

TOWN OF HINGHAM

Tom Mayo,
Town Administrator



Michelle Monsegur,
Assistant Town Administrator

Arthur P. Robert,
Assistant Town Administrator

MEMORANDUM



To: Planning Board
From: Tom Mayo, Town Administrator 
Date: December 2, 2025
Re: Proposed Articles for Town Meeting 2025

Attached please find three proposed amendments to the Zoning By-law for consideration at the 2026 Annual Town Meeting. These amendments consist of three articles from the Planning Board.

I hereby acknowledge that these articles were received by the Select Board on December 1, 2025 and are being submitted to the Planning Board for review in accordance with Chapter 40A, Section 5 of the Massachusetts General Laws.

Cc: Emily Wentworth, Community Planning



TOWN OF HINGHAM

Planning Board

MEMORANDUM

TO: Select Board

CC: Tom Mayo, Town Administrator
Art Robert, Assistant Town Administrator/Operations

FROM: Emily Wentworth, Community Planning Director
Michael Silveira, Senior Planner

DATE: December 1, 2025

RE: Proposed Zoning Amendments

SELECT BOARD

DEC 1 2025

RECEIVED

The Planning Board voted on November 10, 2025 and November 24, 2025 to submit the following zoning articles to the Select Board in accordance with Chapter 40A, Section 5 of the Massachusetts General Laws and Article 2, Section 7 of the Hingham General By-Laws for inclusion on the Warrant for the 2026 Annual Town Meeting. A brief description of each article follows:

Article A – “Height, Building” Definition Reference Correction

The intent of this article is to correct a section reference to the height exceptions under Section IV-C in the definition of “Height, Building” under Section VI.

Article B – Brew Pub, Brewery, Winery, or Distillery Use Update

The intent of this article is to expand the locations where the Brew Pub, Brewery, Winery, and Distillery use is allowed under Section III-A, Schedule of Uses, by Special Permit A2 to include the Office Park, Waterfront Business, Industrial, and Limited Industrial Park districts.

Article C – Site Plan Review Updates

This article would amend procedures under Section I-I by (i) eliminating Site Plan Review in association with a Special Permit A2 or Special Permit A3 unless the project separately meets land disturbance thresholds; (ii) requiring Minor Site Plan Review for projects that disturb 75% of total lot area; (iii) requiring submission of a recorded decision for any project subject to Site Plan Review and not just those subject to a building permit; and (iv) enabling the Planning Board to establish an administrative review process for certain Minor Site Plans or minor modifications of approved site plans. This article also makes formatting changes related to the above and deletes an incorrect reference under subsection k. of the Submittal Requirements.

Full text of the proposed articles are attached for your review and will be available for review by the public in the Office of the Town Clerk and the Community Planning Department. Materials are also available to view online at <https://www.hingham-ma.gov/679/Proposed-By-Law-Amendments>.

Zoning Article
Height, Building Definition Reference Correction

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 By replacing the reference to "Section IV-C, 8" under the definition of Height, Building in Section VI to "Section IV-C.9"

or act on anything related thereto?

(Inserted at the request of the Planning Board)

Zoning Article
Brew Pub, Brewery, Winery, or Distillery Use Update

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Amend subsection 4.18B in the Schedule of Uses under Section III-A to allow by Special Permit A2 the "Brew Pub, Brewery, Winery, or Distillery Use" in the Office Park, Waterfront Business, Industrial, and Limited Industrial Park Districts.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

Zoning Article Site Plan Review Updates

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Amend Section I-I.2.a. by deleting subsection (i) "All Special Permits A2 and Special Permits A3 or any modification of a Special Permit A2 or Special Permit A3" in its entirety and resequencing subsections (ii) and (iii) to (i) and (ii) respectively;

- Item 2 Replace Section I-I.2.b.(i) in its entirety as follows:
 - (i) land disturbance or an alteration of drainage patterns over the lesser of:
 - (A) an area of 5,000 square feet or more (but less than 20,000 square feet); or
 - (B) 75% of the total lot area.

- Item 3 Replace Section I-I.4.g. in its entirety as follows:
 - g. Prior to performing work subject to Site Plan Review, evidence of recording of the Site Plan Review decision shall be provided to the Community Planning Department unless the Planning Board's review (including any extensions thereto) has expired without any action by the Planning Board.

- Item 4 Replace Section I-I.5.k. in its entirety as follows:
 - k. Such other materials necessary to enable the Planning Board to make a positive determination on the proposed project; and

- Item 5 Replace Section I-I.9.c. in its entirety as follows:
 - c. The Planning Board may, by a majority vote of the Board, establish an administrative process for Site Plan Review of certain Minor Site Plans and/or minor modifications pursuant to subsection 9.b. above. Pursuant to administrative review, the Planning Board may delegate to the Community Planning Director and/or to a designated staff or Board member the authority to determine whether a project constitutes a minor modification. The Planning Board designee may refer any Minor Site Plan or minor modification application to the Planning Board for its review in lieu of administrative review if, in such designee's discretion, the scope of the project merits review by the Board. In addition, any applicant may request Site Plan Review by the Planning Board in lieu of administrative review at the time of application, or any applicant

aggrieved by a Minor Site Plan Review decision of the designee may reapply for Site Plan Review by the Planning Board and such review shall be considered a new application for Site Plan Review, except that a separate fee shall not be required.

or act on anything related thereto?

(Inserted at the request of the Planning Board)