



MEETING MINUTES

DATE: February 9, 2022

PLACE: Remote meeting via Zoom

MEMBERS PRESENT: Brad Moyer (Chair), Thomas Morahan, Elliott Place, Beth Porter, Kathy Reardon, Gary Tondorf-Dick, and Maria Zade

MEMBERS ABSENT: Carlos DaSilva, Nancy Wiley and Shannon Kacherovich

GUESTS: Priya Howell, Brianna Bennett, Brenda Black, Christin Eigenman, John Borger

ATTACHMENTS: Tree Preservation Committee Warrant Article Draft, Hingham Municipal Lighting Plant Charging Stations Presentation, Eco Fest Presentation

The Chair called the duly noticed meeting to order at 7:04 PM, and presented the Virtual Open Meeting Protocol and Procedures as outlined in the Governor’s Chapter 20 Pandemic Directive. The Chair further explained that in order to provide an opportunity for all to provide input, participants should raise their hand to indicate a desire to speak. Once the participant is recognized by the Chair, s/he should keep the remarks to agenda, and be succinct and respectful. If the participant does not, s/he will receive a warning from the Chair. If the participant continues to violate the norms, the Chair will mute the participant.

Hingham Tree Preservation Committee, Priya Howell, Chair: Presentation of the Tree Preservation Bylaw Draft Warrant Article provisions to the CAPC:

Priya Howell presented a power point of the Tree Preservation Bylaw Warrant Article:

- How the Bylaw Works
- Discussion of Climate Impact
- Questions and Answers
- Warrant Article Coordination with the Planning Board Zoning Warrant Article to be submitted to the 2022 Town Meeting

Priya noted that the proposed Tree Preservation Bylaw doesn’t cover all trees. It is a private property tree jurisdiction with trees located in the public way not within the proposed Bylaw jurisdiction. Trees located in the public way are in the jurisdiction of the Shade Tree Act and Scenic Road provisions in the Town Zoning Bylaw. Exemptions include a tree subject to public safety emergency. Commercial zoned lots are not covered by this Bylaw.



Trees on private property in residential Zoning Districts A, B and C are covered by this Bylaw. The perimeter of the yard-front, side and rear yard setbacks is included in the Tree Yard. Only trees that are in the perimeter are protected by the Tree Yard restrictions. The purpose of this Bylaw is to balance private property rights to develop the center of the residential yard while protecting the trees in the front, side and rear yard perimeter. Trees that are invasive (Norway maples, etc.) or hazardous are not protected. Healthy and non-invasive trees are protected. The dimensional parameters are as follows: 6' diameter at a minimum breast height (MBH) of 4.5 feet above finished grade. A significant tree would have a diameter of 30" at breast height (DBH) to set a priority to preserve tree size and age.

If a tree in the perimeter tree yard is not proposed to be removed, then tree and critical root zone (CRZ) protection (fencing, trunk protection wrap, etc.) is required during construction activities. Critical Root Zone (diameter of the tree canopy above) protection is required to prevent vehicle loads, over grading, over burden of soils and flooding.

Site Plan review by the Planning Board is required for any tree removal and replacement. Measurements of existing tree diameters are required to determine tree replacement requirements. Tree replacement of 1/2" per caliper is required for protected trees. A 6" tree diameter would require a tree replacement of a minimum of 3" in caliper measurement. A 12" diameter tree removed would require a 6" diameter replacement with a single tree or two trees of a minimum 3" caliper. In the Tree Preservation Committee Warrant Article Draft, trees that cannot be replaced due to site conditions would require a payment in to a Tree Replacement Fund to ensure that trees removed are replaced by trees planted elsewhere in Town. The Planning Board Warrant Article Draft does not include this provision as any Fund establishment would be in the jurisdiction of the Select Board.

The review triggers are the Planning Board Subdivision Control Regulations and/or Planning Board Site Plan Review of a lot that is greater than 5,000 square feet, with slopes of 10% or greater, or a construction cost of \$20,000 or greater. The administration of these is in the jurisdiction of the Planning Board.

Question and Answers

Maria Zade, CAPC member, asked how the Bylaw would ensure the quality of the trees to be preserved and/or replaced. Priya responded that nursery grade trees are required and that a replacement tree would be required to be healthy for 24 months after replacement planting. Beth Porter, CAPC member, asked about enforcement provisions in the Bylaw. Priya responded that the Building Inspector is the Zoning Enforcement Officer



Christin Eigenman, 29 Howe Street, asked about the applicability of this Bylaw. Priya Howell confirmed that live trees on private property are included in these protections; dead or diseased trees or trees on public property are not included. In the example of the planned reconstruction of the Foster School and site, Priya recommends that a Town policy of tree protection be established for this Town owned site.

