



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

Minutes 05/21/25

On May 21, 2025, the Kingston Zoning Board of Appeals (ZBA) held a public hearing for Marion McCarthy's special permit application to construct a 12x16 ft. addition and a 6x12 ft. covered porch at 10 Shore Drive. The project was approved, with conditions from the Conservation Commission. The board then considered Jack Walsh's proposal for a 70,000 sq. ft. transfer station at 48 Marion Drive. The building commissioner denied the application due to lack of zoning definitions for transfer stations. The applicant argued it qualified as a public utility, but the board decided to continue the hearing to June 4, 2025, for further information.

Action Items

- [] Provide additional information on the applicant's access to the rail line.
- [] Provide further details on why the proposed use should be considered a "public utility building or yard".
- [] Continue the hearing to the next meeting on June 4th at 7pm.

Outline

Public Hearing for Marion McCarthy's Zoning Appeal

- Paul Dahlen opens the Kingston zoning of appeals meeting at 7:05 PM on Wednesday, May 21, 2025.
- Robert Mullen announces a public hearing for Marion McCarthy's special permit application for a one-story addition and covered porch at 10 Shore Drive.
- Chris Anderson from Merrill Engineers represents Marion McCarthy and explains the project details, including the addition and porch dimensions and the existing deck's reconstruction.
- Chris Anderson mentions the project's approval by the Conservation Commission and the need for a special permit due to the pre-existing non-conforming structure.

- Paul Dahlen and Chris Anderson discuss the deck's dimensions and the project's impact on the neighborhood, leading to a motion to approve the appeal.

Discussion on Marion McCarthy's Zoning Appeal

- Paul Dahlen clarifies the deck's dimensions and the project's impact on the neighborhood.
- Kevin Writhington and Marion McCarthy discussed the number of bedrooms and the project's compliance with zoning setbacks.
- Marsha Meekins and Chris Anderson discuss the deck's replacement and the front porch's expansion.
- Paul Dahlen notes the lack of public opposition and makes a motion to approve the appeal, which is seconded and approved by the board.
- Robert Mullen announces the next agenda item, a public hearing for Jack Walsh's special permit application for a 70,000 square foot transfer station.

Public Hearing for Jack Walsh's Zoning Appeal

- Attorney David Hennig represents Jack Walsh and explains the project's purpose and the need for a special permit from the planning board.
- David Hennig discusses the project's compliance with the zoning bylaw's table of uses and the need for a special permit from the planning board.
- David Hennig mentions the project's location in the commercial industrial park district and its exemption under state law.
- Paul Dahlen questions the project's ability to use the public rail, and David Hennig provides an email from Mass Coastal Railroad confirming their rights to operate on the MBTA tracks.
- David Kulikowski., the new building commissioner, explains the denial of the initial zoning application and the need for a definition of a public utility building.

Debate on Jack Walsh's Zoning Appeal

- Marsha Meekins questions the project's classification as a public utility and the implications for the planning board.
- David Hennig argues that the project fits the definition of a public utility and should be considered by the planning board.
- Paul Dahlen expresses concerns about the project's impact on traffic and the need for more information.
- Jack Walsh mentions ongoing negotiations with Mass Coastal Railroad and the need for continuance to provide additional information.

Continuance of Jack Walsh's Zoning Appeal

- Paul Dahlen proposes continuing to June 4, 2025, to gather more information and address board members' concerns.
- Jack Walsh agrees to the continuance and mentions the ongoing negotiations with Mass Coastal Railroad.
- Paul Dahlen makes a motion to continue the hearing to June 4, 2025, which is seconded and approved by the board.
- Paul Dahlen ends the hearing by adjourning the meeting.