



**Office of
Kingston Board of Appeals**
Town House
26 Evergreen Street
Kingston, MA 02364

**BUSINESS MEETING MINUTES
ZONING BOARD OF APPEALS
November 19, 2008**

MEMBERS PRESENT: Carl Pike, Paul Dahlen, John Haas, George Boerger, David Rose
OTHERS PRESENT: Paul Armstrong, Zoning Enforcement Officer

Mr. Haas opened the meeting at 7:30 pm.

7:30 Ewing – Special Permit – continued from 11/5/08

Mr. Rose read the public hearing notice. Present were Kevin Grady of Grady Consultants. Mr. Grady provided the approval from the Conservation Commission and a plan of what Conservation approved regarding the drain, the retaining wall and the sea wall. Mr. Haas read a letter from Maureen Thomas, Conservation Agent. The basement drain was discussed and Mr. Grady explained that it is connected to two infiltrators. Mr. Grady stated that the shrubbery in the back of the property will be moved in and the others will remain at 6 feet. It was discussed that the height of the shrubbery could be a condition of the permit. Mr. Grady provided a plan showing revised parking which extends the driveway into the property and creates two undivided parking spaces. Mr. Grady explained that the applicant will have to request an amendment to the Order of Conditions from Conservation Commission to extend the parking area. It was discussed the hearing be continued so as to allow the applicant to go again before the Conservation Commission for further approvals. Mr. Boerger moved to continue the hearing to December 3 at 7:30 pm. Mr. Rose seconded. The vote carried unanimously.

8:05 Fountain Knoll 40B Update

Peter Opachinski was present to provide an update as to the Fountain Knoll 40B project. He explained that the hearings have been ongoing for the subdivision but are now closed. He would like to keep the 40B application open until the appeal period expires as he does not want to give up his rights to pursue the 40B project in the event of an appeal, etc. Mr. Boerger moved to continue the hearing to January 21, 2009 at 7:30 pm. Mr. Rose seconded. The vote carried unanimously (voting were G. Boerger; D. Rose; J. Haas)

General Business

True Decision – Mr. Boerger moved to grant the special permit requested by the applicant consistent with the written decision. Mr. Pike seconded. The vote carried unanimously.

Mr. Rose moved to approve the minutes of November 5, 2008 with revisions. Mr. Pike seconded. The vote carried unanimously.

It was voted to adjourn at 8:10 pm.