



**Office of
Kingston Board of Appeals**

Town House
26 Evergreen Street
Kingston, MA 02364

**BUSINESS MEETING MINUTES
ZONING BOARD OF APPEALS
March 17, 2010**

MEMBERS PRESENT: John Haas, David Rose, Carl Pike, George Boerger NOT PRESENT: Paul Dahlen, George McAdams. OTHERS PRESENT: Paul Armstrong

Meeting opened at 7:30 pm by Chairman Haas.

7:30 – General Business / Rollock #1253 – Decision Reviewed

Mr. Rollock was present. The decision was reviewed. Mr. Rollock wanted to submit some further information regarding his proposal and Mr. Haas informed him that the hearing was closed and no further evidence could be taken. It was discussed that the hearing could be reopened and readvertised. Mr. Rollock stated that it would not be necessary to re-open the hearing and that he is satisfied with what was submitted previously.

Mr. Boerger moved that the Board grant the Special Permit requested by the applicant consistent with the written decision and plans submitted. Mr. Pike seconded. The vote carried unanimously.

7:35 Kelleher #1254

Mr. Rose read the public hearing notice. Mark Flaherty, of Flaherty & Stefani, the engineer for the project was present. The applicant Paul Kelleher was also present. Mr. Flaherty provided a handout and photos of the Kelleher property and went over a memorandum dated March 17, 2010. Mr. Flaherty explained that the house was built in a hole and needs to be torn down. The new proposal is a modest colonial style house 24x34'. The first floor will have a kitchen, dining and living room. The second floor will have three bedrooms. The lot is 16,500 sq ft., rectangular shaped with 130ft of frontage. The proposal is to pull the house forward to the east which will bring the house closer to the road where the elevation is higher. The roof height will be less than 30 feet to the peak. The lot coverage will be 6%. There were further discussions concerning the building of a garage. Mr. Flaherty stated the applicant would like approval to build a garage.

Mr. Haas asked if any members of the public were present to speak about this proposal. No one came forward.

Mr. Boerger moved to close the hearing. Mr. Pike seconded. The vote carried unanimously. Mr. Boerger moved to instruct the clerk to prepare a written decision granting the request of the applicant consistent with the drawings submitted this evening, with the condition that that the height of the roof be 35 feet or less, that it is limited to three bedrooms consistent with the plans

and to allow construction of a garage 24x24 feet as shown on the plan and that no there be no living area in any future garage that is constructed. Mr. Pike seconded. After discussion that Mr. Haas will not be in attendance at the next meeting, Mr. Boerger moved to amend the motion to eliminate the part of the motion which instructs the clerk to prepare the decision and that the motion is amended to grant the Special Permit requested by the applicant with the same conditions and provision as previously moved. Mr. Pike seconded. The vote carried unanimously.

7:55 Cullivan #1257

Mr. Rose read the public hearing notice. Daniel and Dianne Cullivan were present for the hearing. It has been six weeks since the last hearing and during that time they have taken into consideration the Boards recommendations of squaring off the house. They brought the new plans to a contractor and the ultimate result was that the new plan was too costly for only adding 28 additional square feet to the house. Mr. Cullivan stated that they would like to revisit the original plan submitted to the Board.

Mr. Boerger stated that he did drive by the property. He stated that he feels the applicant made a good faith investigation and has no significant problem with revisiting the original proposal.

Mr. Rose stated that he was concerned about further encroachment on the side lot line.

Mr. Pike stated that he feels the addition is reasonable.

Mr. Haas asked if any members of the public were present to speak about this project. Jack Delaney of 56 Shore Drive came forward on behalf of the Mullaney's. Mr. Haas read a letter dated February 3, 2010 from the Mullaney's into the record which was not in favor of the proposal submitted.

The applicant provided photos of neighboring homes and provided estimates from contractors for the revised proposal to square off the house.

There was discussion concerning vegetation on the lot line which could potentially block views of neighbors. It was discussed that it is not issue that will be addressed by the Board at this time.

Mr. Boerger moved to close the hearing. Mr. Pike seconded. The vote carried unanimously. Mr. Boerger moved to grant the Special Permit requested by the applicant consistent with the drawings submitted and signed by the Board this evening. Mr. Pike seconded. The vote carried unanimously.

8:20 General Business

The minutes of March 3, 2010 were reviewed. Mr. Pike moved to accept the minutes as drafted. Mr. Rose seconded. The vote carried unanimously.

Mr. Haas read some correspondence regarding the Mews from Mass Housing dated March 15, 2010.

It was unanimously voted to adjourn the meeting at 8:20 pm.