

HINGHAM PLANNING BOARD MINUTES

March 28, 2022 @ 7:00 PM

REMOTE MEETING

Planning Board Members Present Remotely: Kevin Ellis, Judith Sneath, Gordon Carr, Rita DaSilva; Gary Tondorf-Dick

Also Present: Emily Wentworth, Community Planning Director; Michael Silveira, Senior Planner

Members Absent: None

At 7:02 p.m. Chair Ellis called the Planning Board meeting to order and stated the following:

“This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording.”

Hearing(s)

Chair Ellis stated the first matter would be an **Approval Not Required (ANR) application for 21 Leavitt Street**. Mr. Silveira stated the applicant requested moving the matter to April 11, 2022.

Chair Ellis stated that the next matter was **Site Plan Review and Special Permit A3 for the South Shore Country Club, 274 South Street**.

Ms. Brianna Bennett, Sustainability Coordinator from the Hingham Municipal Light Plant, presented the application. Mr. Tom Morahan, General Manager of Hingham Light Plant; Christine Smith, Chair of the Country Club Management Committee; and Alex Banat from Energy New England were also present and addressed questions. Ms. Bennett stated they were requesting use of three parking spaces for an electric vehicle charging station and two ports.

Chair Ellis asked for Board Member comments.

There was discussion regarding designated parking spots, imposition of an idle fee after 30 minutes in order to remain in parking spot after a vehicle is charged, overall parking availability, sustainability and electric car ownership and parking spot usage for an access lane.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Special Permit A3 findings:

- 1. The parking is sufficient in quantity to meet the needs of the proposed project;** Installation of the EV charging station will not reduce the number of spaces available to employees, members, and visitors of the South Shore Country Club; it will simply limit

use of three spaces to those with electric vehicles.

- 2. Pedestrian access and circulation has been provided for;**
Pedestrian access and circulation is unchanged as a result of this project.
- 3. New driveways have been designed to maximize sightline distances to the greatest extent possible;**
No changes to entrances or sight distances are proposed.
- 4. It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and**
The dedication of 3 parking spaces for “EV Charging Only” will minimally affect the 231 available parking spaces onsite. The proposed project will not result in or worsen traffic problems either on-site or the surrounding streets.
- 5. The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.**
The granting of relief is consistent with stated goals of the By-Law, including the prevention of pollution of the environment. The proposed dedication of 3 parking spaces will not increase the likelihood of accident or affect access to and circulation within the site.

And moved to GRANT the application of Hingham Municipal Light Plant for a Special Permit A3 Parking Determination with a Waiver under § V-A of the Zoning By-Law to install an electric vehicle charging station at 274 South Street in the Business Recreation District, subject to the following condition:

1. This Decision is contingent upon the Applicant obtaining a license from the Town for installation, operation, and maintenance of the EV charging station. Operation may only continue so long as such license remains in full force and effect.

Second: Rita DaSilva

In Favor: Judith Sneath, Gordon Carr, Gary Tondorf-Dick, Rita DaSilva, Kevin Ellis

Opposed: None

Chair Ellis proposed the following Site Plan Review finding:

That the proposed installation of an Electric Vehicle charging station and associated improvements at 274 South Street constitutes a minor site plan and does not materially or adversely affect conditions governed by the site plan review standards under § I-I, 6 of the Zoning By-Law.

And moved to GRANT the application of Hingham Municipal Light Plant for a Waiver of Site Plan Review under § I-I, 5 of the Zoning By-Law to install an electric vehicle charging station at the 274 South Street in the Business Recreation District.

Second: Gary Tondorf-Dick

In Favor: Judith Sneath, Rita DaSilva, Gordon Carr, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be the **Site Plan Review and Special Permit A3 applications for 28 Bare Cove Road, Carlson Field.**

Ms. Bennett, Mr. Morahan and Mr. Banat discussed the application.

Chair Ellis asked for Board Member comments.

