



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

Minutes 12/03/25

The Kingston Zoning Board of Appeals meeting on December 3, 2025, discussed Mr. Cadigan's request to demolish and rebuild a non-conforming dwelling at 35 East Ave. The proposed plan includes a second-floor enlargement and a backroom addition. The project has been approved by the Conservation Commission but requires a special permit due to non-compliance with setback regulations. Concerns were raised about the sewer capacity for a four-bedroom house and the potential impact of rising sea levels. The board approved the permit with conditions, including proof of sewer flow and a letter from the Conservation Commission, and noted a 21-day appeal period.

Action Items

- [] Provide the Conservation Commission approval/letter showing their order of conditions and include it in the zoning file (submit latest conservation letter referenced in the application).
- [] Obtain and provide proof from the sewer department that sufficient sewer flow (capacity/betterment) is secured for a four-bedroom dwelling and submit that proof to the zoning file before permit issuance.
- [] Deliver a full-size site plan/site drawing for inclusion in the project file (provide the large-format plan the applicant offered to submit).
- [] Submit final approved documents and obtain stamped plans following the 21-day appeal period so the building permit process can proceed.

Outline

Opening the Meeting and Initial Agenda

- Paul Dahlen opens the December 3, 2025, Kingston Zoning Board of Appeals meeting at 7:05 PM.
- The first item is Mr. Cadigan's request for a special permit to demolish and rebuild a non-

conforming dwelling at 35 East Ave.

- Robert Mullen announces a public hearing at the town hall on December 3, 2025, at 7:05 PM.
- The proposed plan does not meet certain Kingston bylaws, specifically 4.2, 4.2.1, and 10.4.B.

Introduction of Mr. Cadigan's Case

- Dick Rockwood, Dick Rockwood from Rockwood Design, introduces himself as the architect for Mr. Cadigan.
- Mr. Cadigan has owned the property for over 30 years and has been renovating it.
- The renovation included enlarging the second floor and adding a room at the back.
- The decision to demolish and rebuild was made due to concerns about the foundation's condition.

Discussion on Compliance and Setbacks

- Paul Dahlen inquires if the lot is considered a retreat lot, which Dick Rockwood clarifies is not the case.
- The addition is 11 by 19 feet, and the project has already been approved by the Conservation Commission.
- Paul Dahlen expresses concern about the sewer commission's approval for a four-bedroom house.
- Dick Rockwood confirms there are four bedrooms, but they are willing to adjust to three if necessary.

Parking and Additional Conditions

- Paul Dahlen confirms there is sufficient parking for four cars on the half-acre lot.
- The addition will be on the north side of the house, which is already non-conforming by two to three feet.
- Robert Mullen clarifies that the land facing the water is part of the property.
- Marsha Meekins and John Cadigan discuss the addition's impact on setbacks and non-conformance.

Conservation Commission's Approval

- John Cadigan confirms the Conservation Commission's approval of the project.
- Dick Rockwood explains the need to rebuild due to the house's cinder block foundation and low ceilings.
- Dave Pflaumer and Paul Dahlen discuss the proximity of the addition to the property line

and the lack of frontage.

- Paul Dahlen requests a letter from the Conservation Commission to be included in the file.

Public Comment and Final Decision

- Pine Dubuis from the Jones River Watershed Association raises concerns about flooding and sea level rise.
- Pine Dubuis suggests the addition of pumps and proper drainage to address potential water issues.
- Paul Dahlen acknowledges the concerns and notes the importance of town-wide actions for coastal properties.
- Robert Mullen makes a motion to approve the special permit with conditions, including proof of sewer flow and a letter from the Conservation Commission.
- The motion is seconded, and the board votes in favor of the approval.
- Paul Dahlen adjourns the meeting and is seconded.