

TOWN OF HINGHAM

Zoning Board of Appeals



DRAFT MEETING MINUTES

DATE: May 19, 2026, 2026

PLACE: Remote Meeting via Zoom

MEMBERS PRESENT: Chair Robyn Maguire, Regular Members Paul Healey and Jed Ruccio.

Chair Robyn Maguire called the duly noticed meeting to order at 7:01 PM. The Chair read the Open Meeting Law statement, noted for the record that the meeting was being recorded by the Board, and invited anyone else who intended to record to announce themselves. There was no response.

In attendance were Chair Robyn Maguire; Regular Members Paul Healey and Jed Ruccio; Zoning Administrator Jennifer Oram; Land Use and Development Coordinator Donna Thompson; Special Real Estate Counsel Susan Murphy; Jared Krieger; Attorneys Jeff Tocchio and Scott Golding, DTM Law, PC; Scott Fanara, Grady Consulting, LLC; Mark Thorell, Director, Hingham Recreation Department; Vicki Dolan, Hingham Recreation Commission Chair; Michael Moonan and Jason Pollard, CHA Consulting; and other interested members of the public.

HEARINGS

Hearing: 25 Mill Lane
Applicant: Jared and Erin Krieger

Chair Maguire opened the hearing for **Jared and Erin Krieger** who filed an application on April 9, 2026, for a Variance from Section IV-A of the Zoning By-Law, and such other relief necessary, to raze and reconstruct a pre-existing nonconforming deck (22.4+ from the front setback where 35' is required), and for the installation of a swimming pool, (proposed to be at 29+ feet from the setback where 35' is required) at 25 Mill Lane, in Residence District B.

This is the first hearing on this matter.

Chair Maguire invited Attorneys Jeff Tocchio and Scott Golding, DTM Law, to present on behalf of the Applicant. Attorney Tocchio reviewed the application materials and plans.

Chair Maguire opened the meeting for Board discussion. The Board discussed the variance criteria, focusing on the hardship requirements. Board members expressed difficulty identifying a substantial hardship related to the pool, and asked whether there was case law or precedent supporting a finding that the inability to construct a pool constitutes a hardship. Attorney Tocchio argued that pools are customary residential amenities and that the hardship arises from the lot's unusual configuration, which prevents the owners from placing structures in compliant locations. He emphasized that the bylaw's frontage rules were not designed for a lot with a sheer cliff functioning as the "front yard," and that applying the bylaw literally would produce an unreasonable result for a historic home built long before modern zoning.

Board members agreed that the property is unique but stressed that uniqueness alone does not satisfy the hardship requirement. They raised additional concerns about consistency with past decisions, noting that the 2000 variance relied on blasting-related hardship that does not apply here, since the current proposal involves only minor chipping. Attorney Tocchio responded that the proposal meets all side and rear setbacks and would be compliant if the area were not technically considered a front yard, arguing that the board should view the situation through a practical lens given the property's historic layout and topographical constraints.

Chair Maguire opened the meeting for public comment. There were no comments.

The Board asked the Applicant to provide additional legal authority or clarification supporting their hardship argument, and the Chair then requested a motion to continue the hearing to June 16, 2026 at 7:00 PM.

DECISION

Upon a motion made by Paul Healey and seconded by Jed Ruccio, the Board voted unanimously as follows:

To Continue the application filed by Jared and Erin Krieger for a Variance from Section IV-A of the Zoning By-Law, and such other relief necessary, to raze and reconstruct a pre-existing nonconforming deck (22.4+ from the front setback where 35' is required), and for the installation of a swimming pool, (proposed to be at 29+ feet from the setback where 35' is required) at 25 Mill Lane, in Residence District B to June 16, 2026.

The motion was MOVED by Paul Healey and seconded by Jed Ruccio.

The motion passed unanimously upon a roll call vote. (Roll call vote: Healey – aye; Ruccio– aye; Maguire - aye)

Meeting Documents:

1. [25 Mill Lane Application](#) - stamped April 13, 2026
2. [Site Plan](#) - dated April 8, 2026

3. [July 2000 Variance Decision](#)
4. [Fludder - 11 Mill Lane](#) - received May 18, 2026
5. [Green - 20 Mill Lane](#) - received May 18, 2026
6. [Kissick - 17 Mill Lane](#) - received May 18, 2026

Hearing: **146 Chief Justice Cushing Highway**
Applicant: **Vetcor of Massachusetts**

Chair Maguire opened the hearing for **Vetcor of Massachusetts** who filed an application on April 9, 2026, for a Special Permit A1 under Section III-I.1.c, of the Zoning By-Laws, and such other relief necessary, to construct an addition to a pre-existing nonconforming Commercial Building and to extend the pre-existing nonconforming use of the Hingham Animal Clinic, located at 146 Chief Justice Cushing Highway (formerly known as Justice Cushing Way), in Residence District C.

This is the first hearing on this matter.

