

The Board opened a duly noticed public hearing on the application at a meeting held remotely on May 23, 2022 via Zoom as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 (as extended pursuant to Chapter 107 of the Acts of 2022) temporarily suspending certain provisions of the Open Meeting Law. The Board simultaneously opened a hearing on a related application for a Special Permit A3 under § V-A of the By-Law. Subsequent substantive hearings were concurrently held on June 13, 2022, July 11, 2022, and August 8, 2022. The Board panel consisted of regular members Kevin Ellis, Acting Chair, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. Kevin Whalen, South Shore Country Club Executive Director, presented the application to the Board along with project representatives including James Jackson, P.E., of Pare Corporation and Chris Rotti, AIA, of RMD. The Board was assisted in its review by Patrick Brennan, P.E., of Amory Engineers and Jeffery Dirk, P.E., PTOE, FITE, of Vanasse & Associates. At the conclusion of the review, the Board voted to grant Site Plan Approval under § I-I of the By-Law with conditions set forth below.

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

BACKGROUND

The subject property consists of approximately 154 acres of land located at 274 South Street, which is currently occupied by the South Shore Country Club (SSCC). The property is bound by South Street and the MBTA commuter rail to the west, New Bridge Street to the south, and residential properties to the east and north. The property maintains frontage on South Street, which provides access to the premises. The driveway leads to three parking areas adjacent to the existing tennis courts, pool, banquet and conference hall, restaurant, bowling alley, and Golf Pro shop. The golf course occupies the area to the south of these buildings and covers the majority of the property.

The SSCC proposes to construct a new pool complex, including a 5,000+ SF bathhouse, fenced-in pool area, filtration structure and equipment storage building, equipment pad, and related site improvements. The proposed pool area will displace the existing tennis courts and replace the existing pool, which is no longer operational, to the west of the club house building. The project site (the "Site") consists of 1.24 acres of land bound by a wooded area to the north and east, and the existing parking areas to the south and west.

With respect to existing stormwater patterns and management, runoff currently generated from the Site flows overland to the west where most of the runoff is captured in a catch basin east of the large concrete retaining wall. The remaining runoff from the Site flows overland into one of two wetland locations at either the entrance drive or the northeast of the Site. The existing Site contains approximately 0.75 acres of impervious area, which consists of paved parking areas and 2 tennis courts. The remaining portions of the Site are grass and woods.

The proposed grading scheme is designed to shed water to match the existing conditions to the maximum extent possible and generally slope away from the pool complex so as to protect the

complex from stormwater runoff. Stormwater is proposed to be conveyed in accordance with best management practices (BMP's) via overland flow and a stormwater conveyance system consisting of area drains, manholes, and HDPE piping. Additionally, post-development runoff rates are proposed to be maintained or reduced from the pre-development condition and released into existing drainage paths downstream of the proposed improvements. Proposed impervious areas will be treated prior to leaving the Site in accordance with the Massachusetts Stormwater Handbook. Finally, the proposed drainage system is designed to include source control and maintenance, such as removal of sediment buildup from best management practices, and an underground infiltration system. Runoff from the Site is proposed to flow overland into catch basins and the pool complex's drainage system into the underground infiltration system. Overflow from the infiltration system is proposed to be connected via a pipe outlet discharging to the existing wetlands. After limited revisions, the Board's consulting civil engineer confirmed that the subsurface infiltration system, erosion controls, and test holes were correctly designed as depicted on the plans.

The project proposes 234 parking spaces to support the existing uses, including the reconstructed pool complex, with an opportunity shown on the Site Plans to provide an additional 56 overflow parking spaces onsite, including 36 parking spaces in a grass area along the south side of the driveway, 4 parking spaces along the east side of the drive to the west of the clubhouse building, and 16 tandem parking spaces for employees in the paved area to the south of the maintenance facility that is currently under construction, for limited events. The plans also note the availability of offsite overflow parking in the area at the MBTA lot (up to 149 spaces) and Carlson Field (up to 182 spaces), subject to authorization by the applicable property owner. While the Applicant noted that the mix of uses that will be located within the South Shore Country Club at the completion of the Project would technically require 438 parking spaces to meet the parking requirements of Section V-A, the Board's traffic engineer confirmed that the By-Law's requirements far exceed the standards provided by the Institute of Transportation Engineers for a golf course and typical accessory uses. He confirmed that the available parking supply was sufficient based on the submitted Traffic and Parking Management Plan (TMP). In addition, the traffic engineering peer review of this project addressed issues related to vehicle and pedestrian access and circulation, Massachusetts Department of Transportation (MassDOT) design standards, Town zoning requirements as they relate to access, parking and circulation, and accepted Traffic Engineering and Transportation Planning practices.

As a result of peer review comments, satisfactory revisions were provided by the Applicant, including the TMP for event conditions and for those occasions when the demand for parking may exceed the available parking supply. The TMP includes a strategy to schedule events so as not to overlap with the peak-use periods of other facilities within the South Shore Country Club or other events.

During the course of the hearing, the Board raised numerous questions and provided extensive comments pertaining to the proposed drainage system, grading, parking, traffic, vehicle and pedestrian access and circulation, noise generation, additional tree plantings, hours of operation, and potential effects on abutters. Several abutters and members of the public raised questions and provided comments both during the public hearings as well as in writing. The Board took into

consideration questions and comments raised and included conditions where appropriate to address some of the abutter concerns.

