

TOWN OF KINGSTON  
ZONING BOARD OF APPEALS

MINUTES  
February 16, 2022

**Members**

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

Mr. Dondero called to order the meeting of the Zoning Board of Appeals at 7:00 pm in Room 200. Also, in Room 200: Lane Goldberg, Kevin Wrightington and Robert Mullen.

**Appointment**

**7:00 PM Applicant must seek a special permit from the Zoning Board of Appeals per section 5.2 table of uses in order to construct and run a dog daycare business and boarding of dogs. Caitlin Anderson, 114R Main Street, Map 58, Lot 1**

Mr. Dondero told the public that the hearing would open and be continued to March 2, 2022, due to a site visit by the Kingston Planning Board on February 28, 2022.

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 114R Main Street.

Motion by Mr. Goldberg and second by Mr. Dondero to continue the public hearing to March 2, 2022, and a vote 4-0-0

VOTE: I move to continue the public hearing of 114R Main Street to March 2, 2022.

Kelly Conte, 7 Brightside Drive would like to invite the Board to her home when they do the site visit so the Board can see the proximity of her home to the proposed site. Ms. Conte thinks it would be beneficial for everyone involved.

Mr. Dondero state that the Zoning Board is not doing the site visit/review, but the Building Inspector will take that information.

**Appointment**

**7:05 PM Applicant seeks a special permit from the Zoning Board of Appeals per section 4.2 nonconforming structure use, or lot subsection 4.2.A number 4(a) in order to raze and rebuild a preexisting nonconforming structure on a preexisting nonconforming lot. Ronald and Eleanor McGinnity, 10 Bagnell Street, Map 48, Lot 86. Site plan dated December 30, 2021, Grady Consulting. Project Overview dated December 10, 2021, B Inspired Construction. Plan No. 3, Bagnell and Cole.**

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 10 Bagnell Street.

Rick Grady, Grady Consulting, 71 Evergreen Street showed the Board plans and stated that the plan is ½' off the lot line to the side and 14 ½' to Standish Avenue and approximately 9.2' to the steps that project toward Bagnell Street. Working with the owner and Architect to design the house primarily to meet the 25% coverage requirement for the building. As proposed, it does meet the 25% coverage requirement. The lot is 4,414 square feet. We are decreasing the non-conformities. We are currently ½' off the lot line and we are able to increase that to 13' providing much more side yard. We are proposing to stay 15' off Standish Ave. 17 ½' off Bagnell St. to the proposed deck and entry stairs. Reconnecting to town sewer and water. Complying with the proposed building height. Good project that decreases nonconformities in this area.

Mr. Dondero asked Mr. Grady how many bedrooms.

Mr. Grady stated 3 bedrooms. Which they will need to have a conversation with the sewer department to get that fourth bedroom.

Mr. Dondero asked if the applicant has enough parking for four bedrooms.

Mr. Grady stated yes four spaces denoted on the plan.

Mr. Wrightington stated that the plans show off street parking for 4 spots.

Mr. Dondero offered to the audience to ask questions with no response.

Mr. Dondero stated if they move forward, they will need to get approval of the sewer commission.

Mr. Grady stated that he would be glad to have that as a condition.

Motion to close the hearing by Mr. Wrightington and second by Mr. Dondero with a vote 4-0-0.

Motion to APPROVE 10 Bagnell Street with a condition from the sewer department to approve for four bedrooms by Mr. Dondero and second by Mr. Lane with a vote 4-0-0.

### **Appointment**

**7:10 PM Applicant must seek a special permit per section 4.2 nonconforming structure, use, or lot subsection 4.2.A number 4(a) from the Zoning Board of Appeals in order to expand the preexisting nonconforming structure by adding a 28x14 addition off the rear of the building. Addition is for a new bedroom and bathroom. Site Plan by Joe Webby, December 14, 2021, W-6601, drawn by GTH. Architectural/Foundation Plans Liberty Construction dated 10/27/2021, Project #158. April Ruiz, 77 Main Street, Map 58, Lot 66.**

Mr. Goldberg read the public hearing.

