



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

**Zoning Board of Appeals  
September 5, 2007  
Business Meeting Minutes**

Members Present: Paul Dahlen; David Rose; Carl Pike; John Haas, George Boerger; absent: Larry Hunt

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

Ryan's Way -Deliberation: The Board reviewed the draft of the decision. There was discussion concerning the number of lots and enforcement of monitoring the Presby system. There were discussions regarding limiting the number of bedrooms. The applicant agreed to 108 bedrooms and the affordable units would be three bedroom. The list of waivers dated February 7, 2007 was reviewed and there were discussions concerning the request for the tree waiver. The Board felt the by-laws concerning trees should be upheld.

Mr. Boerger moved to not grant the tree waiver, Mr. Rose seconded. All in favor. (voting were C. Pike, J. Haas, D. Rose, G. Boerger)

Mr. Boerger moved to grant the comprehensive permit with approval of 30 total units and 8 affordable units consistent with the draft decision as modified and discussed this evening. Mr. Pike seconded. All in favor.

8:50 Ewing

Mr. Rose read the public hearing notice. Kevin Grady of Grady Consultants and Robert Ewing were present for the hearing to request a special permit to allow alteration and extension of a pre existing non conforming building. Mr. Grady explained that the proposal is for demolition of two pre existing non conforming dwellings and construction of one single family residence consisting of 2,200 sq. feet and three bedrooms and a basement. Mr. Grady indicated that it will not adversely affect the neighborhood, that they are minimizing the impact to a 10,000 square foot area; it is consistent with other homes; there will be a reduction in traffic impact and less parking requirements. He added that the height of the structure is approximately 24 feet. There is anticipated excavation on the side of the lot which will be used in back for fill.

Mr. Haas asked if any members of the public were present to speak regarding this application. Francis McGillicuddy, 42 East Street, came forward to ask for clarification on the setbacks. Paul Basler, wanted to make it a condition on the decision that another dwelling could not be built on the lot at a later date. Harriet Dunphy, 2 Bayview, was concerned about her view being obstructed but felt this design is better than the previously proposed design. Ms. Santucci, 37 East Avenue, was concerned about the view, but was satisfied with this proposal.

The Board was polled and the consensus was that this plan is reasonable and less detrimental than what was already existing or not significantly more detrimental. Mr. Rose stated he wanted to see a more detailed plan showing elevation.

Mr. Boerger moved to close the hearing. Mr. Dahlen seconded. All in favor. Mr. Boerger moved to instruct the clerk to prepare a written decision to grant the applicant's request for a Special Permit consistent with the plans dated June 27, 2007 submitted to the Board subject to an additional detailed plan showing elevation and subject to the restriction that there be no blocking of East Avenue during construction. Also that the lot be combined and only one house be allowed on the lot with no apartments in the proposed dwelling and subject to approval of plan by Conservation Commission. Mr. Rose seconded. All in favor.

9:35 Madsen

Mr. Rose read the public hearing notice. Mr. Madsen was present for the hearing to request a special permit to allow an expansion of a non conforming single family dwelling by adding a second story, entry way and utility room. Mr. Madsen went over the plans to add a seven foot second floor. He stated that the height of the dwelling will be 24' 6". The footprint will remain the same. The proposed entry way shed will add one foot. There will be three bedrooms upstairs. There is currently four parking spaces available.

Mr. Haas asked if any members of the public were present. No one came forward.

Mr. Boerger moved to close the hearing. Mr. Rose seconded. All in favor.

Mr. Boerger moved to instruct the clerk to prepare a decision granting the request of the applicant consistent with the drawings submitted to the Board and subject to the condition that there be no more than four bedrooms. Mr. Rose seconded. All in favor.

#### 9:45 Tonsberg

Mr. Rose read the public hearing notice. Mr. Haas read a letter from the applicant requesting a continuance. Mr. Rose moved to continue the hearing to October 3, 2007 at 7:30 pm. Mr. Boerger seconded. All in favor.

#### 9:47 Mullen

Mr. Rose read the public hearing notice. The applicant requested by fax a continuance to the hearing. Mr. Rose moved to continue the hearing to October 3, 2007 at 7:35 pm. Mr. Pike seconded. All in favor.

#### General Business

The minutes of August 15, 2007 were approved as written.

It was voted to adjourn at 9:55 pm.