



# TOWN OF HINGHAM

## Board of Appeals

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### NOTICE OF DECISION SPECIAL PERMIT

#### IN THE MATTER OF:

Applicant/  
Owner: Christopher McDowell – Sky Box Development  
55 Whiton Avenue  
Hingham, MA 02043

Subject Property: 55 Whiton Avenue, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 60144, Page 37

Plan References: “Dock Plan” prepared by Merrill Engineers and Land Surveyors, located at 427 Columbia Road, Hanover, MA 02339, dated November 20, 2025, and further revised December 2, 2025 (1 sheet).

#### SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the “Board”) on the application of Christopher McDowell / Sky Box Development (the “Applicant”) for a Special Permit A1 under Section III-C, 7 of the Zoning By-Law (the “By-Law”), to construct a 106’ long dock, with access stairs and attached gangway / float at 55 Whiton Avenue located in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on January 27, 2026 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 Paul K. Healey, Acting as Chair, Jed Ruccio and Associate Member, Lauren Galvin. The Applicants were represented by Civil Engineer, Brendan P. Sullivan, of Merrill Engineering and Land Surveyors. 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**

The subject property consists of approximately 24,702± SF of land located in the Residence A District. It is located on the corner of Paige Street and Whiton Avenue, with frontage on Whiton Avenue. The Applicant is proposing to construct a 106' long dock with access stairs and an attached gangway / float. The dock will be constructed upon 34 piles.

The subject property has over 100 linear feet of coastline. Approximately 9 docks currently reside on the same 1,600+ feet of coastline, 3 of which can be viewed in the photo above.

The seasonal float and gangway support the full operation of the dock. A new staircase is being constructed to provide appropriate and safe access to the structure. The use is allowed under Section III-C, 7.a of the Floodplain Protection Overlay District By-Law.

## **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:

- 1. The proposed use will be in harmony with the general purpose and intent of the Zoning By-Law, for the following reasons:** The proposed use complies with the purposes and standards of the By-Law as set forth in Sections I-A and Section I-B of the By-Law.
- 2. The proposed use complies with the purposes and standards of the relevant specific sections of this By-Law, for the following reasons:** "Docks, piers, duck walks and boat landings" are an allowed use under the Floodplain Protection Overlay District within Residential Districts under Section III-C, 7.a.
- 3. 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:** There are several similar piers/docks in this surrounding area. In addition, the property has direct access to the ocean, making it an appropriate location for recreational water use and recreational boating.
- 4. The use as developed and operated will create positive impacts or potential adverse impacts will be mitigated, for the following reasons:** The residential use will be improved by providing better recreational access to the bay as has been done at nearby properties.

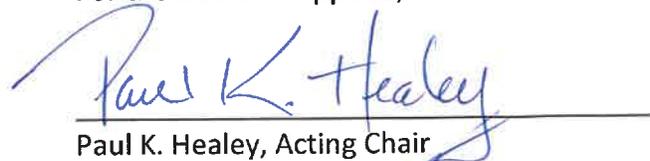
5. **There will be no nuisance or serious hazard to vehicles or pedestrians, for the following reasons:** The project is located at the rear of the property and is for recreational water use. It will not impact vehicles or pedestrians as the project is not located near any roads, highways, vehicles or pedestrians. In addition, this dock will not extend far enough to impact boat traffic.
6. **Adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use, for the following reasons:** The proposed pier, gangway and float are designed in accordance with the Massachusetts building code, Department of Environmental Protection regulations, and Hingham Conservation Commission rules and regulations which require the appropriate facilities for proper operation of the dock.
7. **The proposed Project meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction:** The dock and seasonal structures, as proposed, are intended to meet design standards as described in the local, state and federal regulations.

## **DECISION**

Upon a motion made by Jed Ruccio and seconded by Lauren Galvin, the Board voted unanimously to GRANT the application of Christopher McDowell / Sky Box Development for a Special Permit A1 under § III-C, 7 of the By-Law, to construct a 106' long dock, with access stairs and attached gangway / float at 55 Whiton Avenue, in Residence District A, subject to the following conditions:

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.
2. No davits shall be placed on the dock or float.
3. No lights shall be installed on the dock other than lights with amber lenses for safety while walking on the dock.
4. No ornamentation (flags, lights, windsocks etc.) shall be erected or placed on the dock.
5. No rafting of vessels shall be permitted.
6. No vessels shall be tied or moored at the pier except directly to the float.

For the Board of Appeals,

A handwritten signature in blue ink that reads "Paul K. Healey". The signature is written in a cursive style and is positioned above a horizontal line.

Paul K. Healey, Acting Chair  
February 5, 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.