



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

**BUSINESS MEETING MINUTES
ZONING BOARD OF APPEALS
February 20, 2008**

MEMBERS PRESENT: Paul Dahlen, Lawrence Hunt, John Haas, David Rose, George Boerger, Carl Pike, Pete Peterson. OTHERS PRESENT: Paul Armstrong, Zoning Enforcement Officer

Mr. Haas opened the meeting at 7:30 pm and introduced the members.

7:30 Scarzi- Special Permit

Mr. Rose read the public hearing notice. Mark Flaherty was present on behalf of the applicant to request a special permit for the expansion of a non-conforming single family dwelling with a 6500 sq ft lot. Mr. Flaherty provided pictures and reviewed the material submitted with the application with the Board. The applicant is seeking to add one bedroom and playroom onto a second floor and an unfinished attic on the third floor. Mr. Flaherty referenced a letter from the Sewer Commission stating no objection to the addition of a third bedroom. After discussion, the Board expressed concern that according to the design before it, there is potential to add bedrooms at a future date. It was specifically noted that the attic space had windows including a dormer window and skylight. The Board further discussed a special permit could be granted with the condition that there be no windows in the attic space. Mr. Haas asked if any members of the audience were present to speak about this application. No one came forward. Mr. Boerger moved to close the hearing. Mr. Rose seconded. All in favor.

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

Mr. Boerger moved to instruct the clerk to prepare a decision granting the request of the applicant for a special permit with the condition that there be no natural light in the third floor attic space specifically dormers, skylights and windows. Mr. Dahlen seconded. All in favor.

8:10 Ruprecht

Mr. Rose read the public hearing notice. Mr. Dahlen recused himself from this hearing due to a conflict of interest and Mr. Pike was appointed a full member. Mr. Ruprecht was present to request a special permit to allow the removal of an existing deck and replace with a 14x14 screened in porch on the opposite side (rear) of the house. As a result the deck does not meet the side set back by two feet. Mr. Haas asked if any members of the public were present to speak regarding this application. 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. Mr. Hunt seconded. All in favor.

8:20 Barrows Brook

Pete Delprete, Wm. Donahue (Engineer) and Attorney Janet Stearns were present for the hearing. Mr. Delprete indicated that Mark Casey has been provided with all the plans and that they have met with Mr. Casey. Mr. Donahue indicated that there is a Notice of Intent going before the Conservation Commission for the river front boundary. Mr. Donahue explained that under the NOI, instead of a pipe at the street crossing, it was revised to provide a clear span wooden bridge which would eliminate a direct impact on the wetlands. The bridge would be maintained by the homeowners association. Mr. Donahue stated that the storm water system was basically the same as what was approved. He added that the new plans shows some home moved and there is more grass area

The Board discussed that that the hearing be continued to allow peer reviewer input and to allow the plans to be available to the public.

The applicant provided the Board with a handout regarding a cost analysis for the septic system.

Mr. Haas asked if anyone was present to speak about the project.

Pine Dubois reiterated her concerns that the septic system allowance not be related to Title V, but to surface water quality standards as outlined in 315 CMR, 4.06, 4.16. The Jones River is high quality water and requires assurance that any discharge will not degrade the river from high quality standards.

There were further discussions concerning surface water standards other than Title V. Attorney Stearns offered to prepare a memo to the Board outlining their position as it relates to compliance with Title V and state regulations.

Mr. Delprete provided the Board with a memo concerning traffic dated January 24, 2008. The Board stated it would like to see more information and calculations as it pertains to level of service at the intersections. In addition, the memo should be signed by the engineer.

Ms. Dubois asked if MEPA would be notified of the changes. Mr. Donahue indicated he will send a letter.

Mr. Rose moved to continue the hearing to March 19, 2008 at 7:45. Mr. Hunt seconded. All in favor

General Business

The minutes of February 6, 2008 were approved as amended.

It was voted to adjourn at 9:30 pm.