One abutter concern the Board considered at length relates to projected noise generation by users of the pool. Ultimately, members opted not to impose a condition related to noise mitigation, noting that the intermittent and random sound of children and adults using outdoor recreational facilities is not regulated under the Zoning By-Law. The Board noted that it had in prior applications regulated only amplified sound at outdoor venues and the South Shore Country Club would not use amplification in connection with the pool facility. Additionally, the pool was an existing use of the property and reconstruction would eliminate sound generated by the displaced tennis courts. Finally, the Applicant committed to pursuing optional measures to reduce potential sound as possible.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project proposes disturbance in the area of the former tennis court and its immediate wooded surroundings, allowing for minimal changes to natural topography or disturbance to undeveloped land, and minimal changes outside of an overall minor grade change.

b. Site Design

The proposed project is limited to the bounds of the former tennis court and its immediate wooded surroundings. The proposed project provides additional trees and plantings to blend with the natural landscape to the greatest extent practicable.

c. Character and Scale of Buildings

The new pool complex has been designed to remain consistent with the recreational use of the property. Additionally, the proposed bath house has been designed to maintain as low a profile to the greatest extent practicable, while also housing the programmatic needs of the complex.

d. Preservation of Existing Vegetation and Protected Trees

While technically none of the existing trees are considered Protected Trees as defined under Section VI and regulated under Section I-I of the By-Law, the Applicant proposes the planting of 29 trees, and numerous shrubs and other perennials to replace those trees to be removed.

e. Limit of Clearing

Clearing and grading will be limited to the wooded area directly surrounding the proposed pool, as much of the area is already cleared for the existing tennis court. Additionally, erosion controls have been clearly marked on the plan.

f. Finished Grade

Minor grading changes are proposed as a result of this project, as the proposed site is already level due to the existing tennis court. The proposed grading scheme is designed

to shed water to match the existing conditions to the maximum extent possible and generally slope away from the pool complex so as to protect the complex from stormwater runoff. Finally, the proposed drainage system is designed to include source control and maintenance from best management practices, such as removal of sediment buildup and an underground infiltration system.

g. Stormwater Management

Stormwater is proposed to be conveyed to best management practices (BMP's) via overland flow and a stormwater conveyance system consisting of area drains, manholes, and HDPE piping. Additionally, post-development runoff rates are proposed to be maintained or reduced from the pre-development condition and released into existing drainage paths downstream of the proposed improvements. Proposed impervious areas will be treated prior to leaving the Site in accordance with the Massachusetts Stormwater Handbook. Finally, the proposed drainage system is designed to include source control and maintenance, such as removal of sediment buildup from best management practices, and an underground infiltration system. Runoff from the Site is proposed to flow overland into catch basins and the pool complex's drainage system into the underground infiltration system. Overflow from the infiltration system is proposed to be connected via a pipe outlet discharging to the existing wetlands.

h. Utilities

All utilities required for the proposed project are existing onsite and will be extended to the pool complex.

i. Pedestrian and Vehicular Access; Traffic Management

The project proposes 234 parking spaces to support the existing uses and the proposed pool complex, with an opportunity shown on the Site Plans to provide an additional 56 overflow parking spaces onsite, including 36 parking spaces in a grass area along the south side of the driveway, 4 parking spaces along the east side of the drive to the west of the clubhouse building, and 16 tandem parking spaces for employees in the paved area to the south of the maintenance facility that is currently under construction, for limited events. The plans also note the potential availability of offsite overflow parking in the area at the MBTA lot (up to 149 spaces) and Carlson Field (up to 182 spaces) subject to authorization by the respective land owners. The mix of uses that will be located within the South Shore Country Club at the completion of the Project would, if simultaneously conducted at maximum capacity, require 438 parking spaces to meet the parking requirements under Section V-A; however, the property will be managed by the Applicant to minimize coincident uses that would generate parking demand in excess of supply. The Board's traffic engineer also confirmed that the By-Law's requirements far exceed the standards provided by the Institute of Transportation Engineers. Various improvements to the Country Club entrance and pedestrian crosswalks throughout the parking lot are also proposed as a result of this project.

j. Lighting

The proposed lighting is limited to downward facing emergency/security lighting, as the facility will not be utilized outside of daylight hours. Additionally, all lighting is limited to 0.0 foot-candles before reaching the property line.

FINDINGS

- a. The proposed development, as conditioned by the Approval, 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.

MOTION

Upon a motion made by Kevin Ellis and seconded by Rita DaSilva, the Board voted to GRANT 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 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. 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.
4. Construction Hours. Construction shall not take place before 7:00 AM or after 6:00 PM Monday through Saturday. No construction shall take place on Sundays unless authorized by the Building Commissioner on an emergency basis.
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 the approved drainage and stormwater system installed for the project. 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. Hours of Operation. Hours of operation for the pool complex shall be 7:00 AM to 7:30 PM Monday through Friday and 10:00 AM to 7:00 PM Saturday and Sunday.
8. Site Cleanup. Trash barrels shall be placed in the parking lot outside of the pool complex and emptied on a nightly basis. There shall be regular cleaning of the parking lots to ensure cleanliness of the site and abutting properties.
9. Plan Changes. The installation of a bubble or other enclosure over the facility shall be considered a major modification of the Site Plan to be reviewed by the Board through a noticed public hearing so that impacts on the Site Plan Review Design and Performance Standards may be considered.

For the Planning Board,



Kevin Ellis
August 19, 2022

In Favor: Kevin Ellis, Gordon Carr, Rita DaSilva, and Judith Sneath

Abstentions: Gary Tondorf-Dick

Opposed: None

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.

