

## HINGHAM PLANNING BOARD MINUTES

July 11, 2022 @ 7:00 PM

REMOTE MEETING

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

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

**Members Absent:** Rita DaSilva

At 7:01 p.m. Chair Sneath 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)

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Chair Sneath stated the first item on the agenda was **4 Pine Grove Road**. She stated that Peter T. and Vi Phan filed an application for a waiver of Site Plan Review under § I-I of the Zoning By-Law and such other relief as necessary to modify plans approved June 10, 2022 to raze and reconstruct a single-family dwelling and other improvements at 4 Pine Grove Road in Residence District B.

Mr. Jeff Hassett of Morse Engineering presented on the applicant’s behalf.

Mr. Hassett gave background on the Planning Board’s previous site plan approval and subsequent request from the Fire Department to widen the driveway to 14’ wide. Mr. Hassett stated a stone trench was added to handle runoff and an enlarged conservation mitigation area was proposed. Mr. Hassett requested waiver of site plan review for the minor changes.

Chair Sneath asked for questions and comments.

There was discussion regarding driveway materials, runoff, and driveway markers.

Chair Sneath asked for public comments. There were none.

Based on the information submitted and presented during the hearing Chair Sneath proposed a finding that the proposed modifications do not materially or adversely affect conditions governed by the Site Plan Review Design and Performance Standards set forth in § I-I of the Zoning By-Law; as such, the project constitutes a minor modification of the Site Plan Approval, issued June 10, 2022; and MOVED to WAIVE Site Plan Review under § I-I, 9 of the By-Law in connection with modifications of an approved Site Plan affecting driveway width, stormwater management, and wetland buffer mitigation at 4 Pine Grove Road in Residence District B.

**Second:** Gordon Carr

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

**Opposed:** None

Chair Sneath stated the next matter was the **South Shore Country Club, 274 South Street**, which had been continued. Chair Sneath said past Chair Ellis would lead the discussion as he was Chair during first two hearings on the matter.

Acting Chair Ellis referenced application materials posted on the website and asked the applicant for an update.

Mr. Kevin Whalen of South Shore Country Club, presented on the applicant's behalf. Mr. Whalen discussed the approach to address resolved traffic questions, the acoustic consultant's review, the parking plan and the landscape architecture.

Mr. Chris Rotti stated InterTech performed the acoustic study. Mr. Rotti discussed the study approach and the proposed eight foot barrier along the northern and eastern edges of the pool to reduce noise decibel levels.

Mr. Whalen discussed the changes to the parking plan, event calendar, peak pool days, parking counts and staffing. He discussed typical schedule of activities, impact of large golf outings/functions and pool capacity.

Mr. Kyle Zick, Landscape Architect, discussed changes to the planting plan to include additional 8' evergreen trees.

Chair Ellis asked for Member comments.

There was discussion regarding: lifeguards and pool capacity; impacts on parking from functions; location and corresponding acoustic values, aesthetics and structure of potential acoustic barrier; number of children and adults considered in the study; rationale for not including condensers and mechanicals in study due to low noise levels; comparison of noise against that of other community swimming pools; developing a grid for traffic management plan tracking; staff communication regarding traffic planning; designation of events as Tier 1; parking counts during study; lack of use of overflow parking; onsite and off-site parking; bus parking; total number of spaces at full capacity; and a lookback mechanisms to assess parking.

Chair Ellis asked for public comments.

Ms. Priya Howell, 26 Del Prete Drive, shared support for the acoustic wall, and expressed concern with number of children and adults used in the acoustic study model.

There was discussion regarding decibel level and number of people used for acoustic report modeling.

Ms. Howell suggested a lookback mechanism on acoustics.

There was discussion regarding the baseline noise level used in the acoustic report; site specific baseline level; and determining appropriateness of an industrial barrier.

Ms. Stephanie Jones, 20 Del Prete Drive, requested inclusion of upper parking lot in acoustic assessment; expressed concern regarding concrete pad and potential equipment dome; 100 foot wetland buffer; and lower parking lot within buffer area.

There was discussion regarding the dome area potentially being part of a future application, with Acting Chair Ellis clarifying that any future addition of a dome/bubble is not part of this application, and would be considered a new project requiring its own application and review process at that time. There was also discussion on incremental parking noise compared to noise from current levels of use; quantifying baseline noise; change of parking intensity/vehicular trips; phases of development of site and impact on acoustic analysis; and the need for additional acoustic reporting to address: specific barriers proposed, accuracy of baseline of current noise and quantifying mitigation.

Mr. John Smallcomb, 18 Del Prete Drive, expressed interest in an independent study.

Ms. Howell stated she agreed looking at the change from the baseline made sense.

There was discussion about the level of review to date, outstanding items, usefulness of the lookback; potential for a site-sound survey concurrent with working out the parameters of the acoustic wall to get baseline for a subsequent lookback.

Chair Ellis MOVED to continue the hearing on the South Shore Country Club, 274 South Street, Site Plan Review and Special Permit A3 to the July 25, 2022 meeting of the Planning Board at 7:00pm, with no extension to the decision deadline.

