



TOWN OF HINGHAM

Zoning Board of Appeals

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NOTICE OF DECISION SPECIAL PERMIT

IN THE MATTER OF:

Owner: Lincoln Plaza Realty Trust
1900 Crown Colony Drive, Suite 405
Quincy, MA 02169

Applicant: Mahant Krupa Food, LLC
400 Lincoln Plaza, Suite 22
Hingham, MA 02043

Subject Property: 400 Lincoln Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 57933, Page 1

Plan Reference: "Tropical Smoothie Café Plans," prepared by James D. Smith, Architects (5 sheets) dated April 14, 2025

SUMMARY OF PROCEEDINGS

This matter came before the Zoning Board of Appeals (the "Board") on the application of Mahant Krupa Food, LLC (the "Applicant") for a Special Permit A2 under §III-A, 4.9B of the Zoning By-Law (the "By-Law") and such other relief as necessary to locate a Tropical Smoothie Café, a take-out restaurant, in an existing tenant space at 400 Lincoln Street in the Industrial District.

The Board heard the application at a duly advertised and noticed public hearing on Tuesday, August 12, 2025, 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 Robyn Maguire, Chair, and Paul K. Healey and Jed Ruccio, Regular Members. At the conclusion of the August 12, 2025 hearing, the Board voted unanimously to grant the requested Special Permit A2.

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

The subject property consists of approximately 504,000 SF or 11.56 acres of land located on the south side of Lincoln Street/Route 3A, north side of Beal Street, and west side of Sgt. William B. Terry Drive. It is previously developed by a shopping center, including more than 140,000 SF GFA with multiple tenants and is commonly referred to as Lincoln Plaza. The proposed plan calls for the conversion of 1,360 SF of existing retail space (Get in Shape for Women) within the principal structure to establish a take-out restaurant; there will be some seating (19 seats).

FINDINGS

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following findings in accordance with the Special Permit Approval Criteria under §I-H, 2. of the By-Law:

- a) **Use of the property is in harmony with the general purpose and intent of the Zoning By-Law.** The proposed use is in harmony with the general purposes of the By-Law. A take-out restaurant is an allowed use by special permit within a Shopping Center in the Industrial District. The existing shopping center includes take-out and eat-in restaurants presently. Moreover, the proposed uses will not adversely affect the health, safety, or welfare of any prospective occupants, customers, neighbors, or the Town.
- b) **The proposed use complies with the purposes and standards of the relevant specific sections of the By-Law.** The proposed use complies with the parking regulations specified in Section V-A, and the Tropical Smoothie Café will require the same number of parking spaces required by the prior tenant, 7 spaces. The Applicants received a parking waiver from the Planning Board.
- c) **The specific site is an appropriate location for the proposed use and is compatible with the characteristics of the surrounding area.** The property is an appropriate location for the proposed use, as it is located within an existing shopping center, is in close proximity to the Hingham Shipyard, and is surrounded by large-scale commercial, industrial, and residential development. The existing building design is compatible with the characteristics of the surrounding mixed use area.
- d) **The use as developed and operated will create positive impacts or the potential adverse impacts will be mitigated.** There will be no adverse impacts resulting from the proposed uses as the area is designed for businesses.
- e) **There will be no nuisance or serious hazard to vehicles or pedestrians.** There will be no nuisance or serious hazard to vehicles or pedestrians resulting from the project. The shopping center access and egress, including existing pedestrian walkways, will not be affected by the proposed changes in use of the existing tenant space that is approximately 1,360 SF GFA, or less than 1% of the overall shopping center.

- f) **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** A proposed grease interceptor will collect kitchen waste and effluent, and sanitary waste will be conveyed to the existing sewer connection to the site. The Applicant will use the existing truck door for deliveries via the rear door.

- g) **The proposal meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction.** The property is served by public water and sewer. The tenant will maintain waste disposal locations and systems consistent with the existing users within the shopping center. No changes, other than the proposed grease interceptor, are required to the site in order to accommodate the proposed use.

DECISION

Upon a motion made by Paul K. Healey and seconded by Jed Ruccio, the Board voted unanimously to GRANT a Special Permit A2 under § III-A, 4.9B to locate a take-out restaurant within an existing tenant space consisting of approximately 1,360 SF GFA within the Lincoln Plaza shopping center, located at 400 Lincoln Street in the Industrial District, subject to the condition that the use is operated in a manner consistent with the approved plans and representations made to the Board during the hearing.

For the Board of Appeals,



Robyn Maguire, Chair

August 21, 2025

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.