There was discussion regarding parking availability, handicap access lane, process to select EV station sites and signage.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Special Permit A3 findings:

- 1. The parking is sufficient in quantity to meet the needs of the proposed project;**
Installation of the EV charging station will reduce the number of spaces available to visitors to the recreational facility by one; it will simply limit use of three spaces to those with electric vehicles.
- 2. Pedestrian access and circulation has been provided for;**
Pedestrian access and circulation is unchanged as a result of this project.
- 3. New driveways have been designed to maximize sightline distances to the greatest extent possible;**
No changes to entrances or sight distances are proposed.
- 4. It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and**
The dedication of 3 parking spaces for “EV Charging Only” will minimally affect the 186 available parking spaces onsite. The proposed project will not result in or worsen traffic problems either on-site or the surrounding streets.
- 5. The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.**
The granting of relief is consistent with stated goals of the By-Law, including the prevention of pollution of the environment. The proposed dedication of 3 parking spaces will not increase the likelihood of accident or affect access to and circulation within the site.

And moved to GRANT the application of Hingham Municipal Light Plant for a Special Permit A3 Parking Determination with a Waiver under § V-A of the Zoning By-Law and such other relief as necessary to install an electric vehicle charging station at 28 Bare Cove Park Drive in the Official Open Space District, subject to the following condition:

1. This Decision is contingent upon the Applicant obtaining a license from the Town for installation, operation, and maintenance of the EV charging station. Operation may only continue so long as such license remains in full force and effect.

Second: Gary Tondorf-Dick

In Favor: Gordon Carr, Judith Sneath, Rita DaSilva, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Chair Ellis proposed the following Site Plan Review finding:

That the proposed installation of an Electric Vehicle charging station and dedication of 3 parking spaces solely for the use of the proposed Charging Station at 28 Bare Cove Park Drive constitutes a minor site plan and does not materially or adversely affect conditions governed by the site plan review standards under § I-I, 6 of the Zoning By-Law.

And moved to GRANT the application of Hingham Municipal Light Plant for a Waiver of Site Plan Review under § I-I, 5 of the Zoning By-Law to install an electric vehicle charging station at 28 Bare Cove Park Drive in the Business Recreation District.

Second: Rita DaSilva

In Favor: Gary Tondorf-Dick, Judith Sneath, Gordon Carr, Rita DaSilva, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be **Site Plan Review for 2 Feeley Lane**.

Mr. Jeff Hassett, Morse Engineering presented the application materials. Mr. Hassett gave background regarding the subdivision plans and lot releases for 2, 4 and 6 Feeley Lane, site plans, elevations and grading.

Chair Ellis asked for Board Member comments.

There was discussion regarding site cleanup, blasting, impervious surface reduction, tree removal during subdivision approval versus through this application process, ledge, mitigation for ledge removal, blasting mitigation plan, slope of yard and driveway, request for detailed landscaping plans, inconsistencies of proposed plan with the site plan review criteria and retention of natural elements and need for consistency across applications.

Chair Ellis stated he would like to see the applicant come back with more detailed landscape and topography plans.

Chair Ellis asked for public comment.

Ms. Christine Smith, 2 Park Circle expressed concerns with blasting, infrastructure, road conditions and construction site conditions.

There was discussion regarding the potential next hearing date.

Chair Ellis moved to continue the Site Plan Review hearing on 2 Feeley Lane to the April 25, 2022 meeting of the Planning Board starting at 7:00pm and extend the decision deadline to May 25, 2022.

Second: Judith Sneath

In Favor: Gordon Carr, Gary Tondorf-Dick, Rita DaSilva, Judith Sneath, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be the **Site Plan Approval application for 4 Feeley Lane.**

Mr. Hassett presented plans and described the project, which included a swimming pool.

Chair Ellis asked for Board Member comments.

There was discussion regarding potential location change of the house away from ledge, tree removal, conservation buffers, request for a landscape plan and the size of the proposed home, which included an accessory dwelling,

Chair Ellis asked for public comments. There were none.

Chair Ellis moved to continue the site plan review hearing on 4 Feeley Lane deadline to April 25, 2022 meeting of the Planning Board starting at 7:00pm and extend the decision deadline to May 25, 2022.

