

**Town of Kingston
Zoning Board of Adjustment
April 14, 2022**

PRESENT: Electra Alessio, Chair; Larry Greenbaum, Vice Chair; Peter Coffin, Meghan Kelley, Richard Russman, Members

Chairwoman Alessio called the meeting to order at 7:00 PM

BOARD BUSINESS:

Reorganization of the Board

Mr. Greenbaum thanked Chair Alessio for her years of service on this board. He then made a nomination of Peter Coffin as Chair, and Meghan Kelley as Vice Chair.

Mr. Coffin accepted the nomination as Chair, and nominated Mr. Greenbaum to remain as Vice Chair. Mr. Greenbaum said he believes that new members should be involved.

Ms. Kelley said she is familiar with Robert's Rules and is ready to learn; she accepted the nomination as Vice Chair.

The secretary cast one vote each for Mr. Coffin as Chair and Ms. Kelley as Vice-Chair.

Mr. Coffin also thanked Ms. Alessio for all she has done for the town of Kingston, saying he has never heard of anything negative.

Approval of meeting minutes

MOTION: by Mr. Greenbaum, to approve the minutes of the March 10, 2022 meeting as written.

SECOND: by Ms. Alessio

All in favor

Correspondence

Ms. Alessio said that Andrea Bickum, the administrative Assistant for the Brentwood Planning Board, has invited board members to in-person training by NH Municipal attorneys to be held at the Brentwood offices on May 12 from 4:00 PM until 6:00 PM.

The focus will be on the ZBA decision making process. Members interested will need to RSVP; the cost will be shared among participants.

Ms. Alessio reported that a Request for Rehearing has been received too late to be included in the legal notice for tonight's meeting, so it will be on the next agenda. Mr. Coffin noted that May 12 will be outside the 30-day window to respond to the request.

MOTION: by Mr. Russman, to change the May meeting to Thursday, May 5 at 7:00 PM.

SECOND: by Mr. Greenbaum

All in favor

It was noted that this meeting will be a "Public Meeting", not a Public Hearing, if no applications are received.

PUBLIC HEARINGS

**Clancy Krueger and Scott Finlayson
24 Great Pond Road
Kingston NH 03848**

Re: Tax Map U-4, Lot 7

This is a public hearing whereby the applicants seek a Variance to the terms of Article 205, Section 9(a) of the Town of Kingston Zoning Ordinance, and asks that terms be waived to permit expansion of a non-conforming use.

The ZBA may also determine that a second variance may be required for Article 205.4(b) of the Shoreland Protection Ordinance regarding lot coverage.

The applicants were present and had submitted supplemental information that was before the Board. Ms. Krueger pointed out the blueprint of the existing house with the proposed addition of 14' x 28', that includes two bedrooms and a hallway.

Ms. Krueger said that the existing house is 1,088 square feet and over 400' of addition requires a variance.

Ms. Alessio noted that the wrong ordinance was quoted at first for this application; this was corrected in time to re-notice abutters.

Ms. Krueger and Mr. Finlayson then described the home, which was built in the 1920's by two stone mason brothers. They said they love the house and want to keep its charm and integrity; they said they have tried to keep to modest sized improvement. The problem they want to overcome is that there is no bedroom in the house currently despite the property card's description of two bedrooms. They said that there is no bedroom in the cellar, and they currently are curtaining off an area to use as a bedroom; there is no closet. In adding the bedrooms, extra square footage is required to add a hallway.

Ms. Krueger pointed out that the NH Department of Environmental Services has issued them a shoreline permit; the letter was shared with the Board.

Mr. Coffin reviewed the lot coverage breakdown provided by the applicants, and verified that their calculations are very close to what he researched himself. The square footage of the lot totals 30,492 sf; maximum permitted coverage of 20% would be 6,098 sf. The total lot coverage of the house with the proposed addition would be 4,902 sf, well within the limits.

On the topic of the first variance requested, to be allowed to add the 48 sf over the acceptable increase of 400 sf, Mr. Coffin asked if there were any questions from the public present. No one wished to speak on the topic.

Mr. Coffin then opened the hearing to questions and discussion of the Board. Mr. Russman said he had gone to take a look and has no questions. Mr. Greenbaum also said he had gone down to visit the site, and had his questions on how this would be done answered. There was no further discussion.

The five criteria for granting a variance were then reviewed by the board together with the applicants, and voted on:

- Will there be a diminution of value of surrounding properties? No: 5
- Granting will be of benefit to Public interest? No: 5
- Will literal enforcement of the ordinance result in unnecessary hardship to the applicant? Yes: 5
- Will substantial justice be done if granted? Yes: 5
- Will the use contemplated, if granted, be contrary to the spirit of the ordinance? No: 5

MOTION: by Ms. Alessio, to grant a variance to the terms of Article 205, Section 9-A of the Town of Kingston Zoning Ordinance, to permit a 448 Square foot addition at 24 Great Pond Road, Map U-4, Lot 7, that will expand a pre-existing non-conforming use.

SECOND: by Ms. Kelley

All in favor

The second variance posted for this application as possibly being required, for Article 205.4(b) of the Shoreland Protection Ordinance regarding lot coverage, was discussed briefly. As noted above, the lot coverage is not more than the 20% allowed, so no relief from this article is needed. Chairman Coffin said that the Notice of Decision will reflect this.

MOTION: by Mr. Russman, to affirm that this project does not reach the limits of regional impact for the Shoreland Protection Ordinance Article 205.4 (b).

SECOND: by Mr. Coffin

All in favor

The applicants were advised that there is a 30-day appeal period.

A notice that this board is seeking Alternate members will be posted on the Town's website and in the local paper.

Meeting adjourned at 7:52 PM.

Respectfully submitted,
Susan Ayer, Secretary