

TOWN OF KINGSTON
ZONING BOARD OF APPEALS

MINUTES
January 19, 2022

Members

Paul Dahlen - Chairman
Doug Dondero – Vice Chairman
Lane Goldberg
Robert Mullen
Kevin Wrightington

Mr. Dahlen called to order the meeting of the Zoning Board of Appeals at 7:01 pm in Room 200. Also, in Room 200: Lane Goldberg, Doug Dondero and Kevin Wrightington.

Appointment

7:00 PM Special Permit per section 4.2 non-conforming structure, use or lot subsection 4.2A number 4(a) in order to convert a preexisting non-conforming structure on a non-conforming lot from a seasonal cottage to a year-round residence. Including structural improvements. Plan 38, Lot 104, Webby Engineering, August 29, 2014, Shawn and Sheila McNamara, 18 Delano Avenue.

Mr. Goldberg read the public hearing.

Motion by Mr. Goldberg and second by Mr. Wrightington to open the public hearing and a vote of 4-0-0

VOTE: I move to open the public hearing of 18 Delano Avenue

Anellen McNamara, 25 Linden Park Drive, Waltham. Sister of the petitioners, Shawn and Sheila McNamara. Asked to summarize and present the Special Permit on their behalf. 18 Delano Avenue is in Rocky Nook, R20 zone. Describes single family cottage details. The McNamara's would like to make the cottage into a year-round residence. It's a non-conforming lot. It was conforming when it was built in 1935. Frontage is 11.8' less than the 50' minimum. One side yard of 4.9', less than the 15' minimum. The other side lot is 16.4'. The lot size is 4,500 sq. ft., below the 20,000 sq. ft. minimum. We are requesting that the Board approve our special permit to convert the single-family dwelling, seasonal cottage to a year-round residence. The change is being requested by the following per the site plan provided as well as the architectural drawings. Request to remove existing seasonal porch of 7'12" and replace with a 7'X14'.2" proposed addition, 5'10" off the ground. Height will not be changed substantially only by a few inches to tie into the roof. Premises only has a half bath and will put in a full bath along with a laundry area. That is the rationale for making the porch to a year-round structure. The addition of 2'2" to align and get more feet for the bathroom. Requesting to add a deck that would be 16'X14'. Currently the side yard is 4'.9" The proposed deck would be 5'.8" from the side yard and will have stairs down the side. The roofline will be changed after the porch comes down to tie it into the old roof. There are no other exterior changes to the main part of the house. To make the residence year-round the interior house will be rebuilt from the studs up, adding insulation and new wiring.

Mr. Dahlen asked if the house is a raise.

Anellen McNamara responded that the actual exterior is in good condition. The foundation has been structurally reviewed and is good. The roof is newer, siding is good, and windows are new within the last 15 years. Rebuilding the inside and then the back porch is allowing to have a full bath and laundry room.

Mr. Wrightington asked if the driveway is going to be to the right side of the house.

Anellen replied that if you're looking at the house the existing driveway is 40' long and 8'9" wide. It has an apron at the top. There's a 2' buffer between the grass, the side of the house and the driveway. The about a 5' buffer to the property line. Existing driveway fits two cars tandem. It meets the requirements because you need 1.5 cars to cover two bedrooms. No changes will be made to the driveway.

Mr. Wrightington asked if the inside of the structure will have roof rafters to bring it up to code.

Anellen McNamara stated yes, we must add headers over some of the windows and reinforce the roof. Anderson looked at the foundation. Beams will be added to reduce the load of the house.

Mr. Wrightington asked if there is a full basement.

Anellen McNamara stated that it is a dirt floor. Per Anderson there is no water damage. The floor will be cemented during the renovation.

Mr. Dondero asked how long the property has been owned.

Anellen McNamara stated that the home has been owned by the family for 35 years and was inherited by the McNamara's. They would like to modernize it to make it year-round which a lot of people in the Nook have been doing.

Mr. Dondero stated yes, that's great.

Jennifer Collins, 17 Cedar St. questioned whether there is going to be excavation. She stated that she is concerned about drainage.

Mr. Dahlen stated that there will be whatever is needed to put in a proper footing, concrete anything to put a normal foundation in.

Jennifer Collins stated that she is concerned about the excavation creating damage to the road. She has a problem on Cedar St. with drainage due to construction that was previously done. She asked if there is a plan for drainage. Wants to make sure that the damage to Cedar St. does not get worse.

Mr. Dahlen asked Jennifer Collins if she has contacted the Building Department to put in proper erosion control.

Jennifer Collins stated that she has contacted the Building Department. Her concern is the drainage and more damage happening to the roads in the neighborhood. There is a huge lake and hole in the road from erosion.

Mr. Dahlen stated that the addition is 7'x14'. The drainage is almost nil. If anything, it will be the reverse. If they take dirt out and put a foundation in, you just took something out that could put water

into the ground and move it to something that can stop the water. They are going to have to have erosion mitigation there. Which are hay bales.

Jennifer Collins stated that bettering the house is wonderful for the neighborhood. She just needed to voice her concerns. Needs any drainage issues to be addressed.

Motion by Mr. Dondero second by Mr. Wrightington and a vote of 4-0-0

VOTE: Motion to close hearing on 18 Delano Ave.

Motion by Mr. Dahlen to approve, second by Mr. Dondero and a vote of 4-0-0

VOTE: Motion to APPROVE special permit for proposed addition and proposed deck, 18 Delano Ave.

Mr. Dahlen explained the decision and waiting out the appeal period.

Mr. McNamara owner. 18 Delano Ave. asked about moving forward with permit for foundation and what about the structural permit for the demolition.

Mr. Dahlen stated that Mr. McNamara could probably do the porch but not the building. Speak with Jason next week. If you get appeals, then things will be sitting for a while.

Minutes: Approval of minutes for November 3, 2021, and a vote of 4-0-0
Motion to APPROVE minutes by Mr. Dahlen and second by Mr. Dondero

Adjourn: Motion to adjourn by Mr. Wrightington second by Mr. Dondero and a vote of 4-0-0
VOTE: To adjourn. The meeting adjourned at 7:23 pm.

Respectfully submitted,

Debora Barry

Executive Secretary Zoning Board of Appeals