Brad Moyer, Chair, CAPC, asked about removal of trees damaged in in an emergency condition such as snow storms. Priya responded that trees damaged or diseased are not subject to this Bylaw. Trees are protected in projects requiring Site Plan Review. A look back provision is included in the Bylaw to prevent tree yard removals within a 12 month period window before a Site Plan Review application. A homeowner can cut down a tree unless it is within the 12 month window preceding Site Plan Review. Gary noted that the Planning Board Bylaw would require a 6 month look back provision, a 24 month look ahead provision and the Tree Preservation Bylaw would require a 24 month look back provision.

Priya Howell presented a Tree Benefit slide. Trees sequester carbon. Increasing tree planting increases site filtration of rain into the water table and providing sequestering of carbon from the environment. Peer communities with tree protection bylaws include Concord, Cambridge, Granby, Lexington, Newton, North Hampton, Provincetown and Somerville. Many of these communities require a permit prior to pruning work. Hingham is less restrictive.

Priya Howell presented a slide regarding the benefits of a Tree Preservation Fund. The goal is to get to net carbon sequestration through positive tree growth. Hingham is currently in a net tree loss status, a declining status of tree replacement. Removed trees are not being replaced. A tree replacement fund would provide a source of funds to replace trees without burdening taxpayers. In Lexington, a tree nursery program has been set up in which a resident can apply for a nursery replacement tree funded by the Town and planted and watered by the homeowner.

Gary Tondorf-Dick, CAPC Member, asked about street tree replacement in Hingham. Priya responded that trees in the public right of way are exempt and that there is no current program to replace street trees.

Maria Zade, CAPC member asked about Town watering constraints and watering bans. Priya responded that handheld hose watering is allowed during watering bans.

Christin Eigenmann asked about replacement program for Town trees. Priya responded that the Town budgets for 15 tree replacements per year. A homeowner does not have the ability to replace Town trees that are removed.

Priya Howell presented a slide regarding What Does Hingham Want?

-Hingham enjoys a 90% bipartisan support for tree replacement.

Hingham residents (85%) are concerned with tree removals and support regulation of tree



removal in commercially zoned lots.

Brad Moyer, Chair, CAPC, asked about the percentage of people polled in the tree survey. Priya Howell responded that approximately 200 people responded to the survey. Priya noted further that the Planning Board Bylaw proposal differs from the Tree Preservation Committee Citizen Position Bylaw proposal in the following areas:

- No tree replacement fund
- No distinction between significant and protected trees.
- An invasive tree removal credit is an option.
- Many Towns are moving to eliminate the exclusion of invasive tree species from Tree protection Bylaws.
- A Tree warden position can be established.

Gary Tondorf-Dick, Planning Board and CAPC member, noted that:

- The proposed Planning Board Zoning Bylaw tree protection provisions don't include Subdivision Control tree protection provisions. The Planning Board's jurisdiction allows internal amendments to the Subdivision Control Regulations without a Warrant Article.
- Planning Board Subdivision Control Regulations determine lot creation and vehicle access. No tree protections are currently included. The creation of the subdivision roadway determines the new grading and thereby the extent of trees that can be preserved.
- Site Plan review addresses the configuration of setbacks and grading of a new lot. Within this review, tree protections, preservation of natural features, lower, mid- and upper-story trees, environmentally sensitive grading, critical root zone protection, can be provided as discussed in this proposed Bylaw.

Elliot Place, CAPC and Hingham Net Zero Committee Member, asked for clarification of the tree circumference of diameter as the measurement standard. Priya Howell responded that the tree diameter is the measurement standard.

Elliot Place asked about next steps regarding the Town Meeting strategy for two proposed Bylaws. Priya Howell responded that the Planning Board Bylaw proposal includes most of the tree protection measures of the Citizens Petition Tree Protection Bylaw. The Tree Preservation Bylaw Committee can decide how to proceed to prevent a vote on two separate Bylaws. The best Town Meeting strategy would be to endorse the Planning Board proposed Bylaw.