Second: Judith Sneath

In Favor: Gordon Carr, Gary Tondorf-Dick, Rita DaSilva, Judith Sneath, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be the **Site Plan Approval application for 6 Feeley Lane.**

Mr. Hassett presented plans and described project that included a 904 square foot increase to impervious surfaces. Mr. Hassett stated roof dry wells would be added.

Chair Ellis asked for Board Member comments.

There was discussion about tree clearing for yard space, request to rotate house to lessen the slope,

wetland setback, tree-line, request to limit tree removal in rear yard, cut and fill for all three sites, certain materials required to remain within the Town and Conservation hearing.

Chair Ellis moved to continue the site plan review hearing on 6 Feeley Lane deadline to April 25, 2022 meeting of the Planning Board starting at 7:00pm and extend the decision deadline to May 25, 2022.

Second: Gary Tondorf-Dick

In Favor: Judith Sneath, Gordon Carr, Rita DaSilva, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be a **Site Plan Approval application for 6 Edgar Walker Court.**

Ms. Caroline Rees, Cavanaro Consulting, presented for the applicants. Mr. Sean Papich, Sean Papich Landscape Architecture and Ms. Kristen and Mr. Brian Winikoff were also in attendance.

Ms. Rees gave an overview of the project, presented plans and discussed the pool, patio, pavilion, rear deck, greenspace and sewer easements, impervious area, stormwater analysis, infiltration system and Sewer Commission approval needed.

Mr. Papich presented the Landscape Plan and discussed the existing deck and lawn, shrubs, trees, 12 inch caliper tree removal, wooden deck, hardscape, wooded area remaining, enclosure fence, plantings, pavilion with cedar shingles and asphalt roof.

Chair Ellis asked for Board Member comments.

There was discussion regarding the sewer easements, excavation, removal of materials, removal of large silver maple, timing of Sewer Commission meeting and potential impact to this application if sewer line was moved.

Chair Ellis proposed the following findings:

- a. **Protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting.**

The project provides for adequate site drainage, including installation of an underground infiltration system and associated drainage infrastructure. A 6' pool fence and plantings are proposed to provide a sound and site buffer and minimize impacts of the views and any outdoor lighting on abutting properties.

- b. **Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent**

streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles.

The project proposes no changes to vehicular and pedestrian movement, location of driveway openings, or access for service, utility and emergency vehicles.

- c. Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law.**

The project proposes a permitted accessory use; no changes to parking requirements or traffic circulation will result.

- d. Adequacy of open space and setbacks, including adequacy of landscaping of such areas.**

The proposed construction complies with all applicable setback requirements specified under Section IV-A for Residence District C. While one 12" caliper silver maple tree is proposed to be removed, nine 6-8' evergreen trees, 56 shrubs, and numerous perennials and grasses are proposed to be planted on the property.

- e. Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal stormwater system shall be expressly prohibited;**

The existing driveway will be used as a stabilized construction entrance during the construction phase of the project. The Operation & Maintenance Plan calls for routine inspection of proposed prevention efforts of illicit discharges into the stormwater system. A silt sock will be installed along the down gradient to control erosion during construction and inspected weekly or after rainfall. Any stockpiled topsoil will be stored upland onsite until ready for re-use and any sediment from construction onto the street shall be removed immediately.

- f. Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources.**

The proposed project will cause relocation of the existing sewer line connection to the dwelling, pending approval of the Hingham Sewer Commission. Additionally, the proposed patio extends into the sewer easement shown on the site plan and is pending approval of the Hingham Sewer Commission.

- g. Assurances of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the**

Massachusetts Department of Environmental Protection’s Stormwater Management Policy and Standards including the Massachusetts Stormwater Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town’s municipal stormwater system.

As a single-family house, the project is exempt from the MassDEP stormwater standards; however, the residential project provides enhanced stormwater upgrades to the site that include underground infiltration systems and associated drainage infrastructure. Sediment and erosion control measures are incorporated into the plan set and will be implemented at the outset of construction commencement.

