



# TOWN OF HINGHAM

## Planning Board

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Town Clerk  
Hingham, MA

### NOTICE OF DETERMINATION APPROVAL NOT REQUIRED PLAN

On June 28, 2022, at a duly noticed public meeting held remotely via Zoom as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily suspending certain provisions of the Open Meeting Law, the Planning Board made a determination pursuant to Massachusetts General Laws Chapter 41, Section 81P, that the below described plan is not entitled to endorsement as an "approval not required" plan and unanimously voted as follows:

To DENY, pursuant to MGL c. 41 § 81P, the plan entitled "Plan of Land In Hingham, Massachusetts, Prepared For Dover Mill, LLC," for the property located at 107 Main Street, prepared by Alfred M. Berry, P.L.S., 129 South Main Street, PO Box 188, Athol, MA, dated May 18, 2022 for the following reasons:

1. Under Massachusetts law, in order to satisfy exception (c) of the definition of "Subdivision" in Section 81L, the approved way must have been, "a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon."
2. The Board finds that the purported way shown on the plan is not a "way in existence" when Subdivision Control Law became effective in Hingham; therefore the plan constitutes a subdivision that requires approval under the Subdivision Control Law.

For the Planning Board,

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Judith Sneath, Chair  
June 29, 2022

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