Priya Howell asked if the CAPC could support for the inclusion of the Tree Replacement Fund in the Planning Board proposed Bylaw. Gary Tondorf-Dick suggested that the Tree Preservation Committee could attend the next Planning Board meeting and present their recommendation that the Tree Replacement Fund could mitigate the net tree loss at lots and sites with minimal setback constraint conditions such as in Crow Point. Given that the Town Bylaw does not contain lot



coverage and open space quotients in the Residence A, B and C Zoning Districts, providing a Tree Replacement Fund in the proposed Bylaw would provide for alternate tree replacement locations in Town. Priya Howell responded that the benefit of the Tree Replacement Fund would provide a mechanism to address and mitigate the site development profit motive of removing trees without a requirement to make the Town whole in terms of forest and tree replacement.

Christin Eigenmann asked about the type of tree replacement that is proposed. Priya Howell responded that the goal and objective would be to recreate the forest quality by requiring tree replacement in kind with the same or similar tree species to recreate the existing lower, mid and upper story character of the forest conditions.

Gary Tondorf-Dick asked about tree yard protections in congregate housing and condominium communities such as Hingham Woods. Priya Howell responded that the setbacks included in the original permit documents could be maintained as the tree yard at the perimeter. Tree replanting would not be required in the tree yard concept in a condominium development. In the initial development phase. The applicant would assess the tree removal conditions and quantities of replacement trees in the perimeter tree yard established in the lot setbacks. The tree yard sets the parameters for trees to be protected. Replacement is not tied to the tree yard.

Kathy Reardon, CAPC Member, asked about limiting the replacement of invasive tree species and Priya Howell responded that this exclusion can be included in the proposed Bylaw.

Brad Moyer asked if a new homeowner would be liable for the 12 month look back provision if purchasing a home within this look back period. Priya Howell responded that the look back provision is triggered only on an application for Site Plan Review by the Planning Board and thereby only the applicant would be liable.

Brad Moyer, Chair, CAPC, thanked Priya Howell for her presentation and asked the CAPC Members if there was support for advocating inclusion of the tree replacement fund or a component of the tree replacement Fund in the Planning Board's proposed Bylaw.

Maria Zade asked if the CAPC should advocate the Planning Board to include the Tree Replacement Fund. The DPW should not be burdened with more work.

Beth Porter, CAPC Member, responded that the DPW plants and maintains trees in the public way.

Kathy Reardon, CAPC Member, responded that the Tree Replacement Fund was not punitive as it would provide options besides planting trees in setbacks in which they would not fit and survive. Maria Zade responded that this Fund would allow for the best replanting option to plant trees in an appropriate spacing for tree health given the constraints of the lot setbacks and tree yard perimeter. Beth Porter responded that it would be best for the DPW to provide, plant and



manage the care of the replacement trees instead of Town residents.

Brad Moyer asked if this is the best time to advocate an endorsement. He suggested options to either make and endorse a motion at this meeting or table this motion and endorsement option to a future meeting. Elliot Place and Maria Zade suggested that the CAPC wait and see. Brad Moyer suggested that specific language would have to be developed for a bylaw inclusion vote. Gary Tondorf-Dick suggested that the CAPC members attend the next Planning Board meeting and comment further on this aspect of the proposed Bylaw.

Gary Tondorf-Dick responded that the fund should be used to proactively void tree replacement and replanting efforts by a developer. A developer could write a check to the fund as an alternative compliance strategy and bylaw avoidance as a path of least resistance.

Priya Howell shared the Concord approach to their Tree Replacement Fund. The fine threshold for replacement is required and the DPW is responsible for tree replacement on Town property. The fine induces a creative approach to avoid tree removal as the path of least resistance. Residents submit a tree preservation plan certified by an arborist to ensure sustainable planning.

Discussion and Approval of Minutes

The Committee reviewed the minutes from the January meeting. Brad Moyer made a Motion to accept the Minutes with the suggested edits requested by Beth Porter. Elliot Place seconded the Motion. The Committee unanimously voted in favor of approving the minutes.

Hingham Municipal Light Plant-Proposed Transmission Substation

Tom Morahan, HMLP General Manager, CAPC Member, introduced the presentation on the proposed HMLP Transmission Station. This Transmission Station will be the subject of a proposed Town Meeting Warrant Article requesting the Select Board to Appropriate and Transfer Land at the Transfer Station at three locations for the new transmission Station. This proposed Transmission Substation will allow the HMLP to access a second redundant power feed from the Eversource high voltage lines serving Weymouth, Hingham, Hull and Cohasset. Tom stated that the HMLP was not seeking an endorsement vote from the CAPC this evening and due to the length of this meeting's agenda, he agreed to postpone his presentation to the March 2, 2022 Meeting of the CAPC. This allowed Brianna Bennett, Sustainability Coordinator, HMLP, to present the HMLP Electric Vehicle Charging Station Grant awarded to Hingham which will fund six Level Two electric charging stations at three locations in Hingham.

