



TOWN OF HINGHAM

Zoning Board of Appeals

NOTICE OF DECISION SPECIAL PERMIT

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DEC 02 2025

Town Clerk
Hingham MA

IN THE MATTER OF:

Owner: Thomas Spiro, LLC
c/o Linda Garnitz
79 Florence Street, Unit 3035
Chestnut Hill, MA 02467

Applicant: Nona's Homemade, Inc.
c/o Kristin Donahue
72 Gannett Road
Scituate, MA 02066

Subject Property: 25 Main Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 5481, Page 142

Plan Reference: Nona's Homemade Hingham, MA, Proposed Ground Floor Plan and Proposed Basement Plan, prepared by Greenly Design Services, Inc. dated August 13, 2025.

SUMMARY OF PROCEEDINGS

This matter came before the Zoning Board of Appeals (the "Board") on the application of Kristin Donahue of Nona's Homemade, Inc. (the "Applicant") for a Special Permit A2 under §§III-A, 4.9A and 4.9B of the Zoning By-Law (the "By-Law") to locate a Nona's Ice Cream, a sit-down and take-out restaurant, in the Business A and Downtown Overlay Districts.

The Board heard the application at a duly advertised and noticed public hearing on Tuesday, November 18, 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 panel consisted of its regular members Robyn S. Maguire, Chair, Paul K. Healey, and Jed Ruccio. At the conclusion of the hearing, the Board voted unanimously to grant the requested relief.

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 the Business A and Downtown Overlay Districts. Nona's Homemade, LLC has been located at its current location of 19 Main Street since March 2001. They have signed a lease for the subject property of 25 Main Street (former Carolanne's) with plans to renovate and relocate the business there. The new space will increase their square footage from 1,500 SF to 3,060 SF on the main floor (there is also 3,060 SF in the basement that will be used to make the ice cream). Their seating capacity will increase from 12-14 seats to 45 seats. The Applicant plans to fit out the new space, update the menu to include additional food options other than ice cream, and will have an old fashioned soda fountain area.

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:

- 1. Use of the property is in harmony with the general purpose and intent of the Zoning By-Law.** Sit-down and take-out restaurants are allowed uses by special permit within the Business A and Downtown Overlay Districts. The existing business is moving its ice cream establishment within the same district, just down the street, adding additional seating and additional, but similar food items to the business. Moreover, the proposed uses will not adversely affect the health, safety or welfare of any prospective occupants, customers, neighbors, or the Town.
- 2. The proposed use is in harmony with the purposes and standards of the relevant specific sections of the By-Law.** The tenant will be filing an application with the Planning Board to assure that parking in the districts will not be impacted. No other special regulations will be effected by the proposed changes in use of the existing tenant space from retail to a sit-down / take-out restaurant.
- 3. 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 in both the Business A and Downtown Overlay Districts, and surrounded by commercial properties.
- 4. The use as developed and operated will create positive impacts or the potential adverse impacts will be mitigated.** The proposed use is expanding an existing business in zoning districts that allow businesses such as the proposed use and there will not be a significant change in the operation of the business.
- 5. There will be no nuisance or serious hazard to vehicles or pedestrians.** There will be no nuisance or hazard. The downtown area and the proposed location has access and egress throughout it, including existing pedestrian walkways, it will not be affected by the proposed changes in use of the existing tenant space that is approximately 3,060 SF.

6. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use.** The Applicant will be fitting out the existing retail space to accommodate the new lay out of the ice cream parlor and the Applicant will work with the Board of Health and the Sewer Department to update the space and will address what is required for food preparation and service on the premises.
7. **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. No changes, other than what will be required by the Building Department, Board of Health or Sewer Department are proposed.

DECISION

Upon a motion made by Paul Healey and seconded by Jed Ruccio, the Board voted unanimously to GRANT a Special Permit A2 under §§ III-A, 4.9A and 4.9B to locate a sit-down and take-out restaurant within an existing tenant space consisting of approximately 3,060 SF, located at 25 Main Street in the Business A and Downtown Overlay Districts, 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 S. Maguire, Chair

December 2, 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.