



TOWN OF HINGHAM

Board of Appeals

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Hingham, MA

NOTICE OF DECISION SPECIAL PERMIT

IN THE MATTER OF:

Applicant/
Owner: Hingham Yacht Club, Inc.
208-211 Downer Avenue
Hingham, MA 02043

Agent: Michael Whitmore, Roundel 47, LLC
416 Allen Place
Scituate, MA 02066

Subject Properties: 208 and 211 Downer Avenue, Hingham, MA 02043

Deed Reference: 208 Downer Avenue - Plymouth County Registry of Deeds, Book 5011,
Page 481;

211 Downer Avenue – Plymouth County Registry of Deeds, Book 2085,
Page 144.

Plan References: "Hingham Yacht Club Pier Expansion and Dock Modifications - Site Plan",
"Hingham Yacht Club Pier Expansion and Dock Modifications –
Existing/Demolition Plan" and "Hingham Yacht Club Pier Expansion and
Dock Modifications – Proposed Plan", prepared by Childs Engineering,
located at 34 William Way, Bellingham, MA 02019, dated April 22, 2026 (3
Sheets).

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of the Hingham Yacht Club, Inc. (the "Applicant") for a Special Permit A1 under Section III-C.7. of the Zoning By-Law (the "By-Law"), for work within the Floodplain, to repair existing piers, piles, decking, seawalls, and to relocate piers, extend existing decking, add a gangway, and to relocate an existing trash enclosure at 208 and 211 Downer Avenue, in Residence District A.

The Board hear the application at a duly advertised and noticed public hearing on Tuesday, August 11, 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 panel consisted of regular members Jed Ruccio, Acting as Chair, Paul K. Healey, and Associate Member, Mario Romania, Jr. The Applicant was represented by Michael Whitmore, of Roundel, 47, LLC. At the conclusion of the review, the Board voted unanimously to grant the requested Special Permit with conditions set forth below.

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.

BACKGROUND AND DISCUSSION

208 Downer Avenue consists of 27,900± SF bounded by the Harbor to the north, portions of the Downer Avenue right of way to the east, Marion Street to the south, and a single-family property to the west, and is the location of the newly constructed barn for boat storage. The property serves as accessory parking and boat storage for the Hingham Yacht Club.

211 Downer Avenue consists of approximately 22,950± SF of land and is occupied by the Hingham Yacht Club clubhouse, deck and pier areas supported by pilings and connected to seasonal floating docks that and are accessed by gangways. The remaining area is used for parking and has a trash enclosure that contains three, 2 cubic yard dumpsters.

The yacht club has completed an assessment of the structures located within the Floodplain and are proposing the following:

- Removal of an existing long pile-supported pier that is deteriorating and would other require replacement;
- Replacement of the removed pier with new pile-supported deck area and relocation of Pilot House (the Applicant withdrew an application for a Variance request to relocate the Pilot House, the deck replacement is still proposed);
- Reconfiguration of floating docks and gangway access from the main deck area and repositioning of pilings that locate the floating docks;
- A new access point to the floating docks where the existing trash enclosure is located. The relocation of the trash enclosure will provide direct access to the floating docks via an extension of the pile-supported deck and a new gangway;
- Repair of an existing seawall;
- Relocation of the trash enclosure from 211 Downer Avenue to 208 Downer Avenue and the installation of 19' wide, 8' deep and 6' high fence.

FINDINGS

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the hearing, the Board may wish to make the following findings in accordance with the Special Permit Approval Criteria under Section I-H, 2:0

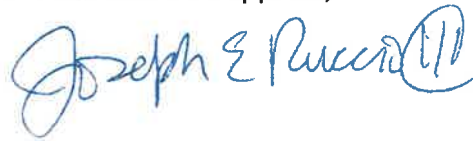
- a) **The proposed use will be in harmony with the general purpose and intent of the Zoning By-Law:** The continued use of the properties will not adversely affect the health, safety or welfare of any occupants, customers, neighbors, or the Town.
- b) **The proposed use complies with the purposes and standards of the relevant specific sections of this By-Law, for the following reasons:** The use is existing and will continue to serve the members of the club.
- c) **The specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area, for the following reasons:** The continued uses of both properties are compatible to the surrounding area. The barn and storage use have been permitted by multiple Special Permit decisions, and the Yacht Club use is a lawful preexisting nonconforming use.
- d) **The use as developed and operated will create positive impacts or potential adverse impacts will be mitigated, for the following reasons:** The uses on both properties will remain the same. The relocation of the trash enclosure from 211 Downer to 208 Downer will move the trash enclosure further out of the Floodplain, making it a positive impact
- e) **There will be no nuisance or serious hazard to vehicles or pedestrians, for the following reasons:** The project at 211 Downer Avenue will mostly be on the water, and thus will not impact vehicles or pedestrians and will not impact parking.
- f) **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use, for the following reasons:** Appropriate facilities exist for the continued use of these properties. 208 Downer Avenue has electricity, but does not require water or wastewater services. 211 Downer Avenue has all required utilities.
- g) **The proposed Project meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction:** The work as proposed is intended to meet design standards as described in the local, state and federal regulations.

DECISION

Upon a motion made by Paul K. Healey and seconded by Mario Romania, Jr., the Board voted unanimously to **GRANT** application of the Hingham Yacht Club for a Special Permit A1, Under Section III-C.7. to remove an existing long pile-supported pier that is deteriorating and replace it with a new pile-supported deck area, reconfigure the floating docks and gangway access from the main deck area, reposition the pilings that locate the floating docks, relocate the existing trash enclosure from 211 Downer Avenue to 208 Downer Avenue, and install a 19' wide, 8' deep and 6' high fence, repair an existing seawall, and perform all other associated work as associated proposed project, subject to the following condition:

1. The Applicants shall construct the project in a manner consistent with the approved plans and the representations made at the hearings before the Board.

For the Board of Appeals,



Joseph Ruccio, Acting Chair
August 25, 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.