**Second:** Judith Sneath

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

**Opposed:** None

Chair Sneath resumed as Chair and stated that the next matter was **165 Beal Street Site Plan Review** for Stepping Stone Learning Center, Inc. who submitted an application for Site Plan Review under §§ I-I and III-B, 8.b. of the Zoning By-Law and such other relief as necessary to expand an existing child care facility within the existing building in the Industrial District.

Jeff Tocchio, Esq. presented on the applicant's behalf.

Attorney Tocchio described the project location and stated the expansion would be within the building, the child care use is a Dover protected use and reasonable regulation site plan review standards apply. He discussed the parking plan, building size, expansion from approximately 1700-4500 square feet, drop-off and pick-up plan, event parking, and back-up parking in the Talbots lot for off-hour use.

Chair Sneath asked for Member comments.

There was discussion regarding width of entry drive, drop-off location and grade change before building and sightlines.

Chair Sneath asked for public comments. There were none.

Chair Sneath noted the following regarding the Design and Performance Standards in Zoning By-Law, Section I-I, 6. i. Pedestrian & Vehicular Access; Traffic Management: there were no changes to access circulation or traffic management proposed. The proposed expanded use will not increase the number of parking spaces to be provided onsite. The existing 36 parking spaces are sufficient for the mixed uses on the site, where 30 spaces are required (12 spaces for Faneuil Kitchen Cabinet and 18 spaces for Stepping Stone Learning Center). Special event parking will occur after hours and utilize both the full parking lot onsite and the Talbots parking lot if needed.

Based on the information submitted and presented during the hearing Chair Sneath proposed:

- 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, as conditioned by this Approval, meets all applicable Design and Performance Standards.

And MOVED to GRANT the application of Stepping Stone Learning Center, Inc. for Site Plan Review under §§ I-I and III-B, 8.b. of the Zoning By-Law to expand an existing child care facility within the existing building in the Industrial District, subject to the following condition:

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.

**Second:** Gary

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

**Opposed:** None

Attorney Tocchio and Chair Sneath acknowledged those affected by the fire on Mann Street and the work done by first responders.

Chair Sneath stated the next matter was **Site Plan Review for 7 Meadow View Road** and that Luke Feinberg filed an application for Site Plan Approval under § I-I of the Zoning By-Law and

such other relief as necessary to raze an existing single family dwelling, garage, shed and chicken coop and reconstruct a single family home with garage and other improvements at the property located in the Residence A District.

In attendance for the applicant: Scott Fanara of Grady Consulting; Luke and Mary Feinberg, owners, Sean Papich, Landscape Architect; Sally Weston, building architect; Brian Greenberg, construction manager.

Mr. Fanara presented plans and described the project and site. Mr. Fanara stated all buildings on the site would be razed and a new 3 bedroom dwelling, septic, utility and dry wells would be constructed. He discussed drainage, runoff, landscaping and driveway.

Chair Sneath asked for Member comments.

There was discussion regarding location of plantings, tree removal, terrace and stormwater structure considerations and mitigation for tree removal.

Chair Sneath asked for public comments. There were none.

Chair Sneath discussed the Design and Performance Standards in the By-Law.

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

- 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, as conditioned by this Approval, meets all applicable Design and Performance Standards.

And MOVED to GRANT the application of Luke Feinberg for Site Plan Approval under § I-I of the Zoning By-Law to raze an existing single family dwelling, garage, shed and chicken coop and reconstruct a single family home with garage and other improvements at the property located in the Residence A District, 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 shall be required before issuance of a Building Permit.
3. 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.
4. Parking During Construction. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
5. 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.

6. **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.
7. **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:** Kevin Ellis

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

**Opposed:** None

Chair Sneath stated the next matter was **Non-Residential Building Permits for Q2.**

Michael Silveira discussed background and information contained in the report of items.

Chair Sneath asked for Member comments.

There was discussion regarding the usefulness of the report and desire to continue reviewing on a quarterly basis.

There was a brief discussion regarding meeting minutes and scheduling.

Chair Sneath MOVED to adjourn the meeting at 8:55 p.m.

