



TOWN OF HINGHAM

Planning Board

CERTIFICATE OF ACTION DEFINITIVE SUBDIVISION MODIFICATION

IN THE MATTER OF:

Owner/Applicant: Vineyard Lane LLC
c/o Joseph Cincotta
1 Nashua Street, Apt. 2102
Boston, MA 02114

Agent: Sullivan & Comerford, P.C.
80 Washington Street, Bldg. B, Suite 7
Norwell, MA 02061

Property: 261 Gardner Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Deed Book 57634, Page 221



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Joseph Cincotta (the "Applicant") for modification of a Definitive Subdivision, originally approved through a Certificate of Action dated January 19, 2023, under the Subdivision Control Law and the Rules and Regulations of the Hingham Planning Board, to modify condition 1.a(v), requiring plans to show radii for the property lines at street intersections, at 261 Gardner Street in Residence District B.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on April 10, 2023, via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2023 temporarily 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. Phil Henry, of Civil Design Group, LLC, presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., of PGB Engineering. At the conclusion of the review, the Board voted to approve the Definitive Subdivision Modification 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

The Board approved a 4 lot subdivision at 261 Gardner Street (Vineyard Lane) in January 2023. In issuing its Certificate of Action (COA), the Board imposed a condition (1.a(v) of the COA) based on a recommendation by the Board’s peer review engineer that required the plans be revised to show radii for the property lines at street intersections. The requirement is typical in some other communities, but is not a requirement under the Hingham Planning Board’s Rules and Regulations. In adding the required revisions to the plans per the conditions of the COA, the Applicant discovered that Lot 1 of the approved subdivision plan would become nonconforming with respect to frontage. In an effort to ensure that Lot 1 is a conforming lot, and in remaining consistent with the Board’s Rules and Regulations, the Applicant requested to eliminate this condition. This change would not affect the approved plans or any other conditions. No other changes are proposed with this modification request.

During the course of discussion, the Board asked clarifying questions related to the subject condition. There was no public comment related to this application.

DECISION

Upon a motion made by Gordon Carr and seconded by Kevin Ellis, the Board voted GRANT the application of Joseph Cincotta for modification of a Definitive Subdivision, originally approved through a Certificate of Action dated January 19, 2023, under the Subdivision Control Law and the Rules and Regulations of the Hingham Planning Board, to eliminate condition 1.a(v), requiring plans to show radii for the property lines at street intersections, at 261 Gardner Street in Residence District B, subject to the following condition:

1. All other conditions of the Certificate of Action, dated January 19, 2023, shall remain in full force and effect.

For the Planning Board,



Judith Sneath, Chair
April 21, 2023

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

Opposed: Gary Tondorf-Dick

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.

