



TOWN OF HINGHAM

Board of Appeals

NOTICE OF DECISION SPECIAL PERMIT

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OCT 27 2025
Town Clerk
Hingham, MA

IN THE MATTER OF:

Applicant: Anton Cela
85 Gardner Street
Hingham, MA 02043

Owner: Cai Sau
188 Adams Street
Quincy, MA 02169

Property: 119 Fort Hill Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 50956, Page 187

Plan References: "Plot Plan 119 Fort Hill Street," prepared by Brendan P. Sullivan, Civil Engineer, plan dated September 30, 2025 (1 Sheet).

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of Anton Cela (the "Applicant") for a Special Permit A1 under Section III-I.1.d(iii)(B) of the Zoning By-Law (the "By-Law"), and such other relief as necessary, to construct a conforming single-family home, in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on September 16, 2025 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 Robyn Maguire, Chair, Paul K. Healey and Jed Ruccio. The Applicant's representative, Dan Mahoney, assisted in the presentation of this application. The September 16, 2025 public hearing was opened and immediately continued to October 14, 2025. At the conclusion of the review on October 14, 2025, the Board voted unanimously to grant the requested Special Permit A1 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

The subject property is located in Resident District A and is nonconforming in lot area, 14,278± SF (where 20,000 is required) and in frontage, 68'± (where 125' is required). The Applicant is proposing to construct a conforming an approximately, 2,600 SF, two-story, single-family home. The home as proposed will conform to the front, side and rear setbacks in the district, as well as with the height.

The former single-family home at 119 Fort Hill Street was demolished in 2022. The Applicant, Mr. Cela, has an accepted offer to purchase the property from its current owner. Per Section III-I.1.d(iii)(B), if a lawful pre-existing nonconforming Single-Family Dwelling on a nonconforming lot has been abandoned by demolition, the reconstruction of a Single-Family Dwelling for a conforming use may be permitted upon the issuance of a Special Permit A1 no more than ten (10) years following demolition; provided, however, that the reconstructed Single-Family Dwelling shall comply with the applicable minimum yard, maximum height, and special requirements set forth in Section IV-A and the density provisions of Section IV-C.5.

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.d(iii)(B):

- a. Use of the site is in harmony with the general purpose and intent of the Zoning By-Law.** The applicant is proposing the reconstruction of a single-family home in a residential district which is permitted as of right in Resident District A.
- b. The proposed use complies with the purposes and standards of the relevant specific sections of this By-Law.** The proposed single-family home is a permitted use and also complies with the standards for the reconstruction of a pre-existing nonconforming structure that has been demolished under Section III-I.1.d(iii)(B) of the Zoning By-Law, as the proposed two-story single family home will conform to the front, side and rear setbacks required and maximum height allowed in Residence District A.
- c. The specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area.** The proposed single-family home is being constructed in a residential district. It is neighbored by other single-family homes, making it an appropriate site for this project.

- d. **The use as developed and operated will create positive impacts or potential adverse impacts will be mitigated.** The site was previously improved by a single-family but has been vacant since the previous structure was demolished January, 2022. Having a single-family home on this lot that conforms to the zoning setbacks, will be consistent with the prior allowed use of the site and not result in adverse impacts.
- e. **There will be no nuisance or serious hazard to vehicles or pedestrians.** The parcel has a location for a driveway that will be able to provide parking for at least two vehicles as required by Section V-A.
- f. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** The site does not currently have an approved Septic Plan for the proposed structure. The Applicant has met with the Board of Health and will be required to install a septic system that complies with applicable regulations.
- G. **The proposed Project meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction:** The project will need to go through the building permit application process and possibly other permitting before it can begin. These processes will require that the project meets the site construction standards.

DECISION

Upon a motion made by Paul Healey and seconded by Jed Ruccio, the Board voted unanimously to GRANT the application of Anton Cela for a Special Permit A1 under § III-I.1.d(iii)(B) of the Zoning By-Law, and such other relief as necessary, to construct a conforming, two-story single-family house, at 119 Fort Hill Street located in Residence District A, subject to the following conditions:

1. The work shall be completed in accordance with the approved plans, applicable provisions of the Zoning By-Law, and the representations made during the public hearing.
2. That the Applicant will obtain an approved Septic Plan for the property from the Board of Health prior to the issuance of the Building Permit.

For the Board of Appeals,



Robyn Maguire, Chair
October 27, 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.