



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SPECIAL PERMIT A3

#### IN THE MATTER OF:

**Applicant:** Su Escuela Language Academy, LLC  
c/o Sandra Baldeon  
75 Sgt. William B. Terry Drive, Suite 1001  
Hingham, MA 02043

**Owner:** John J. Flatley Co.  
45 Dan Road  
Canton, MA 02021

**Agent:** Jeffery A Tocchio, Esq.  
Drohan, Tocchio, & Morgan, P.C.  
175 Derby Street, Suite 30  
Hingham, MA 02043

**Property:** 75 Sgt. William B. Terry Drive, Hingham, MA 02043

**Deed Reference:** Plymouth County Registry of Deeds, Book 34079 Page 104  
Certificate of Title No. 110147 issued by the Plymouth County Registry  
District of the Land Court

**Plan References:** "Existing Conditions Plan," prepared by Zentih Consulting Engineers, LLC,  
3 Main Street, Lakeville, MA, dated June 20, 2022 (2 Sheets)

RECEIVED

AUG 14 2024

Town Clerk  
Hingham, MA

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Su Escuela Language Academy, LLC (the "Applicant") filed applications for modification of a Special Permit A3 Parking Determination originally issued November 8, 2023 under § V-A of the Zoning By-Law (the "By-Law") to expand an existing private school and daycare at 75 Sgt. William B. Terry Drive in the Limited Industrial Park District.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on July 29, 2024 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 heard a related request for a waiver of Site Plan Review. The Board panel consisted of regular members Gordon Carr, Chair, Kevin Ellis, and Gary Tondorf-Dick, and associate member Michael Mercurio. Jeffery A. Tocchio, Esq., of Drohan, Tocchio, and Morgan, P.C., presented the application to the Board. At the conclusion of the review, the Board voted unanimously to grant the Special Permit A3 under § V-A 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**

The subject property, located between Lincoln Street and Beal Street, is improved by a 100,000 SF building consisting of various General Business Office tenants and Su Escuela. Su Escuela serves as both a private elementary Spanish language academy and private daycare. The school itself has been in operation at the site since 2011 and has expanded within the building on a number of occasions since then – most recently in November 2023, expanding to 31,500 SF of GFA upon the Board’s issuance of Site Plan Approval and a Special Permit A3 Parking Determination.

The Applicant now proposes to expand to 55,000 SF of GFA in anticipation of the addition of 7<sup>th</sup> and 8<sup>th</sup> grades between 2025 and 2027, totaling 30 additional students. Additionally, the Board imposed a condition of approval in both the Site Plan Approval and Special Permit A3 requiring the Applicant to return to the Board should total enrollment increase by 10% or more. Given that the total enrollment is presently 306 students between all programs offered and enrollment is set to increase by 10% (30 students) by 2027, the Applicant is also returning to the Board to satisfy this condition of approval. Since there are no changes proposed to the site itself and all work will be interior, it is recommended to waive Site Plan Review and the Board’s review will only relate to parking onsite.

In the Board’s November 2023 Special Permit A3, it used a calculation of 4 parking spaces per 1,000 SF of GFA to determine the number of spaces required for the school. Based upon the 31,500 SF of GFA proposed at that time for the school, the total number of spaces required was 126. The other 9,377 SF of GFA for the other General Business Office uses within the building required 33 spaces when the parking standard of 3.5 spaces per 1,000 SF of GFA was applied, for a total of 159 parking spaces required for the site where 417 are provided. This is an excess of 258 parking spaces.

With the latest request to increase the school space to 55,000 SF of GFA, applying the same parking standards as the November 2023 approval would result in a total of 220 parking spaces required for the school. There was also a slight increase to 10,249 SF of GFA for the other General Business Office uses increasing the number of spaces required to 36 spaces. This brings the total number of spaces required to 256 – leaving an excess of 161 parking spaces onsite.

Regarding site circulation, 85% of the Elementary students utilize bussing, while the remaining 15% of Elementary students and all daycare children travel by car. The school utilizes a circulation loop through the site for drop-off/pick-up to minimize any traffic issues. Drop-off and pick-up will continue to take place as previously conveyed to the Board and at staggered times that do not overlap with the child care program. This circulation and drop-off/pick-up pattern works for the school and the Applicant expects that this pattern will continue to function with the anticipated increase in enrollment.

During the course of the hearing, the Board raised questions and comments related to future use of the building and electric vehicle charging. There was no public comment.

### **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;**  
At 55,000 SF of GFA and a parking requirement of 4 spaces per 1,000 SF of GFA, 220 spaces are required for Su Escuela. The remainder of the building is largely vacant, with only an additional 10,249 SF of GFA occupied by the General Business Office uses, which requires 36 parking spaces (3.5 spaces per 1,000 SF of GFA). This brings the total required parking spaces for the building to 256. The existing parking lot contains 417 parking spaces, which yields an excess of 161 parking spaces over what is required for all the existing uses in the building.
- b. Safe 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.
- e. The existing parking areas meet applicable Design Standards; and**
- f. The granting of this Special Permit is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.**

### **MOTION**

Upon a motion made by Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Su Escuela Language Academy LLC for modification of a Special Permit A3 Parking Determination originally issued November 8, 2023 under § V-A of the

Zoning By-Law to expand an existing private school and daycare at 75 Sgt. William B. Terry Drive in the Limited Industrial Park 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. All other ongoing conditions of the Special Permit A3 issued November 8, 2023 shall remain in full force and effect.

For the Planning Board,



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Gordon Carr  
August 14, 2024

**In Favor:** Gordon Carr, Kevin Ellis, Gary Tondorf-Dick, and Michael Mercurio

**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.