



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Town of Hingham
210 Central Street
Hingham, MA 02043

Agent: Michael Moonan, RLA
CHA Companies
141 Longwater Drive, Suite 104
Norwell, MA 02061



Property: 0 Burr Road, Map 81 Lot 28, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 1135, Page 320

Plan References: "Town of Hingham, Replacement of Town Basketball Court, 0 Burr Street, Hingham, MA 02043," prepared by CHA, 1 Washington Mall, Suite 1500, Boston, MA, dated September 7, 2023 and revised through September 20, 2023 (8 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of the Town of Hingham (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to reconstruct an existing basketball court at 0 Burr Road, Map 81 Lot 28 in the Official and Open Space District.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on October 16, 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 Kevin Ellis, Chair, Gordon Carr, and Tracy Shriver. Michael Moonan, RLA, CHA Companies, and Mark Thorell, Hingham Recreation Department, presented

the application to the Board. At the conclusion of the review, the Board voted unanimously 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 & DISCUSSION

The subject parcel, part of Cronin Field, is located behind Hingham Town Hall along Burr Road. The overall site is currently improved by a soccer field, gravel track, baseball field, playground, sand volleyball court, tennis courts, basketball court, and street hockey rink. While the Board issued Site Plan Approval in February 2023 for the street hockey rink project, there are no existing Planning Board permits for the basketball court given its age. From historical satellite imagery, it appears that the basketball court has existed in its present location since at least the 1960s.

The project proposes the replacement of the existing pavement and hoops, as well as the addition of 6'-high fencing in certain areas of the court to prevent the ball from traveling off of the court. The project design maintains the existing location and minimally expanded footprint – allowing for land disturbance to be limited to the already disturbed area of the basketball court. There is no additional grading or tree removal proposed with this project. Additionally, the project area will be contained with construction fence throughout the duration of the project, including a silt fence as an erosion control measure.

During the course of the hearing, the Board provided questions and comments related to construction vehicles, construction schedule, and abutter notification. There was no public comment.

WAIVERS

The Applicant requires waivers of submittal requirements under § I-I.5.f (utility plan), g (landscape plan), and h (tree protection and mitigation plan). No utilities, landscaping, or tree removal are proposed in connection with the project and trees on public property are not considered Protected Trees.

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 removal and replacement of the basketball court:

a. Land Disturbance

The project proposes 9,000 SF of total land disturbance – remaining within the footprint of the existing basketball court. There is no land disturbance beyond the already disturbed area.

g. Stormwater Management

Erosion controls consist of a silt fence along the down slope of the project site to minimize erosion and sedimentation. The proposed basketball court footprint is the same as what exists and there are no proposed grade changes. Therefore, the impervious area will remain the same – allowing for no change in stormwater runoff.

i. Pedestrian and Vehicular Access; Traffic Management

No new parking areas or driveways are proposed as part of this project. Minor modifications are proposed for the pathways to allow for improved pedestrian access to the court.

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-1,7. of the By-Law:

- 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 Gordon Carr, the Board voted unanimously to GRANT the application of the Town of Hingham for Site Plan Approval under § I-1 of the Zoning By-Law, with a waiver of a submittal requirements under § I-1, 5.f, g, and h related to a utility plan, a landscape plan, and a tree protection and mitigation plan, to reconstruct an existing basketball court at 0 Burr Road, Map 81 Lot 28 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. 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. **Parking During Construction.** All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
5. **Inspections.** Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of 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.

For the Planning Board,



Kevin Ellis

October 23, 2023

In Favor: Kevin Ellis, Gordon Carr, and Tracy Shriver

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.