



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

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

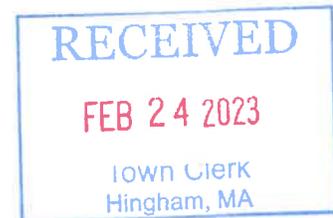
Owner: Town of Hingham
c/o Tom Mayo, Town Administrator
210 Central Street
Hingham, MA 02043

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 a waiver of Site Plan Review under § I-I 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 modification of a Special Permit A2 parking determination, originally issued February 1, 2006, and a Special Permit A3 parking determination under § V-A of the By-Law.

The Board opened a duly noticed public hearing on its Site Plan Review application concurrently with a hearing on the Special Permit A2 and Special Permit A3 applications 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 Site Plan Approval with Waivers under § I-I 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

The Applicant requested a waiver of Site Plan Review, but given that there is no existing Site Plan Approval for this site, Site Plan Approval will need to be issued. Instead, waivers of certain submittal requirements is required. These include submittal requirements under § I-I, 5.e (zoning analysis), g (landscape plan), h (tree protection plan), i (grading and drainage plan), and j (construction schedule). Additionally, a waiver of a design and performance standard under § I-I, 6.h to allow above ground wires from existing poles to the new pole for the EV Charging Station.

DESIGN AND PERFORMANCE STANDARDS

With the exception of the following, none of the Design and Performance Standards under Section I-I, 6. are applicable to the proposed EV Charging Station:

a. Land Disturbance

The only land disturbance associated with this project is that which is limited to the installation of the EV Charging Station and its proper utility connections.

i. Pedestrian and Vehicular Access; Traffic Management

With the exception of the reduction of one parking space for an access lane for the EV charging space, pedestrian and vehicular access and traffic management remain unchanged.

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 § I-I,7. of the By-Law:

- a. The proposed development 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, with the exception of § I-I, 6.h, requiring underground wires. It is impractical to meet this Standard and a waiver of such Standard will not adversely impact the interests set forth in subsection 7a. above.

DECISION

Upon a motion made by Rita DaSilva and seconded by Kevin Ellis, the Board voted unanimously to GRANT the application of Hingham Municipal Light Plant for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirements under § I-I, 5.e, g, h, i, and j related to a zoning analysis, a landscape plan, a tree protection and mitigation plan, grading and drainage plan, and a construction schedule 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. Plan Revisions. The Applicant shall revise plans to provide additional screening of the Charging Station along Beal Street consisting of Arborvitae trees. Said plans shall be provided to the Community Planning Department prior to issuance of a building 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.