

HINGHAM PLANNING BOARD MINUTES

May 23, 2022 @ 7:00 PM
REMOTE MEETING

Planning Board Members Present Remotely: Kevin Ellis, Judith Sneath, Rita DaSilva, Gordon Carr, 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 was **Jeffrey Greenman’s application for Site Plan Approval for 41 Jarvis Avenue** to construct an addition, garage, pool, patio and other improvements.

Mr. Dana Altobello, Merrill Engineers & Land Surveyors, appeared on the applicant’s behalf. Mr. Altobello described the project and presented plans. Mr. Altobello described the property, the project, Conservation Commission review and Order of Conditions, proposed subsurface drywell, plantings and tree protection and revisions based on peer engineering review (including addition of swale, test hole, additional tree to mitigate shrub removal, stabilized construction entrance, zoning detail, landscaping and seasonal dock).

Chair Ellis asked for Member comments.

There was discussion regarding the swale, grading, berm, paver driveway and runoff, pool location, existing shell driveway and construction vehicle parking.

Chair Ellis asked for public comments.

Mr. Chris Moran, 24 Main Street, expressed concern about the removal of hedge on the beach side of the property and the Town-owned tree on Howe Street.

Mr. Jeffrey Greenman, property owner, thanked all for their time and participation.

Ms. Susan Todhunter, 60 Howe Street, expressed concern regarding runoff, drywell, construction vehicles and floating dock.

Based on the information submitted and presented during the hearing Chair Ellis proposed the following findings:

- a. The proposed development will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

And **MOVED** to **GRANT** the application of Jeffrey Greenman for Site Plan Approval under § I-I of the By-Law to construct a ±1,067 square foot addition/garage, driveway, pool, patio, landscape and other improvements at 41 Jarvis Avenue in Residence District A, subject to the following conditions:

1. Recording of Decision. The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing along with a test pit as indicated on the plan shall be required before issuance of a Building Permit.
3. The proposed floating dock requires a Moored Float Permit from the Hingham Harbor Master prior to installation. This decision does not permit the location of a floating dock.
4. Limits of Work; Tree Protection Areas. During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved.
5. Parking During Construction. All construction vehicles shall be parked onsite at all times. No construction vehicles shall enter or leave the premises outside of those hours permitted under the Town's General By-Laws.
6. 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, limits of work, and tree protection areas during construction and the approved drainage and stormwater system installed for the project, as well as the condition of the tree protection areas. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
7. 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.
8. Maintenance of Protected and Replacement Trees. Each Protected Tree retained, and all new trees planted to mitigate the removal of Protected Tree(s), shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree or new tree.

Second: Gary Tondorf-Dick

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

Opposed: None

Chair Ellis stated that the next matter was **Daria and Jessie Johnson's Site Plan Approval application for 66 Burditt Avenue** to demolish and reconstruct a pool house, pool, terrace, planter walls, sport court, parking area, stone veneer wall, fencing and other improvements at the property located in the Residence A District.

Ms. Rebecca Verner, Gregory Lombardi Design, Mr. Fred Keylor, Hancock Associates, Mr. Kyle Sheffield and Mr. Ricardo Bilinecko, LDA Architecture were present on the applicant's behalf.

Ms. Verner presented plans and described the project site and scope. Ms. Verner discussed drainage, infiltration system, Conservation Commission review and approval, planting plan, construction road, staging and parking, waiver requests (including partial waiver from the photometric plan requirement).

There was discussion regarding changes made to address peer review engineer comments including: narrative; legend correction; removal of 85 caliper inches of trees to be replaced by 90-95 inches of caliper trees; erosion control extension; retaining wall consideration; zoning table; test pit locations; addressing construction access; Order of Conditions; Operations and Maintenance Plan.

Chair Ellis asked for Member comments.

There was discussion regarding tree removal and replacement, tree yard, lighting, photometric plan, major and minor site plan requirements, light poles and setback requirements, fence, impact of lighting to direct neighbor, basketball hoop, shifting the sports court, grading between court and abutter's property, removal of invasive species of plants, limit of work, driveway, pool and pool house locations, gatehouse and Mr. Kyle Sheffield, LDA Architecture's confirmation that the Historic Districts Commission awareness and review of project site.

Chair Ellis MOVED to continue the application of 66 Burditt Avenue to the June 6, 2022 meeting of the Planning Board at 7 PM.

