

TOWN OF KINGSTON
ZONING BOARD OF APPEALS

MINUTES
March 20, 2024

Members:

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

In attendance in Room 200: Mr. Dahlen, Mr. Dondero, Mr. Wrightington, Mr. Goldberg, and Ms. Marsha Meekins Smith

Absent: Mr. Mullen

Zoom: Mr. Jason Silva

Mr. Dahlen **motioned** to open the meeting of the Zoning Board of Appeals at 7:02 PM, seconded by Mr. Doug Dondero

VOTE 5-0-0

Appointment:

7:00 PM - A Public Hearing will be held at the Town Hall, 26 Evergreen Street, Room 200 on Wednesday, February 7, 2024, at 7:05 PM. Applicant, Summer Hill Limited Partnership located at 160 Summer Street must seek a variance from the Zoning Board of Appeals per section 10.4.B powers subsection #3 of the Kingston zoning bylaw (ZBL) in order to install signage in excess of the allowances for size and numbers of signs as described in ZBL section 9.4.D. Proposed Parking and Building Changes Plan by Associated Engineers of Plymouth, MA. Signage by Brenner Signs, Plymouth, MA.

Mr. Lane Goldberg read the Public Hearing notice for 160 Summer Street and motioned to open the hearing, seconded by Ms. Marsha Meekins Smith

VOTE: 5-0-0

Keri Garofalo from Brenner Signs spoke on behalf of the applicant, 160 Summer St. regarding adding a 96x26" lit box at the bottom of the pylon presented to the board. Board had images of the signage request.

Mr. Dahlen spoke of the request and stated there were too many signs including the freestanding signs and asked Jason Silva to speak.

Mr. Jason Silva, Building Commissioner/Zoning Enforcement Officer explained the allowance of square footage. Free standing pylon signs are at full capacity.

The conversation continued regarding the square footage allowance of signs and capacity.

Mr. Dahlen pooled the board.

Mr. Wrightington stated that they are at full capacity. The sign is not on the site plan.

Mr. Dahlen stated that the sign needs to be on the site plan. Temporary signs on the grass along the road also.

Mr. Dondero believes they are at max capacity for signage. The map does not show the sign. They need to come back.

Mr. Goldbergs agrees with Mr. Dondero's statement.

Ms. Marsha Meekins Smith stated that the applicant should have an accurate site plan showing the signage and whether it is permanent or not.

Keri Garofalo stated that the two areas would be blank on the sign due to not having anyone renting the space yet.

Mr. Dahlen told Keri Garofalo that in order to get a variance there must be a hardship.

Mr. Goldberg stated to Keri Garofalo that finding out if the bottom of the sign is going to stay blank would be helpful with the hardship.

Mr. Dahlen requested a better site plan showing any permanent sign for the variance along with the square footage. You're only allowed 36 sqft. Anything over requires a variance.

MOTION: Mr. Dahlen motioned to **CONTINUE** 160 Summer St. to May 1, 2024, at 7:05 PM, seconded by Mr. Wrightington.

VOTE: 5-0-0

Appointment:

7:05 PM - Applicant, Michael Coward of Motor World Power Sports must seek a special permit from the Zoning Board of Appeals per section 5.1 table of uses and site plan review from the Planning Board in order to operate a recreational vehicle sales and service business at 56 Main Street, Map 67 Lot 72. Site plan of land by Webby Engineering Associates, Inc. dated February 19, 2024.

Mr. Goldberg read the Public Hearing notice for 56 Main St. and motioned to open the hearing, seconded by Mr. Dondero.

VOTE: 5-0-0

Michael Coward, applicant for 56 Main St., Motor World Power Sports explained his proposal for 56 Main St. as sales, service, and rentals. He explained that he was in front of the Planning Board on 3/11/2024 and the board voted to approve his business at this location.

Mr. Dahlen asked what Michael Coward would be doing at this location.

Michael Coward explained it would be sales, service, and rentals of recreational vehicles consisting of golf carts, mopeds, scooters, motor bikes, etc.

Mr. Dahlen asked about the stock display.

Michael Coward what would occupy the front and rear of the building. The display would be in the front and rear for maintenance and assembly.

Mr. Dahlen Referred to the letter given to the board by Conservation and asked the owners if they were aware of the letter.

Jaco Barnes, 56 Main St. Co-owner spoke to Conservation and contingent on the ZBA findings they would have a conversation after. The property has been the same for years. The Conservation agent had concerns about wetlands in the back of the building. It has been the same use since they bought the property and do not understand why it is an issue now. The foundation was in place and built the garage on it. The back is a gravel parking lot since they bought the property.

Adam Harrington, Co-owner of 56 Main St. Spoke of Conservation and not having a permit record but they have the sign offs.

Jacob Barnes stated there is not an increase in use. It is a different use but lesser of use.

Jason Silva stated that the Planning Board did a good job. ZBA could condition that if the Conservation Commission has a finding that alters the site plan that the applicant would return to the board with revisions.

Mr. Wrightington stated that it use to be a hotel and has always been commercial property.

Mr. Dondero stated that improvements have been made and it is an attractive piece of property. On board if the board members want to condition it.

Mr. Wrightington spoke of the repairs that will be made and having gasoline etc. Asked if there is enough room in the front when trucks make deliveries.

Adam Harrington stated that the radius is fine.

Mr. Goldberg asked the applicant about how much merchandise there would be in the front and back of the building.

Jacob Barnes explained some display would be on an elevated patio out front not on the pavement.

Michael Coward explained that most clients are online clients and don't want to go into the store because most people do not have a trailer to transport the items, or the process is by appointment basis. Owns multiple different businesses.

Marsha Meekins Smith stated that Jason Silva did a great job. My only concern is the installation of the gravel parking lot. Seems that the Conservation agent believes that it was installed after you acquired the property. You got all the sign offs from Fire, Planning and Conservation.

Jacob Barnes added that when the permit was given for the back garage in 2018-2019, we went through this process already regarding parking spaces which were marked out and included in the plan for that building.

Marsha Meekins Smith requested that the Applicant supply permitting, site plan etc. to ZBA.

Mr. Dahlen stated that the board could condition the permit.

MOTION: Mr. Wrightington motioned to close the hearing of 56 Main St., seconded by Mr. Dondero.

VOTE: 5-0-0

MOTION: Mr. Dahlen motioned to accept the change of use from a cabinet business to a recreational vehicle business dealership and service at 56 Main St., seconded by Mr. Wrightington with the following **CONDITIONS:**

1. Keeping with the Planning Board conditions
2. Provide a permit from the prior board that granted what is on page two of the site plan, if not then go in front of Conservation to hammer out a deal with them.

MOTION: To **ADJOURN** at 7:39 PM by Mr. Dondero, seconded by Ms. Marsha Meekins Smith

VOTE: 5-0-0

Respectfully submitted,

Debora Barry
Executive Secretary Zoning Board of Appeals