Brianna Bennett, HMLP Sustainability Coordinator, presented a slide titled "Electric Vehicle Charging Stations Initiative" summarizing current electric vehicle data in Hingham. Fifty Hingham residents own electrical vehicles. Another fifty residents will be able to apply for rebates to encourage the purchase of electric vehicles with assistance from the rebates offered by



the Hingham Drives Electric Program.

Brianna Bennett presented her next slide titled “ MassEVIP Grant Program.”

HMLP has been awarded a grant to install six level three 480 Volt electric vehicle fast charging stations (12 ports) at three locations in Hingham: Station Street Parking Lot, Carlson Field and the Hingham Country Club. Station Street Lot charging station will occupy 5 parking spaces. Each charging station will have one dedicated ADA handicapped accessible parking space. Each charging station installation will cost \$50k.

Brianna Bennett noted that the HMLP is requesting support for the installation of these charging stations. The charging stations will operate on a 24/7/365 basis. The level three charging station is a fast charge of 30-60 minutes and the level 2 charging station is a two hour charging time.

Brianna Bennett presented her next slide titled “Proposed Charging Stations Signage”. Signage will be provided at each charging station. Station Street-4 charging station spaces and one ADA space. Coordination will be required with the Farmer’s Market.

Bare Cove Park at Carlson Field-Roller Park-1 charging station space with one ADA space.

Lynch Field-1 charging station space with one ADA space.

Tom Morahan, HMLP, CAPC Member, responded that HMLP looked into installing charging stations at Derby Shoppes and the West Hingham Commuter Rail Lot as these locations are near public thoroughfares, although insufficient town-owned space availability prevented these locations from consideration.

HMLP is coordinating with the Town for permitting and perimeter protection for the charging stations.

Fees will include an idling fee of \$.20 per KWH (Kilowatt Hour).

Brianna Bennett presented the next slide titled: Maintenance and Life Cycle Costs.

The grant constraint requires the charging stations to be located on Town property. Maintenance fees are anticipated to be \$400.00 per station per year. (6 stations=\$2,400.00/year.)

Brianna presented the next slide titled: Fee Summary and Recommendations.

The charging fee will be \$.20/KWH (Kilowatt Hour). The idle fee (parking while not charging) will be \$3.00 per hour to encourage movement away from charging after full charge to allow the next electric vehicle to charge. A fine of \$50.00 will be authorized by HPD and a ticket will be attached to a non-electric vehicle parking in the charging station. The fee revenue will be used to



maintain the charging stations.

Brianna Bennett presented the next slide titled: “Resources and Incentives”.

The charging stations will be installed by July 4, 2022. The grant requires access to the charging stations 24/7/365. In the future, charging stations will be installed at shopping areas in Hingham.

The Chair opened the meeting for Questions and Answers.

Brad Moyer, Chair, CAPC, asked about maintenance during winter storm conditions and the extent to which the grant requirements of 24/7/365 availability would include winter storm conditions. Brianna responded that the charging stations will be kept open and that the hope is that people use their home charging stations during inclement weather and overnight hours. Tom Morahan and Brianna Bennett said that they will look into the contract for flexibility, maintenance and parking enforcement during inclement weather conditions.

Brad Moyer asked about coordination initiatives being undertaken to facilitate charging and the use of the parking lots during downtown activity times. Tom Morahan, HMLP and CAPC Member, and Brianna Bennett, HMLP, responded that the fast charging stations would facilitate turnover (versus slow charging stations) and that idle fees and the \$50.00 ticket for non-electric vehicle use would encourage availability of parking spaces and flexibility in using the charging stations while shopping.

Maria Zade, CAPC Member, asked about installation and total costs per station. Brianna responded that the total costs are covered in the Grant Funding.

Kathy Reardon, CAPC Member, asked that HMLP coordinate with the Farmer’s Market (Mark Cullings) in regards to the charging station location in the 6 Station Street parking lot prior to meeting with the Select Board. She noted that current electric vehicle owners use their home charging stations. Tom Morahan is coordinating with the Farmer’s Market at the 6 Station Street parking lot.

Gary Tondorf-Dick, CAPC Member, asked about potential future locations for vehicle charging stations in Commuter Rail Stations, downtown, Shipyard, Lincoln Plaza and Derby Street shopping areas.

