



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

Minutes 05/07/25

The Kingston Zoning Board meeting on May 7, 2025, discussed two main agenda items. Veronica McCarthy's request for a special permit to add a 23x15 ft. structure at 2 Braintree Ave was approved, despite concerns about encroaching on setbacks. The board also considered Mark Moore's request for a variance to build a 12x16 ft. deck at 81 Helens Lane, which was continued due to potential wetland issues and the need for a hardship demonstration. Additionally, the board granted a continuance for Cushman Farms LLC's application, pending further information. The next meeting is scheduled for June 18, 2025.

Action Items

- [] Applicant for 81 Helens Lane to research property's permitting history and explore options.
- [] Applicant for 81 Helens Lane to contact Conservation Commission regarding deck project.

Outline

Veronica McCarthy's Special Permit Request

- Paul Dahlen opens the meeting and calls for a second to open the hearing for Veronica McCarthy's special permit request.
- Lane Goldberg reads the public hearing details, noting Veronica McCarthy's request for a special permit for an addition that does not meet the required setbacks.
- Nick Leing Grady Consulting, Nick Wasling from Grady Consulting, explains the proposed project at 2 Braintree Ave, highlighting the addition's encroachment on the required setbacks.

- Nick Leing Grady Consulting clarifies that the addition is a single-story dwelling with a utility room currently accessible only from the exterior, and the addition would provide front door and interior access.

Discussion on Setbacks and Property Details

- Nick Leing Grady Consulting provides measurements, noting the existing structure is 8.6 feet from the lot line and the proposed addition would be 8.7 feet.
- Kevin Writhington and Nick Leing Grady Consulting discuss the overhang and the existing roofed portion of the structure, clarifying that only the front addition requires relief.
- Marsha Meekins questions the increase in non-conformity, and Nick Leing Grady Consulting confirms the new portion would be 8.7 feet away from the property line.
- Paul Dahlen and other board members discuss the property's size and the need for a front door, concluding that the addition is necessary for accessibility.

Public Comments and Abutter's Letter

- Paul Dahlen calls for public comments, noting a letter from abutter Daniel Garvey Jr. expressing no concerns with the variance.
- Paul Dahlen and Matt Pennella discuss technical issues with the Zoom feed, ensuring Daniel Garvey Jr. can be heard.
- Paul Dahlen asks if anyone from the public on Zoom would like to speak, but no one responds.
- Paul Dahlen makes a motion to close the hearing and approve the special permit for 2 Braintree Ave, which is seconded and approved by the board.

Mark Moore's Deck Variance Request

- Lane Goldberg introduces the next agenda item, a public hearing for Mark Moore's request for a special variance to build an open deck at 81 Helens Lane.
- Mark Moore explains the request, noting the deck would encroach on the required front yard setback from Lee Road.
- Matt Penella, representing the Conservation Commission, advises Mark Moore to file with the Conservation Commission due to the proximity to wetlands.

- Paul Dahlen and other board members discussed the need for hardship to justify the variance, with Mark Moore explaining the deck's necessity for outdoor entertainment.

Technical and Legal Considerations

- Lane Goldberg and Paul Dahlen discussed the legal requirements for a variance, emphasizing the need to demonstrate a hardship.
- Mark Moore provides additional details about the property, noting the house was built in 2004 and the deck would be on the side of the property.
- Marsha Meekins questions the hardship, suggesting the deck could be built in a different location, but Mark Moore explains the limitations of the property.
- Paul Dahlen suggests continuing the request to allow Mark Moore to gather more information and possibly consult with the Conservation Commission.

Decision and Next Steps

- Paul Dahlen and other board members agree to continue the request for a month to allow Mark Moore to gather more information and consult with the Conservation Commission.
- Mark Moore agrees to continue the request and explore the possibility of building a patio instead of a deck to avoid the need for a variance.
- Paul Dahlen advises Mark Moore to check his property's permitting history to see if it includes any conditions that might allow the deck.
- Matt Pennella suggests using the town website to request public records related to the property's permits and plans.

Cushman Farms LLC Continuance

- Paul Dahlen introduces the next agenda item, a continuation for Cushman Farms LLC's request.
- Paul Dahlen explains that Cushman Farms LLC requested continuance due to pending peer review comments.
- Paul Dahlen suggests continuing the request for a month, noting the lack of progress in recent meetings.
- The board agrees to continue the request for a month, with a second and unanimous approval.

Meeting Adjournment

- Paul Dahlen calls for a motion to adjourn the meeting, which is seconded and approved by the board.
- The next meeting is scheduled for June 18, with no additional items on the agenda.
- The meeting concludes with a brief discussion about the next steps for the pending requests.