



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SPECIAL PERMIT

IN THE MATTER OF:

Applicant/Owner: Hingham Historical Society
34 Main Street
Hingham, MA 02043

Property: 181 North Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 54113, Page 88

Plan References: "Hingham Historical Society, Benjamin Lincoln House, 181 Lincoln Street, Hingham, MA," prepared by Wilcox Corporation, 36 North Street, Hingham, MA, dated November 13, 2022 and revised through December 16, 2022 (1 Sheet)

"Site Plan, 181 North Street – Hingham," prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA, dated September 2, 2020 and revised through December 14, 2022 (1 Sheet)



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of the Hingham Historical Society (the "Applicant") to modify a Special Permit A3 originally issued December 4, 2020 under § V-A of the Zoning By-Law (the "By-Law"), and such other relief as necessary to relocate an accessible parking space and walkway, eliminate one parking space, and make other related improvements at 181 North Street in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on January 9, 2023 via Zoom as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022 temporarily suspending certain provisions of the Open Meeting Law. The hearing was continued to nonsubstantive hearings on January 23, 2023 and February 6, 2023 and a substantive hearing on February 13, 2023. The Board concurrently opened a hearing on a related application for modification of the Site Plan Approval, originally issued December 4, 2020. The

Board panel consisted of regular members Judith Sneath, Chair, Rita DaSilva, and Kevin Ellis, and alternate member Michael Mercurio. Deirdre Anderson, Hingham Historical Society, presented the application to the Board. At the conclusion of the hearing, the Board voted unanimously to grant the Special Permit A3 modification under § V-A 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 AND DISCUSSION

The subject property, known as the Benjamin Lincoln House property, is located at Fountain Square, at the intersection of North Street and Lincoln Street. The Planning Board issued a Special Permit A3 and Site Plan Approval in 2020 in order to convert the former single-family home into a museum to be owned and operated by the Hingham Historical Society (HHS). The approvals obtained in 2020 permitted 4 total parking spaces, one of which to be designated as an ADA accessible space, for up to 16 people. The approved plan depicted an ADA accessible ramp and parking space adjacent to the accessible entrance at the rear of the house. Among certain dimensional and design waivers for the parking spaces and drive aisle granted through the Special Permit A3, the Board determined that 4 parking spaces, instead of the 5 that would be otherwise be required under § V-A, would be sufficient to provide for regular museum operations and invitation only fundraising events with no more than 16 people. The decision additionally required the Applicant to provide a Traffic Management Plan (TMP) for any planned events larger than 16 people absent a police detail.

The Applicant now seeks modification of the Special Permit A3 as outlined in the bulleted items below. The Applicant represented that the proposed changes to the parking layout would better preserve streetscape views of the historic property and maintain an existing garden and greenspace.

- Relocate the approved ADA accessible parking space to the bank of spaces at the driveway entrance near Lincoln Street. This relocation requires elimination of one approved space for the required ADA access lane adjacent to the parking space.
- Widen the driveway exit onto North Street per the request of the Fire Department.
- Provide a drop off zone for handicapped visitors next to the existing brick patio for access to the entrance ramp.
- Create an additional space with a curb stop for staff to the west side of the existing detached garage. The proposed 18'-long dimension with no overhang requires a waiver. The parking space would practically only be accessed by vehicles in reverse due to the one-way circulation of the driveway. During the hearing, the Applicant agreed that the space would be available to visitors and not restricted to staff only.

- The Applicant further requests to allow use of the Old Ordinary and Heritage Museum parking lots (17 spaces total, 1 of which is ADA accessible) during events larger than 15 people at the Benjamin Lincoln House.
- Finally, the Applicant requests modification of the Special Permit A3 conditions as follows:
 1. Change the requirement for police details for events larger than 15 people to be determined on a case-by-case basis rather than a requirement;
 2. Specify that “Museum operations are regularly scheduled tours for no more than 15 people or fundraising events not to exceed Museum occupancy levels of 40 people.”

With the current application the Applicant also submitted a Traffic Management Plan (TMP) in accordance with a condition of the 2020 Special Permit A3. This TMP includes both ongoing strategies to manage traffic and parking onsite as well as specific strategies for certain larger programs. Most notably, the TMP considers utilization of the other HHS properties (Old Ordinary and Heritage Museum) for additional parking.