Tom Morahan responded that the Grant requires installations on Town property. Energy New England worked with HMLP to receive the grant funding for six Level 2 charging stations at Station Street, Bare Cove Park and the South Shore Country Club. Sufficient Town property could not be found at Derby Street Shoppes near Route 3. The HMLP received Grant funding for all locations for which it had applied. Brianna Bennett responded that there are no plans at this time for charging stations on private property and in shopping areas. Slow charging stations for trickle charging are being considered. The three hour idle fee is the same cost as a 20 KWH charging fee of \$3.00/hour.



At the completion of the question and answer period, Brad Moyer, Chair, requested a Motion be made.

Gary Tondorf-Dick offered the Motion:

Resolved, that the CAPC endorse the HMLP Electric Vehicle Charging Station initiatives in concept and at the three locations of 6 Station Street, Carson Field and Lynch Field as presented at the February 9, 2022 CAPC Meeting.

Maria Zade and Elliott Place enthusiastically Seconded the Motion and it was unanimously voted in the affirmative by the CAPC Members Brad Moyer, Kathy Reardon, Maria Zade, Elliott Place, Beth Porter, Brenda Black, Jeff Borger, Tom Morahan and Gary Tondorf-Dick.

Brad Moyer, Chair, asked Brenda Black to inform the CAPC on the Advisory Committee budget process. Brenda Black shared the following update: Tom Mayo, Hingham Town Administrator, has included the Sustainability Coordinator position in the proposed 2022 Budget for Town Meeting appropriation. The FTE position would be filled and funded with benefits jointly by Hingham 75% and Cohasset 25%.

The proposed Town budget includes a \$4.5M shortfall of revenues to fund proposed expenditures. The budget proposed is in addition to the currently approved budget and reconciliation is in process. The Advisory Committee requires a balanced level funded budget. Tom Mayo has a path forward to balance the budget without an additional funds request.

Hingham Municipal Lighting Plant Additional Substation Presentation

Tom Morahan graciously indicated that his presentation of 15-20 slides could be tabled to the next CAPC meeting given the late hour. The CAPC concurred and Brad Moyer, Chair, will place this HMLP Additional Substation presentation on the next CAPC Meeting Agenda.

The Chair asked for suggestions for the next CAPC Meeting (March 23, 2022) Agenda.

The following items were suggested:

- Evaluation team's recommendations regarding the RFP submissions for the Climate Action Planning Consultant.
- The Abode Presentation will be scheduled for the April 12, 2022 CAPC Meeting.

Working Group Updates

Greenhouse Gas Reduction Working Group did not have a report.



Energy Infrastructure Working Group did not have a report.

Community Engagement Working Group / Regional Engagement Working Group: Elliott Place presented the proposed CAPC, HMLP and Net Zero Slide of the Eco Fest Event on the Cohasset Common on April 29, 2022. He presented the HMLP and Hingham Net Zero coordination materials, logo, ATM 2021 CAPC mission statement, invitation to jump in and join the Eco Fest initiatives, CAPC information, Town Website and sample projects description. The use of the CAPC logo is a public document. Elliott Place asked the CAPC for support for the Eco Fest initiatives, presentation and event on April 29, 2022.

Brad Moyer will circulate this document add these documents to the Minutes as an attachment. Brad Moyer asked the CAPC to submit comments and feedback to the Chair which he will forward to Elliott Place. The CAPC Chair will add a discussion of these comments to our next meeting Agenda.

Residential Net Zero Working Group did not have a report.

Grants Subcommittee did not have a report.

Possible Agenda Items for Future Meetings

- Securing CAPC support of HMLP's installation of six public access level 2 charging stations
- Reviewing other projects that impact our net zero goals: repaving at Hingham Woods and Resurrection Church [Tom mentioned that groups can be referred to him or Brianna if they are considering lighting, drainage, etc.]
- Continued working group updates
- Eco Fest Event Proposal Comments
- Stretch Code Update
- Presentation from Michael at Abode, a clearing house of information for residential and small business retrofits
- Review of possible changes in Mass Save rebates, and implications for HMLP and Hingham residents
- Understanding the Article to transfer control of the substation from the Town to HMLP
- Discussion of how to promote heat pumps – propose changes to the permitting process for replacing a heating system, provide up-to-date information to contractors, work with the permitting department to ensure that customers have received educational materials about heat pumps, etc.
- Development of materials that could be included with HMLP billing statements to inform residents of cleaner energy options

The next CAPC meeting was scheduled for March 23, 2022, and the meeting was adjourned with a unanimous affirmative vote by CAPC Members at 9:06 PM.



Respectfully submitted, Gary Tondorf-Dick