Chair Maguire invited Scott Fanara, Grady Consulting, to present on behalf of the Applicant. Mr. Fanara reviewed the application materials and plans.

Chair Maguire opened the meeting for Board discussion.

Board members raised questions about the proposed parking layout, including the extent of existing wooded areas and the proximity of neighboring homes. Mr. Fanara explained that the site is largely unwooded, with only limited tree and brush removal required, and noted that a landscape plan includes replacement trees along the front and side property lines. He also reviewed the locations of nearby homes, stating that the closest abutters are set back from the site, and presented a street-level view showing how the existing building fits within the neighborhood.

Board members expressed concern about the project's impact on neighboring properties, particularly those behind and adjacent to the facility, noting that additional pavement could alter the area's character. They also referenced existing neighborhood pressures, including nearby transportation and commercial uses. Mr. Fanara responded that the project would not increase parking capacity but would relocate the existing 9 spaces from in the Route 3A layout onto the site to improve safety. Mr. Fanara further clarified that the facility would not provide overnight dog boarding and noted that the business has operated at the location since at least the mid-20th century, predating most surrounding homes.

No public comment was taken during the meeting.

Chair Maguire requested a motion to continue the hearing to June 16, 2026 at 7:00 PM.

DECISION

Upon a motion made by Paul Healey and seconded by Jed Ruccio, the Board voted unanimously as follows:

To Continue the application filed by Vetcor of Massachusetts for a Special Permit A1 under Section III-I.1.c, of the Zoning By-Laws, and such other relief necessary, to construct an addition to a pre-existing nonconforming Commercial Building and to extend the pre-existing nonconforming use of the Hingham Animal Clinic, located at 146 Chief Justice Cushing Highway (formerly known as Justice Cushing Way), in Residence District C.in Residence District B to June 16, 2026.

The motion was MOVED by Paul Healey and seconded by Jed Ruccio.

The motion passed unanimously upon a roll call vote. (Roll call vote: Healey – aye; Ruccio– aye; Maguire - aye)

Meeting Documents:

1. [146 Chief Justice Cushing Highway Application](#) - updated April 9, 2026
2. [Site Plan](#) - dated April 9, 2026
3. [Plans](#) - dated October 13, 2025
4. [Stormwater Report](#) - dated April 9, 2026
5. [1955 Zoning Decision](#)

Hearing: 25 Bare Cove Park Drive
Applicant: The Town of Hingham

Chair Maguire opened the hearing for **The Town of Hingham** who filed an application on April 9, 2026, for a Special Permit A2 under Section III-A, 3.5 of the Zoning By-Laws, and such other relief necessary, for the installation of 8 post tensioned pickle-ball courts to be located at 25 Bare Cove Park Drive in the Official and Open Space District.

This is the first hearing on this matter.

Chair Maguire invited Michael Moonan and Jason Pollard, CHA Consulting, to present on behalf of the Applicant. Mr. Moonan and Mr. Pollard reviewed the application materials and plans.

Chair Maguire opened the meeting for Board discussion, and Board members asked questions regarding the proposed pickle-ball court project. Mr. Moonan explained that the DPW facility

sits roughly six to eight feet higher than the courts and confirmed that roadway drainage to the east is handled by an existing gutter and catch basin system, separate from the project. He noted that an old driveway opening will be closed and that the on-site infiltration basin will treat only runoff generated by the project. The Board confirmed that no lighting is proposed. Standard Park hours, 7 a.m. to dusk on weekdays and 8 a.m. to dusk on weekends, would apply, and without lighting, no evening play would occur. Mr. Moonan also described the sound study, which recommended 15 foot sound barriers to reduce noise to ambient levels. He stated that the nearest residence is approximately 780 feet away, buffered by topography, the DPW building, and the proposed barriers. Recreation Director Mark Thorell confirmed that these hours are consistent with other town recreational facilities.

Chair Maguire opened the meeting for public comment. Members of the public spoke in support and in opposition of the project.

FINDINGS:

1. **The proposed use will be in harmony with the general purpose and intent of the Zoning By-Law for the following reasons.** The proposed use is a permitted use with a Special Permit A2 in the Official and Open Space District. The purposes of the By-Law include encouraging appropriate use of land throughout the Town, including consideration of the recommendations of the Town's Master Plan, the prevention of blight, and preserving and increasing amenities. The site is currently an unsafe and contaminated building constructed when the site was part of the formal Naval Depot and will be remediated and razed removing the existing blight. In addition, the 2021 Master Plan includes the offering of a wide range of recreation and athletic activities as part of its community vision. This project, funded by the 2025 Town Meeting, is consistent with those purposes and intent.
2. **The proposed use complies with the purposes and standards of the relevant specific sections of the By-Law.** The eight proposed courts conform to Section IV-A – the Schedule of Dimensional Requirements, as well as the Parking Requirements under Section V under the Zoning By-Law and has received site plan approval under Section I-I from the Planning Board.
3. **The specific site is an appropriate location for such, structure, or condition, and is compatible with the characteristics of the surrounding area.** The recreational use is compatible with the area where it is being located directly across from the Carlson Field Complex, which includes soccer, baseball and softball fields, basketball courts and a skate board park.