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

VOTE: I move to open the public hearing of 77 Main Street.

April Ruiz, 77 Main Street is looking to build off the existing structure straight back.

Mr. Dondero asked April Ruiz if she is staying within the same footprint and just putting on a deck.

April Ruiz stated that it's not a deck but a bedroom and repair of a tiny bathroom that exists. Looking to go 28' back from the existing structure.

Mr. Wrightington asked how many bedrooms are currently in the house now.

April Ruiz stated there is three bedrooms.

Mr. Wrightington asked if this addition would make it four bedrooms.

April Ruiz stated that there will still be three bedrooms and at some point, would like to put a second bathroom in but need to fix the existing bathroom which needs major repairs.

Mr. Wrightington asked how many parking spaces exist currently and how many cars can you park in the driveway.

April Ruiz stated 3 cars plus one in the garage.

Mr. Dondero stated that for every bedroom you have you need a parking space.

Mr. Goldberg asked if there would be any modifications made to the existing dwelling.

April Ruiz stated that the bathroom needs to be repaired which is existing. The existing bathroom is tiny and the size of a small closet. We're looking to extend that out to make it a bigger bathroom. Floor also needs repair as well as ventilation.

Mr. dondero asked if everything else is staying the same.

April Ruiz stated yes.

Mr. Dondero asked Jason Silva if he had any concerns.

Mr. Silva state no he did not have any concerns.

Mr. Goldberg asked Mr. Silva if the Board needs a plan for the dwelling or just for the addition.

Mr. Silva stated no.

Mr. Wrightington asked April Ruiz if the shower that is on the plan is in the existing house.

April Ruiz stated yes, it is. The floor is in rough shape, needs a bigger space with ventilation.

Mr. Wrightington asked April Ruiz if the washer and dryer are going into the new addition.

April Ruiz stated yes.

Mr. Dondero asked the audience if they had any questions.

Mary Lou Thimas, 79 Main Street asked April Ruiz if they are going up or straight out.

April Ruiz stated that they are just going out.

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

Motion to APPROVE the hearing of 77 Main Street by Mr. Mullen and second by Mr. Goldberg with a vote of 4-0-0.

### **Appointment**

7:15 PM Informal hearing - Lisa DeScenza of 21 Shore Drive received a special permit #21-07 to raze and rebuild a single-family dwelling. She seeks the Boards opinion as to whether the change of adding a workshop and dormer to the accessory structure second floor, changing the orientation of two garage doors, represents a minor or major division from the special permit approved.

Jason Silva, Building Commissioner stated that in relation to the last agenda item we had an individual request to make changes to an existing special permit that was approved. Jason explained to them he didn't feel like it was appropriate for him to make those decision as to whether it was major or minor that the Board does that. The need to bring the information to the ZBA so that you have something to look at to see what they intend on doing. They have not been able to prepare that information yet. They clearly have the original plans but need the revised plans to show the Board. They have the concept as written in their narrative, but they don't have the physical forms. If you agree to it we want to take those renderings and put them in the file so that there is clearly a reference to what the final product is supposed to look like. When we get the plans from this individual they will be back on the agenda.

Mr. Dondero stated that Town Counsel went over the minutes for October 7, 2021 and stated that they look good.

Motion to APPROVE the October 7, 2021, minutes by Mr. Goldberg and second by Mr. Wrightington with a vote of 4-0-0.

Motion to APPROVE the January 19, 2022, minutes by Mr. Goldberg and second by Mr. Wrightington with a vote of 4-0-0.

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

Adjourned at 7:21 PM.

Zoning Board of Appeals  
Minutes  
2/16/22

Respectfully submitted,

Debora Barry  
Executive Secretary Zoning Board of Appeals