



Zoning Board of Appeals

Kingston Town House,
26 Evergreen St. Kingston Ma
02364

ZONING BOARD OF APPEALS MINUTES 01/15/25

Board Members Present: Doug Dondero, Kevin Wrightington, Marsha S Meekins, Robert Mullen

Not Present Paul Dahlen and Lane Goldberg

The Kingston Zoning Board of Appeals meeting on January 15, 2025, focused on a variance application by William Pflaumer for an adapted addition to his home at 23 Smith Lane. The board identified a paperwork error, confusing a variance with a special permit, and decided to deny the application without prejudice to allow for proper reapplication. The project aims to make the home accessible for David Williams, who became paraplegic, by adding a lift, changing entryways, and modifying the interior. The board also discussed parking requirements, ADA compliance, and the need for proper documentation, including deed records, to confirm the home's two-family status.

Action Items

- ☐ Resubmit the application as a special permit, not a variance.
- ☐ Provide documentation on the property's status as a two-family or single-family home.
- ☐ Update the parking plan to clearly show the accessible van parking space and other required parking.
- ☐ Resubmit the application with the corrected paperwork as soon as possible to be considered at the next meeting on February 5th.

Outline

Opening the Meeting and Initial Agenda

- Paul Dahlen opens January 15, 2025, zoning Kingston Zoning Board of Appeals meeting at 7:01 PM.
- A motion to open the meeting is made and seconded, with all in favor.
- The agenda is discussed, and the public notice is confirmed.
- Robert Mullen reads the public hearing details: January 15, 2025, at 7:10 PM at the town hall.

Variance vs. Special Permit Confusion

- Robert Mullen introduces the applicant, William Pflaumer, seeking a variance to construct an adapted addition to the existing dwelling.
- Paul Dahlen and others discuss the confusion between a variance and a special permit.
- It is noted that the document is stamped, but the language is inconsistent.
- Paul Dahlen explains the higher standard for a variance compared to a special permit.

Clarifying the Application and Legal Requirements

- Paul Dahlen suggests hearing the case anyway and possibly doing an addendum.
- The need for a higher standard for a variance is discussed, including soil, topography, or shape problems.
- Paul Dahlen suggests denying the application without prejudice and reapplying correctly.
- Kevin Wrightington and Robert Mullen discuss the implications of the current paperwork error.

Public Hearing and Accessibility Needs

- Sara Fuller, representing Pflaumer, explains the need for the addition to make the home
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accessible for David Williams, who recently became a paraplegic.

- The proposed changes include adding a lift, changing entryways, and making the home more accessible.
- Sara Fuller details the current layout and the need for gym equipment and additional living spaces.
- The discussion includes the need for parking spaces and the potential for a two-family home.

Parking and Legal Requirements

- Paul Dahlen and others discuss the parking requirements, including a dedicated van-accessible parking spot.
- The need for proper documentation, such as the deed, to confirm the two-family status of the home is emphasized.
- Paul Dahlen suggests checking with the building department for the correct documentation.
- The importance of meeting ADA requirements for private homes is briefly discussed.

Closing the Hearing and Next Steps

- Paul Dahlen suggests closing the hearing and denying the permit without prejudice due to the paperwork error.
- The need to reapply with the correct paperwork is emphasized.
- Sara Fuller agrees to follow up with the building department to clarify the two-family status.
- The meeting is adjourned with a motion to deny without prejudice and a motion to close the hearing.