- h. Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of stormwater controls at consistent intervals.**

Based upon Amory Engineering’s review, implementation of best management practices with the stormwater design are sufficient.

- i. Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations.**

The project proposes any stockpiled topsoil to be stored upland onsite until ready for re-use. There is one 12”-caliper maple tree proposed to be removed. While a tree will be removed, significant landscaping and plantings will be enhanced and added to the site. Nine 6-8’ evergreen trees, 56 shrubs, and numerous perennials and grasses are proposed to be planted on the property.

- j. Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.**

The proposed project is aligned with the character and scale of similar accessory structures in the neighborhood and vicinity.

Chair Ellis asked for Board Member or public comment. There was none.

Chair Ellis moved to GRANT the application of Kristen Winikoff for Site Plan Approval under §§ I-I and IV-B.6 with waivers under § I-I of the Zoning By-Law to construct a pool, patio, cabana and other improvements at 6 Edgar Walker Court in Residence District C, subject to the following conditions:

1. Pre-Construction Meeting. Prior to any construction on the site, the applicant shall schedule a pre-construction review meeting with inspection of the erosion

control installation and marked limits of clearing.

2. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction, including during installation of the approved drainage and stormwater system. There shall be established, at the applicant's expense, a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
3. The applicant shall obtain approval of the Hingham Sewer Department and/or Commission regarding the relocation of the sewer service line to the dwelling and patio incursion into the Sewer Easement prior to issuance of a building permit.
4. As-Built Plan Requirement. Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.
5. Construction Vehicles. All construction vehicles shall be parked onsite and no construction vehicles shall enter the premises before 7 AM on any given construction day.

Second: Gordon Carr

In Favor: Judith Sneath, Rita DaSilva, Gary Tondorf-Dick, Gordon Carr, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be a **pre-application discussion regarding Simmons Road.**

Mr. Al Trakimas, Site Tech Engineering, presented and gave history of previous application from 2006/2007. Mr. Trakimas discussed a water main replacement cost issue which he stated was no longer an issue as it had been replaced, portions of the road that had been accepted by the Town, length of proposed road, Fire Department concern with previous proposed sale of 40 Simmons Road, proposed 3 or 4 lot subdivision, Subdivision Rules and Regulations and the path to Foster School.

Chair Ellis asked for Board Member comments.

There was discussion regarding the length of the roadway, lot shape, drainage lot, wetlands, stormwater discharge, slopes, residential street lengths and widths under the Subdivision Rules and Regulations, 2018 review by the Board, Lewis Court Extension and fire truck turnaround.

Chair Ellis asked for abutter comments.

Mr. John Hallin, 36 Simmons Road discussed questions regarding sidewalks and ownership of the roadway.

Mr. Grant Thayer, 25 Simmons Road described the street as a narrow dead end street with no sidewalks and a steep hill and stated that hauling dirt out would be a long-term disruption.

Mr. James Crowley, 34 Simmons Road, stated his concern regarding a portion of the road's ownership, fill from Fore River Bridge, concrete and metal buried beneath ground, tidal pool, water main, land removal and what is buried beneath, fill, public health concerns and length of road.

Chair Ellis stated the applicant could come back with a more formal application if desired.

Chair Ellis stated the Board would review meeting minutes of March 7, 2022 and March 14, 2022 and asked for Board Member comments. There were none.

Chair Ellis moved to approve the Planning Board Meeting Minutes of March 7, 2022 and March 14, 2022 as presented to the Board.

Second: Gordon Carr

In Favor: Judith Sneath, Rita DaSilva, Gordon Carr, Gary Tondorf-Dick (as to March 14th Meeting Minutes, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter was the **Community Preservation Committee Administrative Report**.

Judith Sneath, Planning Board representative to the Community Preservation Committee, shared CPC financials and projects in advance of Town Meeting.

