

Advisory Committee Meeting Minutes

Date: February 27, 2020

Place: Town Hall

In attendance: Committee Members Victor Baltera, Bob Curley, Julie Strehle, Tom Belyea, Eric Haskell, Eryn Kelley, Evan Sheehan, George Danis, Andy McElaney, Davalene Cooper, Dave Anderson, Nancy MacDonald, Ed Gaydos, and Kathleen Almand, and Town Accountant Sue Nickerson.

Absent: Libby Claypoole.

Chairman Baltera called the meeting to order at 7:31 pm.

Comments from the public regarding items not on the Agenda None

Warrant Article Hearing

AA – Tree Preservation By-law – Bob Curley provided an introduction of the Article. Petitioner Priya Howell was present to provide a presentation on the Citizen's Petition Tree Preservation By-law, and to answer any questions.

Ms. Howell noted that the Town currently has several existing mechanisms that both regulate removal of trees and also encourages preservation of trees, such as Wetland Protection regulations; Tree Replacement Policy and Tree Ordinance; Rules and Regulation for Subdivision Control (review and consideration of the limits of clearing as part of any subdivision proposal); Scenic Road Regulations; and Zoning Regulations (which have provisions for the consideration of landscaping and tree removal in several sections).

Ms. Howell provided a summary of the proposed by-law, and identified what she believes are gaps in the current Town regulations. The proposed by-law would offer protection for retained trees and mitigation for removed trees during construction, through either replanting or a contribution to a Tree Preservation Fund. Other towns in the Commonwealth and Canada have similar by-laws.

Questions from AdCom members included how many projects per year would be affected by this proposed by-law? How is the experience with towns which have adopted similar by-laws? Should this be a General By-law or a Zoning by-law? Is the current Tree Warden otherwise fully occupied and not able to handle the new requirements that would come with this by-law? Mr. Curley spoke with Director of Community Planning Mary Savage -Dunham, DPW Superintendent/Tree Warden Randy Sylvester, and members of the BOS, who raised questions about the narrow scope of this proposed by-law and whether there are many projects which would trigger action, since the Town has limited buildable open space that would fall within the scope of the by-law. Also, currently the Town does a fairly aggressive job with site-plan review in terms of the preservation of trees, and this effort for preservation has increased over the years, and that people are generally in favor of protecting trees. Mr. Curley thinks that this proposal needs further study and vetting before the public and relevant Town boards. Eric Haskell suggested that perhaps a study committee could be created to address this issue. Audience member Tom Patch expressed his concern about balancing property rights. Dorothy Galo, another audience member, questioned the impact of costs of the by-law on homeowners.

Warrant Article Hearings and Votes

MM - Community Preservation Committee: Benjamin Lincoln House - Nancy MacDonald provided an overview of this Article, Comment, and a favorable recommendation. Dave Anderson, George Danis, and Bob Curley recused themselves from the discussion and vote. Members of the Hingham Historical Society Paula Bagger (President) and Dorothy Galo, as well as Community Preservation Chair Larry Lindner, were present to answer any questions. This Article asks that the Town authorize awarding \$32,713 from the Community Preservation Historic Preservation Reserve and \$243,956 from the Community Preservation General Fund, and that the Town issue bonds to fund an additional \$495,331, for a total grant to the Hingham Historical Society (“the Society”) of \$772,000, towards the purchase of the Benjamin Lincoln House.

While the official grant agreement isn’t written until after an affirmative vote at Town Meeting, specific conditions for funding include the Society obtaining all necessary permits from the Town prior to disbursement, as well as a requirement for the Society to continue to maintain the house in accordance with the preservation restrictions of the Historic New England easement after the acquisition. In the unlikely event that the Society were to decide to sell the property, the Town will be granted the right of first refusal and/or reimbursement to the Town of monies spent. Ms. MacDonald noted that the Hingham Historical Society has proven itself to be a capable steward of properties similar to the Benjamin Lincoln House, and would be a worthy steward to protect, maintain and caretake this property.

