

**HINGHAM PLANNING BOARD**

March 9, 2020 @ 7:00 PM – Central North Hearing Room

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

**Absent: none**

Also present: Community Planning Director, Mary Savage-Dunham and Administrative Assistant Sherry Robertson

**Planning Board Agenda**

- 7:00 PM**      **W/S/M Hingham Properties LLC. - Derby Street Shoppes, 100 Derby Street** - Request for Site Plan Review under § I-G and § I-I and a Special Permit A3 Parking Determination and/or Waivers under § V-A
- Request for Waiver of Site Plan in Association with Building Permit**  
94 Derby Street, Suite 233  
400 Lincoln St – Suite 1
- 7:45 PM**      **The Stop & Shop Supermarket Company – 400 Lincoln Street**  
Request for Special Permit A3 Parking Determination under §V-A and a full Waiver of Site Plan Review under §I-G and §I-I A3 of the Zoning By-Law and such other relief as necessary to allow the designation of 5 spaces for delivery and pick up of groceries, the elimination of 5 cart corrals and installation of 2 directional signs, in the Industrial District.
- 8:00 PM**      **Definitive Subdivision Plan- Southwood Pointe**  
Request for Rescission of the referenced subdivision and release of associated covenants as the subdivision was never constructed or commenced, and has expired as a matter of law. Moreover, portions of certain lots subject to the lapsed subdivision approval have subsequently been granted ANR approval; namely, those portions of the lots contains as part of the plan entitled “Approval Not Required Plan 141 Derby Street Hingham, MA Plymouth County”, dated August 27, 2013 and recorded with the Plymouth County Registry of Deeds as Plan No. 569 of 2013, Plan Book 58, Page 442.
- 156 Chief Justice Cushing - Site Plan Review under Section IV-B.6.b**  
Site Plan Review associated with the construction of a single family residence.
- 51 Free Street – Site Plan Review under Section IV-B.6.b**  
Request for Site Plan Review under Section IV-B.6.b with partial waivers for the raze and rebuild of a single family residence and the associated site disturbance.
- 0 Hobart Street – Solar Array at the Landfill**  
Request to Withdraw without Prejudice
- 249 Cushing Street – Definitive Subdivision**  
Request to extend time for completion of work to August 2022
- Discussion and possible adoption of administrative process for site plan review**  
**Designate liaisons for zoning articles**  
**Adoption of Meeting Schedule**  
**Review and Adoption of Minutes from previous meetings**  
**Administrative Reports**

## Adjourn

### Hearing(s)

#### **W/S/M Hingham Properties LLC. - Derby Street Shoppes, 100 Derby Street:**

Present for the applicant team were Victoria Maguire, Sherri Shular, and Attorney Robert Devin. William Ramsey and Gary Tondorf-Dick both stated for the record that they have filed a Mullins affidavit on this project, as they had both missed a hearing. Jeff Dirk from Vanasse and Associates reviewed the traffic on behalf of the town. Mr. Dirk was present and stated that he was comfortable with the shared parking model that has been presented, saying that there should be some administrative review conditions. He explained how the shared parking model works. Police Chief Olsson stated that he has been in touch with staff and stated that conditions could be put in place making it clear that if at any time the parking conditions do not seem to be adequate, things could be peer reviewed again. The Board asked questions about locations and specific uses within the site. Mary Savage-Dunham noted that this permit will replace older permits and that conditions from last year's approval of the addition stay in place. The Board discussed with Jeff Dirk those previously imposed conditions and how the parking will be affected when the new addition that was permitted last year is ultimately built. William Ramsey stated that he would be inclined to continue this matter. The Board discussed adding a meeting on March 16, 2020 to be able to vote on this item. William Ramsey made a motion to continue the hearing to March 16, 2020 and to extend the decision deadline to April 16, 2020. The motion was seconded by Gordon Carr and Kevin Ellis and all members voted in favor of the continuance.

#### **Request for Waiver of Site Plan in Association with Building Permit:**

**94 Derby Street, Suite 233:** Victoria Maguire explained that this is all interior work, for a change of tenant. William Ramsey made a motion to act favorably on the applicant's request to waive site plan review. The motion was seconded by Judith Sneath and all members voted in favor.

#### **The Stop & Shop Supermarket Company – 400 Lincoln Street**

Attorney Eugene Blanchard was present on behalf of the Stop and Shop Company. He explained online pick-up and noted that it has been successful in other locations. He stated that they feel it reduces the amount of parking that is needed, as it decreases the amount of time these vehicles are at the store. The Board asked questions about the location of the spaces. Ken Stafford of vhb, the engineer for the project, explained why the designated pick-up spots need to be close to the door, citing time and safety of the associates bringing the items to the customer. The Board made suggestions for locations of these spots and discussed the proposed removal of five cart corrals. The Board reviewed the criteria for a Special Permit A3 parking determination. The Board made a finding that this is a minor site plan and William Ramsey made a motion to waive Site Plan Review in Association with a Special Permit A3, and to approve the Special Permit A3, subject to findings and conditions. The motion was seconded by Gary Tondorf-Dick and all members voted in favor.

