

HINGHAM PLANNING BOARD

February 10, 2020 @ 7:00 PM – Central North Hearing Room

Present: Planning Board Members: William Ramsey, Gordon Carr, Judith Sneath, Gary Tondorf-Dick

Absent:

Also present: Community Planning Director, Mary Savage-Dunham and Town Counsel Susan Murphy

Planning Board Agenda

7:00 PM Discussion of Pledge of Allegiance at Start of Public Meetings

Public Hearings on Proposed Changes to the Zoning By-law

- **Abandonment or Discontinuance of Nonconforming Single-Family and Two Family Dwellings** - The intent of this article is to specify exemptions that relate to abandoned or discontinued nonconforming Single-Family and Two-Family Dwellings. The proposed amendment would more clearly state that a conforming Single-Family or Two-Family Dwelling use could be reestablished in a dimensionally nonconforming building or structure that had been abandoned or discontinued. The amendment would also limit the changes that could then be made to the building or structure to those that either (i) maintain or improve the nonconforming dimensions and (ii) add or expand in a manner that complies with current height and yard requirements, or act on anything related thereto.
- **Section IV-A and IV-B Lot Coverage Restrictions** - The intent of this article is to set lot coverage restrictions for both buildings and hardscape in Residential Zoning Districts A, B, C, D and E, or act on anything related thereto.
- **Site Plan Review** - The intent of this article is to make minor corrections and add clarifying language in Section I-I, and to amend Section IV-B.6.b. to delete the existing text and insert “all projects that 1) create a land disturbance or an alteration of drainage patterns over an area greater than 5,000 square feet; or 2) create a land disturbance of more than 1,000 square feet in areas with slopes greater than 10%” which lowers the threshold of disturbance that triggers Site Plan Review, or act on anything related thereto.
- **Section III-G Downtown Hingham Overlay District** - The intent of this article is to modify the provisions of Section III-G to make minor corrections, to clarify the requirements for the first floor commercial use regarding location and the extent of the building footprint that must be dedicated to the commercial use, and clarify the location of dwelling units within a commercial/residential building with multiple ground floors, or act on anything related thereto.

Old/New Business:

1. Administrative Reports
2. Review and Adoption of Minutes from previous meetings
3. Discussion of draft administrative process for site plan review

Hearing(s)

Discussion of Pledge of Allegiance at Start of Public Meetings

Senior Chief Petty Officer, Keith Jermyn spoke to the Board requesting the Town Boards consider beginning public meeting by stating the Pledge of Allegiance. SCPO Jermyn explained recent U.S. Flag purchases resulting in the Town Hall having a flag in each room and the purchasing program with which the town has been involved. He discussed his proposal, and submitted a written statement to the Board explaining the reasons behind the proposal.

Abandonment or Discontinuance of Nonconforming Single-Family and Two Family Dwellings Section IV-A and IV-B Lot Coverage Restrictions

Susan Murphy explained some comments that she has with respect to this article. She reviewed the section of the zoning by-law and explained the intent of the changes, and discussed some examples of cases that prompted the ZBA to clarify this language in the by-law, saying it should help clarify the differences between nonconforming uses and nonconforming structures when discontinuance or abandonment occurs. The Board discussed circumstances when discontinuance may occur, such as a resident in assisted living or rehab or military personnel on deployment who would need a longer time duration before discontinuance would occur, asking Susan Murphy for clarification.

There was some public comment. David Anderson of 31 Old Colony Road asked about the language within the by law and how it related to reconstruction. Susan Murphy explained the intent of the changes. Tom Patch of Ship Street stated that he has talked to Emily Wentworth about this change and had questions about what the changes are designed to do. Peter Hersey of Hersey Street asked for clarification regarding reconstruction. Susan Murphy stated that she cannot answer questions regarding a specific house at this time. Ben Wilcox of Green Street asked about dimensional conditions. William Ramsey stated that they will take specific questions back to the Zoning Board of Appeals to help clarify these issues at the next hearing. William Ramsey made a motion to continue the discussion at the February 24, 2020 hearing. The motion was seconded by Gary Tondorf-Dick and all members voted in favor.

Site Plan Review

Gary Tondorf-Dick explained the intention of this proposed article. He discussed the percentage of coverage in the different residential districts and the fact that most districts have no restrictions. He noted neighboring towns and how they restrict lot coverage, and how this also protects abutters. He stressed the importance of maintaining a balance of open space to buildings, and talked about how lot sizes in town vary between districts. He stated that although he feels this is an important issue, he thinks developing this proposal may take more time than is available and perhaps pursue this next year. William Ramsey made a motion to withdraw the proposed article AAA. The motion was seconded by Gordon Carr and all members voted in favor of the withdrawal of the proposed article.

Site Plan Review

William Ramsey stated that the intention of the article is to change the language lowering the threshold that triggers the site plan review requirement. Susan Murphy explained some changes being made in form, rather than substantive changes. She also discussed that added language regarding limited site plan review is outside the scope of the way the proposed article was written and advertised.

Mary Savage Dunham discussed provisions for adding language regarding limited site plan review and stated that given the time remaining to change the proposed article, added language regarding limited site plan review may need to wait to next year.

The Board discussed the idea of a limited site plan review process.

Public Comment: Ben Wilcox and Andy McElaney made comments regarding this article.

William Ramsey made a motion to recommend the town meeting article to amend Section IV-B.6.b. as proposed regarding the thresholds that trigger site plan review. The motion was seconded by Gary Tondorf-Dick and all members voted in favor.

Section III-G Downtown Hingham Overlay District

Susan Murphy updated the Board on recent discussions with Emily Wentworth and Mary Savage-Dunham and clarified the changes being proposed. The Board discussed percentage requirements with regard to commercial area within mixed used properties. Susan Murphy and the Board discussed how parking is also affected if the percentage of residential space is large. They discussed the differences in recent projects and the importance of preserving the character of the downtown.

William Ramsey made a motion to continue the discussion on this item to February 24, 2020. The motion was seconded by Gordon Carr and all members voted in favor.

As there was no other business, the meeting was adjourned at 9:52 PM.

Respectfully Submitted,

Sherry Robertson
Administrative Assistant