Eric Haskell asked if there was any consideration of writing specific grant terms into the recommendation. Mr. Baltera suggested writing into the recommendation that it’s a museum open to the public, to which Paula Bagger agreed that it would be appropriate to include this kind of language. Ms. MacDonald updated the recommendation to incorporate this change.

The vote to approve the recommendation, with the revision, was 9-0-1, with Mr. Haskell abstaining.

P – Water: Modify Size of Citizens Advisory Board - Eryn Kelley provided an overview of this Article, Comment, and a favorable recommendation. This Article asks whether the Town will increase the total number of members of the Citizens Advisory Board from five to six, by increasing the number of members nominated by the Town of Hull Board of Selectmen from one to two members.

It was pointed out that while an even number committee of members may not be ideal, this board serves an advisory role, intended to be a consensus building group.

The vote to approve the recommendation was 13-0.

Q – Water: Funding for Water Capital Improvements – Dave Anderson provided an overview of this Article, Comment, and a favorable recommendation. This Article asks whether the Town will provide funding for planned FY21 capital investment in the Weir River Water System (formerly known as Aquarion Water Company). The Article would be funded by borrowing an amount not in excess of \$2,700,000. The Town intends to borrow the money to fund this investment amount, but the debt will be repaid by water ratepayers via the water company enterprise fund.

While these capital improvements are not part of the FY21 capital outlay plan, in years to come, water company capital will be part of the Town’s capital outlay plan.

The vote to approve the recommendation was 13-0.

R - Water: Local Acceptance of MGL c. 40, sec.42A-42I - Bob Curley provided an overview of this Article, Comment, and a favorable recommendation. The purpose of this Article is to provide Hingham with a mechanism to collect unpaid water bills. M.G.L. c.40 s. 42A to 42F allows municipalities which accept these provisions to establish a lien upon real estate where an owner or tenant fails to pay for water charges due to the Town, and s. 42G to 42I allows municipalities to levy special assessments to meet the whole or part of the cost incurred in laying pipes in public and private ways for the conveyance or distribution of water to its inhabitants.

These standard provisions are used by municipalities who own their water company, and presently used by the Town's sewer commission (using different statute numbers). The Town of Cohasset has these statutes already because it owns its water system (in most parts of the town). The same Article will be put forth for approval to Hull Town Meeting this year.

Audience member Mr. Patch expressed his concern that the Town will use assessments on lands of non-ratepayers to fund its capital costs for laying pipes, instead of having the costs borne by ratepayers. Mr. Curley will discuss this concern with Town Counsel and BOS member Mary Power. The vote on this Article was deferred until further information is available.

Liaison Reports

Kathleen Almand provided an update on the Master Plan Committee, which recorded its 2/26/2020 meeting for rebroadcast on Harbor Media. An initial report from consultants is available, with visioning and goal statements based on previous months of visioning sessions and surveys with the public. Over the next three months, the committee will hold hearings on each of these specific categories: sustainability, water, and energy; facilities and services; historic and cultural resources; housing; economic development; and open space and recreation, to get more detailed input and ideas.

Warrant Process Update

Although the next Energy Action Committee meeting will be held on 3/2/2020, at which a proposed Article on climate action planning will be discussed, AdCom will not have a hearing on this Article at its meeting on 3/3/2020 as previously scheduled in order to allow the BOS to hear the Article first. AdCom will take it up on 3/5/2020.

Discussion of Advisory Committee Housekeeping Items

The next AdCom meetings will be held on Tuesday 3/3/2020 (including the Education Budget hearing, hearing a new Financial Forecast, and Zoning Articles) and on Thursday, 3/5/2020.

Matters Not Anticipated within 48 Hours of the Meeting - None

Adjourn - 10:03 pm.

Respectfully submitted,
Julie Strehle, Secretary

List of Documents Distributed at this Meeting:

Agenda

Articles P, Q, R, AA, MM

Article AA: Citizen's Petition Tree Preservation By-law presentation

Staff Memo to Town Administrator from Mary Savage-Dunham, Director of Community Planning, dated 2/21/2020

Email correspondence from proponent of Tree Preservation By-law

Written correspondence from proponent of a new Senior Center

AdCom approved 03/03/2020