



KINGSTON ZONING BOARD OF ADJUSTMENT

April 11, 2019

Present:

Electra Alessio
Larry Greenbaum
Peter Coffin
Richard Johnson
Chuck Hart
Jacquelynn Leone

Chairperson Alessio called the meeting to order at 7:00.

Board Business –

Minutes of March 14, 2019 Approval – Mr. Coffin made a motion to approve the minutes, Mr. Johnson seconded. Motion carried, one abstention.

Public Hearings

**James Dufresne
Diamond Oaks Golf Club, LLC
PO Box 175
Kingston, NH 03848**

**#7 Route 125, Kingston, NH
Tax Map R-3, Lot 4 and 4LU3**

Ms. Alessio stated Mr. Dufresne had extended an invitation for board members to visit the site; board members could visit individually, but as a group it would have to be posted as a public meeting. Charlie Zilch and Attorney Charlie Cleary from SEC introduced themselves. Mr. Zilch stated they had answers from questions that arose at last month's hearing. Mr. Zilch stated this would be 7 one bedroom quality apartments for over 55 and marketed towards Vets within the 1000 ft. setback from Route 125. Mr. Zilch stated this project would enhance the Country Club and maximize current taxes. Mr. Zilch stated these would not be low income apartments, a 4-500,000 investment would be made to convert/build the apartments. Mr. Zilch reiterated they

would be marketed to Vets, for example just retiring, simplifying, looking for an apartment on a golf course and would be vetted through Veterans' Outreach. Mr. Zilch stated each unit would have 1 or 2 tenants. Mr. Zilch stated although it was residential apartments it was still a commercial use. Mr. Zilch stated the apartments would be taxable and bring in tax revenue with no children. Attorney Charlie Cleary stated there were a couple of ways to ensure the apartments were rented to vets; requirement in lease, covenant, or the ZBA could put conditions on approval. Attorney Cleary stated condominiums declaration would control all occupants and the town would get affidavit annually that states residents meet requirements. Bob Britt 17 Hillside stated he wasn't concerned about the 55+ or Vets but about changing the deed from commercial to residential. Mr. Johnson stated there should not be a concern of losing tax dollars as the building would be reassessed, the town won't lose money. Ms. Alessio stated there would be more value than if it stayed empty. Attorney Cleary stated if a specific use is approved it would go with the land but could not be changed or expanded without additional approvals. Mr. Hart suggested putting the parking in the back. Mr. Zilch stated the elevator would be in the front so would have to make allowances for handicap access to the elevator. Ms. Alessio stated she was still opposed to the project as it would diminish commercial opportunities. Ms. Alessio stated she thought it was a great idea but should be in a different location. Attorney Cleary stated mixed use was becoming more popular. Ms. Alessio agreed stating she would like to see more as Kingston struggles to expand the tax base. Ms. Alessio stated there would be more commerce in a restaurant. Ms. Leone asked what data or study was used for the market value. Mr. Zilch stated there was no data but they would be building higher end well-appointed apartments. Mr. Greenbaum stated he had looked at the site and it lends itself to something other than a restaurant. Mr. Coffin asked how preference would be given to Vets. Mr. Randy Carter from Veterans Outreach stated they have lots of inquiries from Vets who can no longer afford homes, there is not a lot of opportunities for older Vets to live in the area. Attorney Cleary stated the question of preference going to Vets would be resolved by the substantial demand from Vets. Attorney Cleary stated if there were no Vets in the queue waiting then it would be rented to a non-Vet. Ms. Alessio asked what the average cost would be. Attorney Cleary declined to guess at a figure. Mr. Zilch reviewed the criteria. A vote was taken all 5 criteria passed. Mr. Greenbaum made a motion to grant a variance to permit conversion of the second floor of the existing club house to apartments with the two conditions: that preference be given to U.S. Veterans and that the occupants must be age 55 or older. A discussion followed regarding procedure, and the Planning Board would decide how to enforce. Mr. Hart seconded, 3 in favor, 1 opposed, 1 abstention.

**Russel and Susan Prescott
50 Little River Road
Kingston, NH 03848**

Tax Map R-39, Lot 10

A letter from both the building inspector was in the file stating the ADU complied with all conditions. A letter from the health inspector was in the file stating a new septic system design must be approved by DES as the last design had expired. Mr. Coffin asked if there was any change to the exterior of the house Mr. Prescott replied no. A discussion followed on why it was necessary for the applicant to go through this process. A letter from the Magnusson's was read. Mr. Coffin made a motion to grant the special exception, Mr. Hart seconded, with a condition on septic design placed in the file, all in favor. Ms. Alessio explained the 30 day waiting period.

**Jane Cleveland
9 Fieldstone Drive
Kingston, NH 03848**

Tax Map R-38, Lot 7A-4

Letters from both the building inspector and health inspector were in the file stating the ADU complied with all conditions. Ms. Cleveland stated the apartment would be over the garage, it had been constructed before she bought the property and she wished to improve upon the kitchen. Mr. Johnson made a motion to grant the special exception, Mr. Greenbaum seconded all in favor. Ms. Alessio explained the 30 day waiting period.

Further discussion on the procedure for ADU.

Meeting adjourned at 8:55

Respectfully submitted,
Tammy Bakie