#### **Definitive Subdivision Plan- Southwood Pointe**

Request for Rescission of the referenced subdivision and release of associated covenants:

Attorney Scott Golding was present on behalf of the applicant. He explained the location of the 1991 approved subdivision that was never started, and the reason for the desire to rescind. He stated that consent is needed from the owners and they are waiting to receive a letter from Herb Chambers Lexus. He stated that the owner wants to be sure that the rescission does not affect any of their permits. William Ramsey

made a motion to continue this hearing to April 6, 2020 and to extend the decision deadline to May 6, 2020. The motion was seconded by Gary Tondorf-Dick and all members voted in favor of the continuance.

#### **156 Chief Justice Cushing - Site Plan Review under Section IV-B.6.b**

Brendan Sullivan from Cavanaro Consulting was present to discuss the recent changes to the plan that were made based on peer review engineer John Chessia's comments. John Chessia stated that the plans are close and that there are a few things to add. He explained the drainage from the site and the Board had questions about the grading of the site and about what permits may be needed from the state. The Board agreed they could create conditions based on John Chessia's comments. The Board then reviewed the criteria for Site Plan Review. William Ramsey made a motion to grant the requested waiver of submittal requirements and to approve the Site Plan based on the plans dated 1/20/20 subject to findings and conditions discussed. The motion was seconded by Kevin Ellis and all members voted in favor.

#### **51 Free Street – Site Plan Review under Section IV-B.6.b**

Request for Site Plan Review under Section IV-B.6.b with partial waivers for the raze and rebuild of a single family residence and the associated site disturbance.

This was the initial meeting for this project. The homeowners Tony and Daniela Misdea were present and represented by Engineer Kevin Grady of Grady Consulting. Mr. Grady described the project and explained that it includes razing the original home and rebuilding a new home in a different location on the lot. He explained how the project triggers the threshold for site plan review because of the amount of site disturbance. Mr. Grady explained in detail the proposed infiltration system. Peer review engineer Pat Brennan of Amory Engineers was present. He noted that since his February letter was written, Mr. Grady has responded to his comments. Mr. Brennan stated that there are some remaining items including that he recommends a structural engineer review the proposed retaining wall on the driveway side. The Board asked about the comments submitted by the Fire Marshal Chris DiNapoli, in which he stated that the length of the driveway requires the applicant to put a sprinkler system in the home. Mr. Grady said the applicants found that putting in a sprinkler system would be very expensive. The Board asked questions about the proposed driveway and turnaround area. The Board asked that the applicant try to reduce the amount of pavement and update landscape plan to show tree removal and replacement clearly, as well as continue to work with the Fire Marshal. William Ramsey made a motion to continue the discussion on this project to April 6, 2020 and to extend the decision deadline to May 6, 2020. The motion was seconded by Gary Tondorf-Dick and all members voted in favor of the continuance.

#### **0 Hobart Street – Solar Array at the Landfill**

Request to Withdraw without Prejudice

Mary Savage-Dunham explained the reason why the applicant needs to withdraw at this time. Judith Sneath made a motion to accept the applicant's request to withdraw. The motion was seconded by William Ramsey and all members voted in favor.

#### **249 Cushing Street – Definitive Subdivision**

Request to extend time for completion of work to August 2022

The Board received a letter from the applicant to extend the time to complete the subdivision.

William Ramsey made a motion to grant the applicant's request. The motion was seconded by Judith Sneath and all members voted in favor.

#### **Discussion and possible adoption of administrative process for site plan review**

The Board and Mary Savage-Dunham discussed procedural changes giving staff authorization to determine if something constitutes a minor site plan in association with a building permits that all are interior work and there is no change in use or parking. The Board will receive updates of these minor site plan approvals at regular meeting intervals. William Ramsey made a motion to adopt the policy. The motion was seconded by Judith Sneath and all members voted in favor.

#### **Request for Waiver of Site Plan in Association with Building Permit:**

**400 Lincoln St – Suite 1:** Interior work for a tenant change to become a Verizon store at this location.

William Ramsey made a motion to approve the request for a waiver of site plan review. The motion was seconded by Kevin Ellis and all members voted in favor.

**Designate liaisons for zoning articles**

The Board agreed to hold this discussion until the next meeting.

**Adoption of Meeting Schedule**

The Board agreed to the proposed meeting dates for the months of May and June

**Review and Adoption of Minutes from previous meetings**

The Board reviewed the minutes of February 24, 2020 and the minutes were approved with edits.

As there was no other business, the meeting was adjourned at 10:00 PM.

Respectfully Submitted,

Sherry Robertson  
Administrative Assistant