



TOWN OF HINGHAM

Board of Appeals

NOTICE OF DECISION SPECIAL PERMIT

IN THE MATTER OF:

**Applicant/
Owner:** Sebastian Gomez Puerto
45 Irving Street
Hingham, MA 02043

Subject Property: 45 Irving Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 60043, Page 212

Plan and Document

References: Architectural Progress plan set, including Proposed Floor Plans & Elevations, prepared by Rockwood Design, Inc. located at 1020 Plain Street, Suite 320, Marshfield, MA 02050, dated March 2, 2026, (12 sheets); Plot Plan, prepared by Peter Hoyt, dated December 1, 2026 (1 sheet).

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of Sebastian Gomez Puerto (the "Applicants") for a Special Permit A1 under Section III-I.1.c. of the Zoning By-Law (the "By-Law"), to construct conforming additions to a pre-existing nonconforming garage, adding a third bay and connecting the garage to the single-family home, located at 45 Irving Street in Residence District A.

The Board heard the application at a duly advertised and noticed public hearing on Tuesday, April 14, 2026, during a meeting held via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 and all other applicable laws temporarily amending certain provisions of the Open Meeting Law. The Board of Appeals panel consisted of Paul Healey, Acting Chair, Regular Member, Jed Ruccio and Associate Member Mario Romania, Jr. At the conclusion of the April 14, 2026 hearing, the Board voted unanimously to grant the requested Special Permit A1.

Throughout its deliberations, the Board was mindful of the statements of the Applicant and the comments of the general public, all as made or received at the public hearing.

RECEIVED

APR 16 2026

Town Clerk
Hingham, MA

BACKGROUND AND DISCUSSION

The subject property consists of approximately 30,000± SF of land (where 20,000 SF is required) located in Residence District A. The property has two front setbacks, one with 87± feet of frontage on Leavitt Street and the other with 218± feet of frontage on Irving Street (where 125' frontage is required). The lot is improved by a conforming single-family dwelling (ca. 1934), and a nonconforming, single-story, two-car garage (ca. 1986). The front setback of the garage measures 24.3' at the Easterly corner on Irving Street where 25' is required.

The Applicant is proposing an addition to the single-family home that will provide an enclosed connection from the home to the pre-existing non-conforming garage. The Applicant is also proposing an addition of a third, taller garage bay onto the southeasterly portion of the garage. All of the proposed additions conform to the required setbacks of the Residence A District.

FINDINGS

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the hearing, the Board made the following findings in accordance with the Special Permit Approval Criteria under Section I-H, 2 and Section III-I.1.c.:

- a. **Use of the site is in harmony with the general purpose and intent of the Zoning By-Law.** The proposed conforming additions meet the required sections of the Zoning By-Law, including Section IV-A – the Schedule of Dimensional Requirements.
- b. **The proposed use complies with the purposes and standards of the relevant specific sections of this By-Law.** The extension of the nonconforming garage, with conforming additions, is allowed with the granting of a Special Permit A1 under Section III-I.1.c.
- c. **The specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area.** The proposed addition is in an appropriate location as it is expanding an existing single-family home and a garage, an accessory structure to the primary structure, located in a residential district.
- d. **The use as developed and operated will create positive impacts or potential adverse impacts will be mitigated.** The existing uses will remain unchanged thus not causing any adverse impacts in the area.
- e. **There will be no nuisance or serious hazard to vehicles or pedestrians.** The proposed construction will not impact vehicles or pedestrians.
- f. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** The property is served by public water and on-site sewer which will continue to support the property.

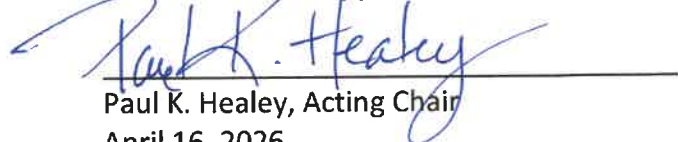
- g. The proposed Project meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction:** The proposed project has been designed by a Registered Architect.

DECISION

Upon a motion made by Jed Ruccio and seconded by Mario Romania, Jr., the Board found that the proposed alteration, extension, or structural change will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and voted unanimously to GRANT a Special Permit A1 under Section III-I.1.c. of the Zoning By-Law, to construct two conforming additions to a pre-existing nonconforming garage, at 45 Irving Street, subject to the following condition:

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.

For the Board of Appeals,



Paul K. Healey, Acting Chair
April 16, 2026

This Decision shall not become effective until (i) the Town Clerk has certified on a copy of this decision that twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that if such an appeal has been filed, that it has been dismissed or denied, and that (ii): a copy thereof has been duly recorded in the Plymouth County Registry of Deeds and indexed in the grantor index under the name of the owner of record.