4. **The use as developed and operated will create positive impacts or the potential adverse impacts will be mitigated.** The proposed use will add an additional recreational use for the area consistent with the adjacent complex and the recommendations of the Town's field and court study. To mitigate any potential adverse sound impacts of the use, the Applicant will install sound attenuation fabric on all four sides of the proposed exterior fencing. Hours of operation will be defined and posted at the location and will be enforced.
5. **There will be no nuisance or serious hazard to vehicles or pedestrians.** The proposed construction will not impact vehicles or pedestrians.
6. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** The project will be ADA compliant. No public facilities are required or being proposed.
7. **The proposal meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction.** The proposed project has been designed by Civil Engineers and is improving stormwater management onsite with the installation of a storm drain system and on site retention basin which improves the current conditions which provide no stormwater treatment.

DECISION

To Grant the requested Special Permit A2 under § 3.5 of the Zoning By-Laws, for the installation of 8 post tensioned pickle-ball courts to be located at 25 Bare Cove Park Drive in the Official and Open Space District subject to the following conditions:

1. The work shall be completed in accordance with the application and approved plans, any other applicable provisions of the Zoning By-Law, and the representations made during the public hearing;
2. The hours of use shall be limited to 8AM to Dusk. The hours of use shall be clearly posted on-site and must be enforced;
3. Sound attenuation fabric shall be installed on all four sides of the proposed exterior fence.

The motion was MOVED by Paul Healey and seconded by Jed Ruccio.

The motion passed unanimously upon a roll call vote. (Roll call vote: Healey – aye; Ruccio– aye; Maguire - aye)

Application Materials:

1. [25 Bare Cove Park Drive Application](#) - stamped April 9, 2026
2. [Plans](#) - dated March 26, 2026
3. [Updated Plans](#) - dated May 11, 2026
4. [V. Donlan, Recreation Chair, Comments](#) - dated May 15, 2026
5. [Pickle Ball Renderings](#) - submitted May 18, 2026
6. [Pickle Ball Court Perspectives](#) - submitted May 18, 2026
7. [Stack - no address](#) - submitted May 13, 2026
8. [Hosmer - 204 Linden Pond Way](#) - submitted May 14, 2026
9. [Gannon - 7 Sentinel Road](#) - submitted May 14, 2026
10. [Bare Cove Preservation](#) - received May 18, 2026
11. [Bryan - 75 Prospect St](#) - received May 18, 2026
12. [J. Taylor](#), Public Comment, dated May 5, 2026
13. [G. Waters Public Comment](#), dated May 13, 2026
14. [H. Aborn Martin Public Comment](#), May 13, 2026
15. [D. Chisholm Public Comment](#), Dated May 14, 2026
16. [P. Talbot Public Comment](#), dated May 14, 2026
17. [R. Garrity Public Comment](#), dated May 18, 2026
18. [M. Reuter Public Comment](#), dated May 17, 2026
19. [J. Garrity Public Comment](#), dated May 17, 2026
20. [C. Collins Public Comment](#), dated May 16, 2026
21. [C. Loughlin Public Comment](#), dated May 16, 2026
22. [P. Bray Public Comment](#), dated May 16, 2026
23. [L. Donovan Public Comment](#), dated May 15, 2026
24. [J. Koelsch Public Comment](#), dated May 15, 2026
25. [B. O'Connor Public Comment](#), dated May 15, 2026
26. [S. Delay Public Comment](#), dated May 15, 2026
27. [C. Hall Public Comment](#), dated May 15, 2026
28. [M. Jenkins Public Comment](#), dated May 15, 2026
29. [P. Mosher Public Comment](#), dated May 15, 202
30. [M. Bryan Public Comment](#), dated May 15, 2026

31. [T. Erickson Public Comment](#), dated May 14, 2026
32. [E. Dings Public Comment](#), dated May 14, 2026
33. [L. King Public Comment](#), dated May 14, 2026
34. [L. O'Reilly Public Comment](#), dated May 14, 2026
35. [R. Dodaro Public Comment](#), dated May 17, 2026
36. [Bare Cove Preservation](#), dated May 18, 2026
37. [S. Hoffses Public Comment](#), dated May 13, 2026
38. [C. Gibson Public Comment](#), dated May 18, 2026
39. [J. Williams Public Comment](#), dated May 18, 2026

ADJOURNMENT:

Chair Maguire accepted a motion to adjourn by Paul Healey and seconded by Jed Ruccio.

The motion passed unanimously upon a roll call vote. (Roll call vote: Healey – aye; Ruccio– aye; Maguire - aye)

The meeting adjourned at 8:49 PM.