



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SPECIAL PERMIT A3

IN THE MATTER OF:

Applicant: Hingham Municipal Light Plant
c/o Tom Morahan, General Manager
31 Bare Cove Park Drive
Hingham, MA 02043

Owner: Town of Hingham
c/o Tom Mayo, Town Administrator
210 Central Street
Hingham, MA 02043

Property: Lynch Field, 226 Beal Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 3961, Page 701

Plan References: "Lynch Field Location," unsigned and undated (1 sheet)

"Town Ball Fields Work Plan, Back River, Beal Street, Hingham, MA," prepared by Coler and Colantonio, Inc., 101 Accord Park Drive, Norwell, MA, dated June 29, 2004 and revised through February 9, 2006 (1 sheet), provided to depict existing site conditions



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Hingham Municipal Light Plant (the "Applicant" or "HMLP") for modification of a Special Permit A2 parking determination, originally issued February 1, 2006, under § V-A, and a Special Permit A3 parking determination under § V-A of the Zoning By-Law (the "By-Law"), and such other relief as necessary to install an electric vehicle charging station at Lynch Field, 226 Beal Street, in the Official and Open Space District.

The Applicant additionally filed a related application with the Planning Board for a waiver of Site Plan Review under § I-I of the By-Law.

The Board opened a duly noticed public hearing on its Special Permit A3 application concurrently with a hearing on the Site Plan Review application at a meeting held remotely on January 23, 2023 via Zoom as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022 suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Judith Sneath, Chair, Gordon Carr, Rita DaSilva, Kevin Ellis, and Gary Tondorf-Dick. Brianna Bennett of Hingham Municipal Light Plant presented the application to the Board. At the conclusion of the review, the Board voted unanimously to grant the requested Special Permit A3 Parking Determination with a Waiver under § V-A of the By-Law with a condition set forth below.

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 & DISCUSSION

The subject parking lot, located at Lynch Field, is currently striped for 99 parking spaces – 4 of which are ADA Compliant. One Electric Vehicle (EV) charging station is proposed to be installed for service to 1 space, but will require elimination of an existing space to provide for an ADA access lane. This reduces the number of parking spaces to 98. Additionally, permits would be subject to a license agreement between the Town and HMLP.

Note “d” under § V-A, 2 of the Zoning By-Law does not permit reserved parking spaces “for any person, tenant, activity, or purpose (except for spaces reserved for “visitor” or “customers” parking)”. Allowance of the proposed use of 1 parking spaces for “EV Charging Only” would require a Waiver of the parking requirement under § V-A, 2.d of the By-Law.

During the course of discussion, Board members were supportive of the application and mainly had comments surrounding the screening of the charging station, ADA access, the parking space selection process, hours of operation, signage, lighting, and the use and type of charger. A number of public comment letters were submitted prior to the hearing both in support of the application and raising questions and concerns around potential lighting, type of charger, traffic, parking availability, and safety of the charger.

WAIVERS

Given the limited nature of the request and alignment with Town “green” initiatives, the Board ultimately voted to grant a Waiver of the parking requirement under § V-A, 2.d.

FINDINGS

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

- a. **The parking is sufficient in quantity to meet the needs of the proposed project;**
Installation of the EV charging station and the reduction of one space will not greatly impact the number of spaces available to visitors of the recreational facility.
- b. **Pedestrian access and circulation has been provided for;**
Pedestrian access and circulation is unchanged as a result of this project.
- c. **New driveways have been designed to maximize sightline distances to the greatest extent possible;**
No changes to entrances or sight distances are proposed.
- 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; and**
The dedication of 1 parking space for “EV Charging Only” and 1 space for an access lane will minimally affect the remaining 98 available parking spaces onsite. The proposed project will not result in or worsen traffic problems either on-site or the surrounding streets.
- e. **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.**
The granting of relief is consistent with stated goals of the By-Law, including the prevention of pollution of the environment. The proposed dedication of 1 parking space will not increase the likelihood of accident or affect access to and circulation within the site.

DECISION

Upon a motion made by Gary Tondorf-Dick and seconded by Gordon Carr, the Board voted unanimously to GRANT the application of Hingham Municipal Light Plant for modification of a Special Permit A2 parking determination, originally issued February 1, 2006, and a Special Permit A3 Parking Determination with a waiver under § V-A of the Zoning By-Law to install an electric vehicle charging station at Lynch Field, 226 Beal Street, in the Official and Open Space 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. This Decision is contingent upon the Applicant obtaining a license from the Town for installation, operation, and maintenance of the EV charging station. Operation may only continue so long as such license remains in full force and effect.
3. All ongoing conditions of the Special Permit A2 decision of the Zoning Board shall remain in full force and effect unless otherwise modified by this permit.

For the Planning Board,



Judith Sneath, Chair
February 24, 2023

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