



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Hingham Woods Condominium Association  
c/o Robert McBride, the Dartmouth Group  
150 Beal Street  
Hingham, MA 02043

Agent: Matthew W. Gaines, Esq.  
Marcus, Errico, Emmer & Brooks  
45 Braintree Hill Office Park  
Braintree, MA 02184



Property: Hingham Woods, 150 Beal Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 6488 Page 217

Plan References: "Curb and Structure Repair Plan," prepared by Miller Engineering & Testing, Inc., 100 Sheffield Road, Manchester, NH, dated August 22, 2023 (1 Sheet)

"Hingham Woods Condominium," prepared by Harry R. Feldman, Inc., 112 Shawmut Avenue, Boston, MA, dated November 11, 1985 (16 Sheets)

"Hingham Woods Condominium," prepared by Cavanaro Consulting, 687 Main Street, Norwell, MA, dated June 14, 2023 (8 Sheets)

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of the Hingham Woods Condominium Association (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to resurface the streets and parking spaces at Hingham Woods in Residence District E.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on October 2, 2023, with two additional substantive sessions held on October 30, 2023, and November 13, 2023. All hearings were held 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 concurrently held hearings on a related application for a Special Permit A3 parking waiver. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, and Tracy Shriver. Matthew W. Gaines, Esq., Marcus, Errico, Emmer & Brooks, and Robert McBride, the Dartmouth Group, 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 property consists of 277 residential condominium units, originally approved in the 1980s, with construction in 1985, and contains 556 parking spaces. Of the 556 parking spaces, 277 are designated as easements for the exclusive use by the property owners, and the remaining 279 are for handicapped parking, guests, or residents on a first come first served basis. The proposal calls for repaving of all the roads and parking lots within the development.

At the 2023 Annual Town Meeting, a zoning article was approved, as a new subsection V-A.5.p, related to EV charging stations. The new requirement is intended to apply to new or redeveloped parking lots containing 20 or more parking spaces and requires a minimum of 25% of the spaces to be compatible with EV charging infrastructure and a minimum of 10% of the spaces to be equipped with the EV charging stations.

Based upon the total number of parking spaces throughout the development, the required number of compatible spaces (installation of conduits to be EV ready) is 139 and the number of spaces equipped with charging stations is 56. The Applicant proposes 111 (20%) parking spaces to be compatible with conduits and 14 spaces to be equipped with charging stations. The proposed infrastructure would serve the guest spaces only due to parking space ownership limitations. The placement of the infrastructure is based upon the location of the existing transformers in relation to the guest spaces. Therefore, during the hearing process, the Applicant requested that the EV charging requirements under subsection V-A.5.p apply only to the 279 guest parking spaces.

During the course of the hearing, the Board raised questions and comments related to the scope of work, potential compromises and waiver solutions, property paving history, location of proposed conduits and chargers, . There was public comment related to gas line replacement, parking along Beal Street, and chargers for unit owners.

### **WAIVERS**

Waivers of certain submittal requirements are required due to the limited nature of the project. These include submittal requirements under § I-I, 5.e (zoning analysis), f (utility plan), g (landscape plan), h (tree protection plan), i (grading and drainage plan) and I (Major Site Plan requirements). The Applicant also requested a waiver of Site Plan Review, but given that there is no previously approved site plan from the Planning Board for this property, Site Plan Approval must be issued.

### **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 paving and EV charging infrastructure project:

**a. Land Disturbance**

The only land disturbance associated with this project is that which is limited to the repaving of the roads and parking areas and installation of the EV charging infrastructure.

**i. Pedestrian and Vehicular Access; Traffic Management**

Pedestrian and vehicular access and traffic management remain unchanged as a result of the project.

### **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.

### **MOTION**

Upon a motion made by Kevin Ellis and seconded by Rita DaSilva, the Board voted unanimously to GRANT the application of the Hingham Woods Condominium Association for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of submittal requirements under §§ I-I,5.e, f, g, h, i, and I related to a zoning analysis, utility plan, landscape plan, tree protection plan, grading and drainage plan, and Major Site Plan requirements, to repave the streets and parking spaces at Hingham Woods in Residence District E, 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 an electrical permit.

2. Plan Revisions. Prior to application for an electrical permit, the Applicant shall provide a revised plan to the Community Planning Department locating the 14 proposed EV chargers.

For the Planning Board,



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Kevin Ellis

November 17, 2023

**In Favor:** Kevin Ellis, Gordon Carr, Rita DaSilva, 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.