

TOWN OF KINGSTON
ZONING BOARD OF APPEALS

MINUTES
September 6, 2023

Members:

Mr. Paul Dahlen – Chairman
Mr. Doug Dondero – Vice Chairman
Mr. Lane Goldberg
Mr. Robert Mullen
Mr. Kevin Wrightington
Mr. Brian Woods – Associate Member
Ms. Marsha Smith Meekins – Associate Member

In attendance in Room 200: Mr. Dahlen, Mr. Goldberg, Mr. Mullen, and Ms. Marsha Smith Meekins
Absent: Mr. Dondero, Mr. Wrightington and Mr. Woods
Abutters were not present in room 200 or via Zoom.

Mr. Dahlen opened the meeting of the Zoning Board of Appeals at 7:05 PM, seconded by Mr. Goldberg with a
VOTE of 4-0-0.

Mr. Goldberg read the Public Hearing Notice for 23 Spruce St. and motioned to open, seconded by Mr. Wrightington. **VOTE of 4-0-0.**

Appointment:

7:00 PM - CONTINUED TO 9/20/2023 AT 7:10 PM - Applicant, Scott Brown, 1 Tremont St. and 163 Summer St., seeks a special permit per §4.2A Nonconforming structure, use or lot number 4(a), waivers from 8.2A intensity schedule and variance per 6.8.D.1r as applicable in order to construct two new 6-unit apartment buildings and modify the existing site plan to facilitate construction. Site plan prepared by Grady Consulting, LLC. 3/15/2022.

MOTION: Mr. Goldberg motioned to open and continue the hearing for 1 Tremont St./163 Summer St. to September 20, 2023, at 7:10 PM, seconded by Mr. Dahlen.
VOTE: 4-0-0

Mr. Goldberg read the Public Hearing Notice for 18 Bay View Avenue.

MOTION: Mr. Goldberg motioned to open the hearing for 18 Bay View Avenue and seconded by Mr. Dahlen.
VOTE: 4-0-0

7:05 PM - Applicant, Patricia Jones, 18 Bay View Avenue, Map 49 Lot 83, must seek a special permit from the Zoning Board of Appeals per section 4.2.A, nonconforming structure, use or lot in order to expand a preexisting structure on a preexisting nonconforming lot by adding and enclosing an 8x12 area for living space on an existing deck. Proposed addition plan by Grady Consulting, LLC dated 6/13/2023. Existing plan, elevations and proposed floor plan by Matthew Lawrence Enterprises, Inc., Architect.

Rick Grady of Grady Consulting, LLC. Displayed plans for the Board members of 18 Bay View Avenue which is preexisting, nonconforming for both the lot and the structure. It's 5,000 sqft. lot/50x100. They would like to infill approximately 8x10, below an existing porch roof. They would like to square off the front of the house. They will be no closer to the side setback then currently exists. No closer to the front setback than currently exists. There will be no increase in impervious coverage because it is below an existing roof.

Mr. Dahlen asked Rick Grady if the house has any previous special permits.

Rick Grady replied that he did not believe so.

Mr. Dahlen asked about the number of bedrooms.

Rick Grady replied that the house will be staying as 2 bedrooms. Connected to town sewer. Two parking spots.

Mr. Dahlen pooled the Board.

Ms. Marsha Smith Meekins asked Rick Grady questions about the lot.

Rick Grady explained that it is an R20 zoning with 5,000 sqft. lot which is less than the required 20,000 sqft. area and less than 100 linear feet of frontage. The side setback of 15' is conforming. The front setback under the current requirement would be 25', the addition is at 22.9'. It is not an increase in nonconformance. It has been there prior to the 1950's. At the time it was likely conforming. It is a single-family residence with no accessory apartment. Changing deck into a four-season room with a foundation underneath.

MOTION: Mr. Goldberg motioned to close the hearing and seconded by Mr. Mullen.

VOTE: 4-0-0.

MOTION: Ms. Marsha Smith Meekins motioned to **APPROVE THE SPECIAL PERMIT** for 18 Bay View Avenue, seconded by Mr. Mullen with a **VOTE 4-0-0.**

MOTION: Mr. Goldberg motioned to approve the minutes from July 19, 2023, and seconded by Ms. Marsha Smith Meekins.

VOTE: 4-0-0

MOTION: Mr. Goldberg motioned to **ADJOURN** at 7:16 PM and seconded by Ms. Marsha Smith Meekins.

VOTE: 4-0-0

Respectfully submitted,

Debora Barry

Executive Secretary - Zoning Board of Appeals