**Second:** Gary

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

**Opposed:**

Respectfully submitted,  
Tracy L. Altrich  
Community Planning Assistant

*Meeting Materials:*

*Lazell Street*

*Community Tree Evaluation Form, dated June 14, 2022*

*Photos*

*4 Pine Grove Road*

*J. Hassett Letter to Planning Board, dated June 10, 2022*

*Application Cover Sheet, dated June 10, 2022*

*Stormwater Calculations and Materials, revised June 10, 2022*

*Wetland Mitigation Plan, dated June 10, 2022*

*Landscape Plan, revised June 9, 2022*

*Site & Septic Plan, revised through June 10, 2022*

*Fire Marshal Approval, dated July 1, 2022*

*Notice of Decision, dated June 10, 2022*

*Approved Site & Septic Design Plan, revised through May 6, 2022*

*274 South Street*

*Site Plan Approval Application, dated April 12, 2022*

*Special Permit A3 Parking Determination Application, dated May 2, 2022*

*Outdoor Pool Complex Parking Plan, dated March 17, 2022*  
*Stormwater Report and Operations and Maintenance Plan, dated January 5, 2022*  
*Parking Plan with EV Charging Spaces, dated May 2, 2022*  
*Plan Set, dated March 17, 2022*  
*P. Brennan Peer Review Letter to Planning Board, dated May 16, 2022*  
*J. Dirk Letter to M. Silveira Regarding Traffic Peer Review, dated May 16, 2022*  
*Photos, Views from Del Prete Drive*  
*Traffic and Parking Management Plan*  
*Site Plans, revised May 20, 2022*  
*J. Jackson Response to Peer Review Letter to M. Silveira, dated May 20, 2022*  
*J. Jackson Response to Traffic Review Letter to M. Silveira, dated May 20, 2022*  
*Fire Truck Turning Movements Plan, dated March 17, 2022*  
*Trash Truck Turning Movements Plan, dated March 17, 2022*  
*Memo to Planning Board from Neighbors Regarding Concerns , dated May 23, 2022*  
*Letter to Planning Board from Abutters, dated May 22, 2022*  
*K. Zick Letter to M. Silveira Regarding Tree Protection Plan, dated May 23, 2022*  
*Existing Tree Plan, received May 23, 2022*  
*Planting Plan, received May 23, 2022*  
*Memo from B. Homes to SITEC Regarding Review of Existing Conditions, dated February 12, 2021*  
*Existing Conditions & Wetlands Resource Area Plan, dated April 5, 2021*  
*J. Dirk Letter to M. Silveira Regarding Traffic Engineering Review, dated May 23, 2022*  
*Continuation and Extension Request, dated May 25, 2022*  
*Additional Peer Review Letter from P. Brennan to Planning Board, dated May 25, 2022*  
*Letter of Support from E. Congdon to E. Wentworth, dated May 30, 2022*  
*K. Smallcomb Email to E. Wentworth, dated May 31, 2022*  
*K. Forbes Email to E. Wentworth, dated June 2, 2022*  
*Fire Truck Vehicle Turning Movements, received June 6, 2022*  
*Western Lot Vehicle Turning Movements, received June 6, 2022*  
*Hydrant Access General Plan, received June 6, 2022*  
*Crosswalks and Sidewalk Plan, dated June 9, 2022*  
*Jones Copy of 2005 DPH Memo, received June 9, 2022*  
*J. and K. Shroff Support Email to E. Wentworth, dated June 9, 2022*  
*G. and M. O'Meara Support Email to E. Wentworth, dated June 9, 2022*  
*E. and J. Cignetti Support Email to E. Wentworth, dated June 9, 2022*  
*J. Jackson Response to Traffic Review Comments, dated June 8, 2022*  
*Sheet C5.4 Plan, revised through June 9, 2022*  
*Traffic Plan, received June 9, 2022*  
*General Plan, received June 9, 2022*  
*J. Dirk Supplemental Traffic Peer Review, dated June 13, 2022*  
*E. Sullivan email to M. Silveira Regarding Conservation Review, dated June 14, 2022*  
*Continuance & Extension, dated June 17, 2022*  
*J. Jackson Response to Traffic Review Comments to M. Silveira, dated June 22, 2022*  
*Updated General Plan, received June 22, 2022*  
*J. Dirk Supplemental Traffic Review Letter to M. Silveira, dated June 30, 2022*  
*Acoustic Review & Feedback Report, dated July 6, 2022*  
*Traffic and Parking Management Plan, revised July 6, 2022*  
*Landscape Plan, revised July 6, 2022*  
*S. Jones email to Planning Board, dated July 11, 2022*  
*E. Sullivan Response to Public Comment, dated July 11, 2022*

#### 165 Beal Street

*J. Tocchio letter to C. Falvey, dated June 16, 2022*  
*Site Plan Approval Application, dated June 16, 2022*  
*Land Title Survey, dated August 16, 2006*  
*Architectural Plan Set, dated May 31, 2022*  
*Layout Plan, received June 16, 2022*  
*Talbots Parking Confirmation from J. Tocchio, dated July 11, 2022*

#### 7 Meadow View Road

*Application Package, dated May 24, 2022*  
*Plot Plan, dated May 24, 2022*  
*Updated Plot Plan, revised through June 7, 2022*  
*P. Brennan Peer Review Letter to Planning Board, dated June 9, 2022*  
*S. Fanara Letter to Planning Board and Updated Materials in Response to Peer Review, dated June 14, 2022*  
*Plot Plan, revised through June 13, 2022*  
*Landscape Plan, received June 14, 2022*  
*Plot Plan, revised through June 15, 2022*

*P. Brennan Updated Peer Review Letter to Planning Board, dated June 15, 2022*  
*Landscape Plan, revised July 6, 2022*

*Non-Residential Building Permits Report – Q2*