



# TOWN OF HINGHAM

## Planning Board

### CERTIFICATE OF ACTION RESCISSION OF DEFINITIVE SUBDIVISION PLAN APPROVAL

#### IN THE MATTER OF:

Applicant/Owner: John A. and Rachel E. Swenson  
249 Cushing Street  
Hingham, MA 02043

Property: 249 Cushing Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 53992, Pg 77

Plan References: "249 Cushing Street Definitive Subdivision Plan in Hingham, MA 02043,"  
prepared by James Engineering, Inc., 1272 Main Street, Unit A3, Hanson,  
MA, dated May 12, 2014, with revisions through February 5, 2015 (5 Sheets)



#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Rachel and John Swenson (collectively, the "Applicant") to Rescind, pursuant MGL c. 41, § 81W, the Definitive Subdivision Plan Approval, dated August 27, 2014 and extended through August 31, 2022, for a two lot subdivision at 249 Cushing Street in Residence District C.

The Board opened a duly noticed public hearing on the application during a meeting held remotely on September 13, 2021 via Zoom as an alternative means of public access pursuant Chapter 20 of the Acts of 2021, Suspending Certain Provisions of the Open Meeting Law. The Board panel consisted of its regular members The Board panel consisted of members Gary Tondorf-Dick, Acting Chair, Gordon Carr, Rita DaSilva, and Judith Sneath. The Applicant appeared to present the application to the Board. At the conclusion of the hearing, the Board voted unanimously to approve the request.

Throughout its deliberations, the Board has been mindful of the statements of the Applicant and the comments of the general public, all as made or received at the public hearing.

#### BACKGROUND

The Planning Board approved a Definitive Subdivision Plan depicting a proposed right of way (Love Lane) and two residential lots in 2016. The approval was extended at the Applicant's request on several occasions such that the performance deadline is now August 27, 2022 (as may be extended by Section

17 of the Acts of 2020). The current owner acquired all the land included in the subdivision and now requests that the Board rescind the approval in an effort to reduce his tax assessment. MGL c. 41, s. 81W allows the Board to rescind its approval of a plan on the petition of any person interested.

**DECISION**

Upon a motion made by Gary Tondorf-Dick and seconded by Judith Sneath, the Board voted unanimously to Grant the application of Rachel and John Swenson to Rescind the Definitive Subdivision Plan Approval and plans endorsed by the Board on September 12, 2016 and recorded at the Plymouth Country Registry of Deeds at Plan Book 60, Page 935 for the property located at 249 Cushing Street in Residence District C.

For the Planning Board,



Gary Tondorf-Dick, Acting Chair  
Planning Board

**In Favor:** Gordon Carr, Rita DaSilva, Judith Sneath, Gary Tondorf-Dick  
**Opposed:** None