Second: Rita DaSilva

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

Opposed: None

Chair Ellis stated that the next matter was **the Town of Hingham's application for Site Plan Review** under § I-I and a Special Permit A3 Parking Determination under § V-A of the Zoning By-Law and such other relief as necessary to construct a new pool complex including a 5,000+ SF bathhouse, fenced pool area, filtration structure, equipment storage building, equipment pad and other improvements at the South Shore Country Club, 274 South Street, in the Business Recreation District.

Chair Ellis stated the applicant would give an introduction to the project and outlined the desired approach to discussing the application that would include: hearing the applicant's presentation, Board Member feedback and public comments.

Kevin Whalen, South Shore Country Club, introduced representatives for the applicant: Chris Rotti, R&D Collaborative; Jim Jackson, Pare Engineering; Taylor McDonald, Pomeroy & Associates, Project Manager; George Kay, Country Club Management Committee Member; Christine Smith, Chair, Country Club Management Committee.

Mr. Rotti presented an overview of the proposed project and shared plans for the bath house, pool deck and pools and filtration equipment building. He discussed the elevation of the deck, grading, accessibility, fencing, spray pad, pools, bath house, showers, capacity and associated project requirements, EMS access, staff spaces, shared spaces, exterior elevations, renderings, exterior structures and plantings and parking.

Mr. Jackson, Civil Engineer, PARE Corporation discussed: demolition, sediment and erosion controls plan; General Plan; parking lot changes; ADA access; crosswalk; bicycle parking; Traffic Plan and revisions based on traffic peer review comments; signage; Grading Plan; Drainage and Utility Plan; Parking Plan and photometric plan.

Mr. Kyle Zick, Landscape Architect, discussed: the Existing Tree Plan; limit of work; Landscape Plan; plantings and proposed trees.

Mr. Jeffrey Dirk, Vanasse and Associates Transportation Consultant discussed site entrance sightlines; signage; parking; pedestrian circulation; crosswalk; accessible travel route from clubhouse to pool complex; vehicle turning analysis; emergency vehicle access; island modification; annual review; and supplemental comments requesting revised site plans.

Chair Ellis asked for Member comments.

There was discussion regarding potential for a bubble enclosure in the future and a decision condition for future review; abutter feedback; capacity of pool; lighting; views from Del Prete Drive; access ramps; lift for lap pool; traffic queuing; grading; temporary parking in grass field; sustainability; equipment noise level analysis; and request for renderings showing sightlines from abutter properties.

Chair Ellis asked for public comments.

John Smallcomb, 18 Del Prete Drive, asked about the process of material submission and reviews. Chair Ellis provided background on the hearing process.

Priya Howell, 26 Del Prete Drive, expressed concern with the gas line, chain link fencing, 232 inches of tree removal and requested tree replacement.

Kelly Smallcomb, 18 Del Prete Drive, expressed concerns that she stated were also submitted in writing including fencing and plantings.

Chris Jones, 20 Del Prete Drive asked how the 100' buffer determination from vernal pool was determined.

Mr. Jackson responded a wetland scientist determined the limits.

Mr. Rotti stated the vegetation surrounding the vernal pool helps with the determination.

Mr. Jones asked about traffic coming onto North Street causing vehicles to stop on the tracks. Mr. Vanasse stated a 'Do Not Block' marking at entrance to Country Club could help.

There was discussion regarding availability of application materials.

Mrs. Jones asked about the process to communicate concerns and inquired whether there had been resolution to the parking concerns on busy days.

There was discussion regarding the applicant working with abutters directly, the traffic management plan, tracking of events to manage capacity and bath house seasonal use.

Clancy Galgay, 264 South Street, discussed his concerns with the parking, trash, fence, noise and pictures from abutters' homes.

Jim Moynihan, 17 Del Prete Drive, discussed sidewalk concerns.

There was discussion regarding sidewalks and traffic plan updates.

Chair Ellis MOVED to continue the application of the Town of Hingham for Site Plan Approval under § I-I of the Zoning By-Law to construct a new pool complex including a 5,000+ SF bathhouse, fenced pool area, filtration structure, equipment storage building, equipment pad and other improvements at the South Shore Country Club, 274 South Street, in the Business Recreation District to June 13, 2022 and extend the decision deadline to July 20, 2022.

Second: Gary Tondorf-Dick

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

Opposed: None

Chair Ellis MOVED to continue the application of the Town of Hingham for a Special Permit A3 Parking Determination under § V-A of the Zoning By-Law to construct a new pool complex including a 5,000+ SF bathhouse, fenced pool area, filtration structure, equipment storage building, equipment pad and other improvements at the South Shore Country Club, 274 South Street, in the Business Recreation District to June 13, 2022.

