

Minutes  
Regular Meeting

November 14, 2016

**HINGHAM PLANNING BOARD**  
November 14, 2016 @ 7:00 PM – Central North

**Present:** Planning Board Members, **Judith S. Sneath, Chairman, Sarah H. Corey, William Ramsey\* and Gary Tondorf-Dick.** Also present: Community Planning Director, Mary Savage-Dunham  
*\*left at 9:20 pm*

**Planning Board Agenda**

**7:00 PM TRUSTEES OF RESERVATIONS - WORLDS END RESERVATION**  
**Martin’s Lane** - Special Permit A3 Parking Determination, with waivers under § IV-A.2, IV-A.3, IV-A.5 of the Zoning By-Law, with Site Plan Review under § I-G, § I-H and § I-I, and such other relief as necessary to improve vehicular and pedestrian circulation, increase parking, relocate gatehouse, improve landscaping, and plan visitor center/restroom facility.

**SCENIC ROAD HEARING: 0 off MARTIN’S LANE**  
**TRUSTEES OF RESERVATIONS - WORLDS END RESERVATION**  
for permission to relocate the stone pillar located at the westerly side of the entrance to the property approximately 10’2” further west, on land zoned Official and Open Space (Map 20 Lot 60).

**8:15 PM SCENIC ROAD HEARING: 91 LAZELL STREET**  
**Falconeri Construction, Inc.** – for permission to remove 20’ of stone wall located in the right of way of Lazell Street in order to accommodate the construction of a driveway providing access to 91 Lazell Street (Map 128 Lot 1).

**8:45 PM SCENIC ROAD HEARING: 0 LAZELL STREET**  
**Falconeri Construction, Inc.** – for permission to remove 20’ of stone wall located in the right of way of Lazell Street in order to accommodate the construction of a driveway providing access to 0 Lazell Street (Map 128 Lot 55).

**9:15 PM CHRISTINA ESTATES AT BAKER HILL - REQUEST FOR REDUCTION OF BOND** – The Applicant has requested a revised Cost to Complete be prepared, and that the related Bonds be reduced as indicated.

*Old/New Business:*

1. Review and Adoption of Minutes from Previous Meetings
2. Administrative Reports
3. Discussion of possible By-law revision to Section V-H Registered Marijuana Dispensaries, and, Section III-A in response to the legalization of Marijuana, or alternately, a temporary moratorium on this use to allow the state and town time to prepare regulations on same

**Hearing(s)**

**7:00 PM TRUSTEES OF RESERVATIONS - WORLDS END RESERVATION**  
0 off of Martin’s Lane

The Chair opened the hearing for the Special Permit A3, Site Plan Review, and Scenic Road application. Mr. Tondorf-Dick noted for the record that he was completing a Mullins Affidavit, and said he reviewed the correspondence, recording and minutes and was prepared to continue sitting on this application. Ms. Sneath noted for the record the list of persons who submitted public comment since the last meeting and thanked them for their involvement. Ms. Sneath then turned the floor over to the applicant team starting with Attorney Dan Brewer. Mr. Brewer reviewed the application and the scope of the proposal. Mr. Chessia referenced his peer review checklist. There was extensive discussion regarding the adequacy of parking, and the traffic circulation proposed, as well as the visitor’s center. The Board received a great deal of public testimony on the applications before the meeting in writing, and through public comment at the hearing. The Board reviewed the proposed landscaping plan and expressed concerns about the number of trees being removed. The applicant explained that they are replanting at a 2:1 ratio

and are working to minimize clearing as possible. The Board noted that they would like to do a site visit. They then continued the hearings to the meeting of December 12, 2016.

**8:15 PM SCENIC ROAD HEARING: 91 LAZELL STREET & 0 LAZELL STREET Falconeri Construction, Inc.** – for permission to remove 20’ of stone wall located in the right of way of Lazell Street in order to accommodate the construction of a driveway providing access to 91 Lazell Street (Map 128 Lot 1) and also to 0 Lazell Street (Map 128 Lot 55) .

Dan Brewer and Matt Falconeri were present to discuss the two separate but adjacent projects. The Board noted that they had visited the site and thought the sight line was difficult in that location. The Police Chief submitted a letter supporting one driveway as opposed to two. The applicant expressed a willingness to investigate the feasibility of a common driveway and after additional discussion both hearings were continued to the meeting of January 30, 2017.

**9:15 PM CHRISTINA ESTATES AT BAKER HILL - REQUEST FOR REDUCTION OF BOND** – The Applicant has requested a revised Cost to Complete be prepared, and that the related Bonds be reduced as indicated.

The Applicant was present and requested bond money back for items they state have been completed. The peer review engineer reviewed the revised cost to complete and noted incomplete items or concerns. Also, the recent approval of the modification did require filing of plans as a condition and that has not yet been done. Ultimately the Board voted to reduce the Performance Escrow account (#8707) for Phase II of the Christina Estates at Baker Hill subdivision by \$36,398 from the current balance of \$60,398, leaving a balance of \$24,000 in the account, with the condition that no funds shall be released until revised materials are submitted and recorded to satisfy conditions of the July 28, 2016 Certificate of Action. The board also asked the Applicant to submit additional information as discussed to support the release of additional monies.

*Old/New Business:*

Discussion of possible By-law revision to Section V-H Registered Marijuana Dispensaries, and, Section III-A in response to the legalization of Marijuana, or alternately, a temporary moratorium on this use to allow the state and town time to prepare regulations on same:

The Board discussed that when medical marijuana was approved by the State the town imposed a temporary moratorium that would be a by-law change to allow the town to see what the State puts into place. The Town could do nothing and it would be a retail use, or a retail use with on-site consumption, and the town could also impose (through the Board of Selectmen) a supplemental tax, or the town could simply add the use to the use table and define the appropriate use for the location. The Board felt that a temporary moratorium was a reasonable approach and staff will draft language for action at the next meeting.

As there was no other business, the meeting adjourned at 9:45 PM.

Respectfully submitted,  
Mary Savage-Dunham, AICP  
Director of Community Planning