During the course of the hearing, the Board provided questions and comments related to onsite and offsite parking and access, ADA access, future offsite improvements, drop off locations, traffic management, and event scheduling. There was some public comment received in support of this project.

WAIVERS

The Applicant requested a waiver of a requirement under § V-A,3. to allow the proposed parking space for staff to the west side of the garage to be 18’ in length with no overhang, where a 2’ overhang is required or a 20’ parking space with no overhang.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the hearings, the Board made the following findings in accordance with the Approval Criteria under § V-A,6. of the By-Law:

The proposed modifications do not materially or adversely affect conditions governed by the Special Permit A3 Findings issued December 4, 2020 and set forth in § V-A of the Zoning By-Law, with the exception of the following:

- a. **The parking is sufficient in quantity to meet the needs of the proposed project;**
 The modified plans propose 3 parking spaces, 1 of which would be ADA accessible, which is sufficient to serve regular museum operations as presented at this time. The modified parking determination is based upon the auditorium ratio of one car per three seats (persons) under § V-A and maintains the previously approved 25% reduction, provided

that the number of persons threshold to be considered a large event is limited to 12 people aside from events such as school field trips in which all participants arrive to and depart from the property in a single vehicle. The proposed parking is insufficient to support special events outside of regular museum operations or invitation only fundraising events for more than 12 people. The Traffic Management Plan provides strategies to manage traffic and parking in these instances, including utilization of the 17 available parking spaces at the Old Ordinary and Heritage Museum.

b. Pedestrian access and circulation has been provided for;

Pedestrian access and circulation on site is adequate for regular museum operations. As conditioned by this approval, occupancy limits and police details shall be required for larger events, except field trips and others in which all participants arrive to and depart from the property in a single vehicle. Once future offsite improvements are completed, occupancy limits and police details for events larger than 12 people will be reconsidered for events up to 40 people with nonconcurrent events at the Old Ordinary or Heritage Museum.

d. It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings;

The newly proposed parking space to the west of the existing garage meets all off-street parking dimensional requirements, with the exception of the parking length requirement under § V-A,3. which requires an 18' space in length with a 2' overhang or a 20' space in length with no overhang. A waiver of this requirement to allow this space to be 18' in length with no overhang is consistent with the Board's granting of a waiver of this requirement for other spaces onsite in the 2020 Special Permit A3.

e. Except as specifically provided under subsection d above, the proposed parking areas meet applicable Design Standards; and

f. The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.

No adverse impacts on the parking and on-site traffic circulation will result from limited relief of the parking space dimensional requirement under Section V-A,3. Waivers are consistent with the intent of the By-Law.

MOTION

Upon a motion made by Rita DaSilva and seconded by Kevin Ellis, the Board voted unanimously to GRANT the application of the Hingham Historical Society to modify a Special Permit A3 Parking Determination, originally issued December 4, 2020 under § V-A of the Zoning By-Law, with a waiver related to parking space length issued from § V-A,3., to relocate an accessible parking space and walkway, eliminate one parking space, and make other related improvements at 181 North Street in Residence District A, subject to the following conditions:

1. Museum Operations. Museum operations shall consist of regularly scheduled tours for no more than 12 people, with the exception of field trips or other tours in which busing is utilized to drop off and pick up at the property. A police detail shall be required for all larger events of more than 12 people for the duration of the events. Following completion of future offsite improvements that propose pedestrian connections to the Downtown and additional off-street parking in the vicinity, occupancy limits and police details for events larger than 12 people will be reconsidered for operations or events of up to 40 people with nonconcurrent parking demands at the Old Ordinary or Heritage Museum.
2. Traffic Management Plan. Prior to issuance of a Certificate of Occupancy, the Traffic Management Plan shall be revised and submitted to the Community Planning Department to reflect the content of condition number 1 of this Approval.
3. Plans will be updated to make the parking space to the west of the garage unrestricted.

For the Planning Board,



Judith Sneath

February 15, 2023

In Favor: Judith Sneath, Rita DaSilva, Kevin Ellis, and Michael Mercurio

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.