Ms. Wentworth gave updates regarding the Harbor Master Plan, Rapid Recovery Plan wayfinding branding program, historic walking tour, Downtown Initiative grant program, updates to the Hazard Mitigation Plan, Massachusetts Office on Disabilities grant for ADA self-evaluation and transition plan, the Master Plan and Hingham's response to the draft MBTA Guidelines and next steps.

There was discussion regarding a potential opportunity with the MBTA parking land and the Shipyard and gas company work on Main Street and potential impact to Town trees.

Chair Ellis moved to adjourn the meeting at 9:48 pm.

Second: Judith Sneath

In Favor: Gary Tondorf-Dick, Gordon Carr, Rita DaSilva, Judith Sneath, Kevin Ellis

Opposed: None

Respectfully submitted,

Tracy L. Altrich
Administrative Assistant, Community Planning

Meeting Materials:

274 South Street

- 1. Application for Site Plan Approval, dated March 4, 2022*
- 2. Application for Special Permit A3, dated March 4, 2022*
- 3. EV Station Details Graphic*
- 4. Proposed Electric Vehicle Charging Station*

28 Bare Cove Park Drive, Carlson Field

- 1. Application for Site Plan Approval, dated March 4, 2022*
- 2. Application for Special Permit A3, dated March 4, 2022*
- 3. EV Station Details Graphic*
- 4. Plan*

2 Feeley Lane

- 1. Letter from J. Hassett to Planning Board, dated March 3, 2022*
- 2. Application for Site Plan Approval, dated March 3, 2022*
- 3. Pre & Post Construction Operation and Maintenance Plan*
- 5. Site Design Plan, dated February 28, 2022*
- 6. Site Design Plan, dated March 16, 2022*
- 7. House Plans and Elevations, received March 16, 2022*
- 8. J. Hassett Response Letter to Planning Board, dated March 25, 2022*
- 9. Site Design Plan, revised through March 25, 2022*

4 Feeley Lane

- 1. Letter from J. Hassett to Planning Board, dated March 3, 2022*
- 2. Application for Site Plan Approval, dated March 3, 2022*
- 3. Pre & Post Construction Operation and Maintenance Plan*
- 4. Site Design Plan, dated February 28, 2022*
- 5. Site Design Plan, revised through March 16, 2022*
- 6. House Plans and Elevations, received March 16, 2022*
- 7. J. Hassett Response Letter to Planning Board, dated March 25, 2022*
- 8. Site Design Plan, revised through March 25, 2022*

6 Feeley Lane

- 1. Letter from J. Hassett to Planning Board, dated March 3, 2022*
- 2. Application for Site Plan Approval, dated March 3, 2022*

3. *Pre & Post Construction Operation and Maintenance Plan*
4. *Site Design Plan, dated February 28, 2022*
5. *Site Design Plan, revised through March 16, 2022*
6. *House Plans and Elevations, received March 16, 2022*
7. *J. Hassett Response Letter to Planning Board, dated March 25, 2022*
8. *Site Design Plan, revised through March 25, 2022*

6 Edgar Walker Court

1. *Letter from C. Rees to E. Wentworth, dated March 16, 2022*
2. *Site Plan Approval Application, dated March 16, 2022*
3. *Stormwater Report*
4. *Landscape/Hardscape Plan, revised through March 15, 2022*
5. *Site Plan, dated March 14, 2022*
6. *Engineering Peer Review from P. Brennan, dated March 22, 2022*
7. *Landscape Summary Memo from S. Papich to M. Silveira, dated March 23, 2022*
8. *Landscape Plan, dated March 23, 2022*
9. *Response to Peer Review from C. Rees to E. Wentworth, dated March 23, 2022*
10. *Hydrocad Analysis, dated March 23, 2022*
11. *Site Plan, revised through March 23, 2022*
12. *P. Brennan Peer Review Response Letter to Planning Board, dated March 24, 2022*
13. *Pool Pavilion Elevations, dated March 24, 2022*

Simmons Road

1. *Memo from A. Perrault to E. Wentworth, dated January 18, 2022*
2. *3 Lot Plan, revised through January 10, 2022*
3. *4 Lot Plan, revised through January 10, 2022*