Second: Rita DaSilva

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

Opposed: None

Chair Ellis stated that the next matter was adoption of **May 9, 2022 Meeting Minutes**. Chair Ellis and Member DaSilva recused themselves from voting as they were not present at the May 9th meeting.

Member Carr MOVED to approve the May 9, 2022 Meeting Minutes of the Planning Board.

Second: Judith Sneath

In Favor: Judith Sneath, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Chair Ellis stated there would be a focus on getting materials earlier to allow for Member review of materials and preparation of meeting notes.

There was a discussion regarding requesting materials earlier from applicants, assessing applications on a case by case basis, and the potential for more continuations.

Chair Ellis MOVED to adjourn the Planning Board meeting at 9:54 pm.

Respectfully submitted,
Tracy L. Altrich
Community Planning Assistant

Meeting Materials:

41 Jarvis Avenue

1. *Application Package, dated April 13, 2022*
2. *Site Plan, revised through April 13, 2022*
3. *P. Brennan Review Letter to Board, dated May 12, 2022*
4. *Fire Marshal Comments, dated May 18, 2022*
5. *P. Louderback Response to Peer Review Letter to Planning Board, dated May 18, 2022*
6. *Updated Application, dated May 18, 2022*
7. *Updated Site Plan, dated May 18, 2022*
8. *Floor Plans Set, dated October 19, 2021*
9. *J. Todhunter Letter to Planning Board, dated May 18, 2022*
10. *P. Brennan Response to Revisions, dated May 18, 2022*

66 Burditt Avenue:

1. *R. Verner Letter Regarding Application, dated April 14, 2022*
2. *Application for Site Plan Review, dated April 14, 2022*
3. *Existing Conditions Plan, dated August 8, 2020*
4. *Land Management Plan, updated February 22, 2022*
5. *Site Plans, dated April 12, 2022*
6. *Updated Application for Site Plan Review, received May 10, 2022*
7. *P. Brennan Review Letter to Planning Board, dated May 13, 2022*
8. *R. Verner Response to Peer Review Letter, dated May 18, 2022*
9. *Design and Performance Standards Narrative, dated May 18, 2022*
10. *P. Brennan Updated Peer Review Letter to Planning Board, dated May 19, 2022*
11. *Updated Site Plans, dated May 18, 2022*
12. *Conservation Grading Plan*
13. *Conservation Tree Removal Plan*
14. *Order of Conditions, dated October 15, 2020*
15. *Stormwater Operation and Maintenance*
16. *Waiver Request Letter from R. Verner to Planning Board, dated May 23, 2022*
17. *Updated Site Plan Review Application, dated May 23, 2022*
18. *Fire Marshal Comments, dated May 23, 2022*
19. *Filed Continuation Request, dated May 25, 2022*

274 South Street:

1. *Site Plan Approval Application, dated April 12, 2022*
2. *Special Permit A3 Parking Determination Application, dated May 2, 2022*
3. *Outdoor Pool Complex Parking Plan, dated March 17, 2022*
4. *Stormwater Report and Operations and Maintenance Plan, dated January 5, 2022*
5. *Parking Plan with EV Charging Spaces, dated May 2, 2022*
6. *Plan Set, dated March 17, 2022*
7. *P. Brennan Peer Review Letter to Planning Board, dated May 16, 2022*

8. *J. Dirk Letter to M. Silveira Regarding Traffic Peer Review, dated May 16, 2022*
9. *Photos, Views from Del Prete Drive*
10. *Traffic and Parking Management Plan*
11. *Site Plans, revised May 20, 2022*
12. *J. Jackson Response to Peer Review Letter to M. Silveira, dated May 20, 2022*
13. *J. Jackson Response to Traffic Review Letter to M. Silveira, dated May 20, 2022*
14. *Fire Truck Turning Movements Plan, dated March 17, 2022*
15. *Trash Truck Turning Movements Plan, dated March 17, 2022*
16. *Memo to Planning Board from Neighbors Regarding Concerns , dated May 23, 2022*
17. *Letter to Planning Board from Abutters, dated May 22, 2022*
18. *K. Zick Letter to M. Silveira Regarding Tree Protection Plan, dated May 23, 2022*
19. *Existing Tree Plan, received May 23, 2022*
20. *Planting Plan, received May 23, 2022*
21. *Memo from B. Homes to SITEC Regarding Review of Existing Conditions, dated February 12, 2021*
22. *Existing Conditions & Wetlands Resource Area Plan, dated April 5, 2021*
23. *J. Dirk Letter to M. Silveira Regarding Traffic Engineering Review, dated May 23, 2022*
24. *Continuation and Extension Request, dated May 25, 2022*