Annual Report for the Planning Department (included in the agenda packet) and highlighted the focus points of the report, especially the technical assistant grants that we have received.

MINUTES: The November 27, 2023, minutes could not be voted on as there were not enough members present that were in attendance at that meeting. They will be voted on at the next meeting.

OLD BUSINESS:

Vice Chairman David Gavigan asked where we stood with Mr. Spencer and Dunkin Donuts on Main Street. Mr. Spencer has still not completed the punch list of items that are listed as conditions on the Special Permit. Ms. Massard said there are no updates. A letter was sent to the Building Commissioner as previously requested and receipt of said letter is confirmed.

Mr. Gavigan suggests inviting Jason Silva to attend the next Planning Board meeting to inform us on the next steps he will take to enforce the conditions that have not been met.

NEXT MEETING will be Monday, January 22, 2024

Motion to adjourn.

Motion: David Gavigan

Second: Jonathan Barnett

All in Favor

Vote 3-0-0

Materials Discussed/Reviewed at this meeting:

- Agenda for Planning Board Meeting January 8, 2023
- Form A for ANR plan for Nottingham Drive
- Parcel map for Nava Landing
- Performance Guarantee quote for Nava Landing
- Annual Report
- Minutes of November 27, 2023