



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

**BUSINESS MEETING MINUTES
ZONING BOARD OF APPEALS
April 1, 2009**

MEMBERS PRESENT: Carl Pike, John Haas, David Rose; George Boerger NOT PRESENT: Paul Dahlen
OTHERS PRESENT: Paul Armstrong, Zoning Enforcement Officer

7:30 Mr. Haas opened the meeting

7:30 Mass Property Solutions, LLC

Mr. Rose read the public hearing notice. Attorney Kraus and the applicant were present for the hearing. Attorney Kraus requested a continuance due to Mr. Dahlen's absence so that the hearing could continue with a full Board. Mr. Boerger moved to continue the hearing to May 6, 2009 at 7:30 pm. Mr. Pike seconded. The vote carried unanimously.

7:35 Petrell – Special Permit

Mr. Rose read the public hearing notice. William Petrell was present to request a special permit to allow the premises at 101R Main Street to be classified as a three family house. Mr. Petrell stated that it has been functioning as a three family house since he owned it which has been about twenty years. Mr. Armstrong stated that there is not a third meter on the house and that the assessor's office lists it as a two family. Mr. Armstrong told the applicant that a special permit is needed in order to straighten this out. When the zoning changed in that area in 1992, the use could have been grandfathered as a two family, but not a three family. The sewer was discussed and it was determined that there is adequate hookup and capacity for the sewer. There is also adequate parking and the building is within code. The Board discussed that if a permit is granted there should be conditions that it is in compliance with three family life safety systems and that the building remain as it is, and continue to have only a total of four bedrooms.

Mr. Boerger moved to close the hearing. Mr. Pike seconded. The vote carried unanimously.
Mr. Boerger moved to instruct the clerk to prepare a decision granting the special permit requested by the applicant with the condition that it complies with three family life safety systems and that the building contain no more than four bedrooms as is currently configured. Mr. Pike seconded. The vote carried unanimously.

7:55 Williams- Special Permit

Mr. Rose read the public hearing notice. Laura Williams was present to request a special permit to convert an existing covered porch into living space in order to extend the living room. The distance from the street will remain the same, but she is proposing to add one foot on each side which will match up to the existing house. 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 special permit requested by the applicant consistent with the plans signed and dated today by members of the Board. Mr. Rose seconded. The vote carried unanimously.

General Business

The minutes of March 18, 2009 were reviewed. Mr. Rose moved to accept the minutes as modified. Mr. Pike seconded. The vote carried unanimously.

It was unanimously voted to adjourn at 8:07 pm.