

NOTICE OF DECISION
Site Plan Review in Association with a Special Permit A2
and Special Permit A3

IN THE MATTER OF:

Certified #7017 1000 0000 1995 8534

Applicant: FoxRock Recreation Park, LLC Realty Trust

Premises: 150 Recreation Park Drive, Suite 1
Hingham, MA 02043

Deed: Book 46544, Pages 105 & 122

Date: October 2, 2018

Summary of Proceedings:

This matter came before the Planning Board on the application of FoxRock Recreation Park, LLC Realty Trust, for Site Plan Review with a request for partial waiver under § I-G and § I-I in Association with a Special Permit A2 and a Special Permit A3 Parking Determination, and/or Parking Waivers under § V-A and such other relief as necessary to locate a health club (Phys-Ex) within an existing 5,000 SF space in the Industrial Park and South Hingham Development Overlay Districts.

The Planning Board heard the application at a duly noticed public hearing on October 1, 2018 in the Hingham Town Hall at 210 Central Street. Members of the Planning Board present were Gordon M. Carr, Jennifer Gay Smith, Gary Tondorf-Dick, Judith Sneath and Associate Member Ted Matthews who was seated on the Special Permit A3.

The Applicant team included Scott Golding, DTM; Gabe Crocker, Crocker Designs; representatives of Phys-Ex: Wendy Swett and Michael Silva. The proposal is for a personal training/work out facility within the 5,000 square foot Suite #1 at 150 Recreation Park Drive which is currently vacant. Approximately 3,700 sf to be used as the gym with cardiovascular equipment for exercise and 1,300 sf for office space and restrooms. There are no physical changes proposed to the site. Parking was originally approved at 79 spaces, but only 74 were approved as part of the recent Boxygen process. At this time the Applicant proposes to add 6 new spaces at the rear of the building for the Phys-Ex employees and eliminate one parking space at the front of the building for a net parking quantity of 79 spaces.

Phys-Ex offers individual one on one training with a max of five trainers at a time, and occasionally a group training session with one trainer and not more than 4 clients. There will be a part time receptionist on site also. The Board reviewed the parking table and discussed what the maximum parking demand at the proposed business might be. While the applicant suggested 6 spaces was the appropriate amount of parking the Board found that the five trainers, receptionist,

and five individual clients would result in an 11 vehicle parking demand. This use complements the other uses on site, as their classes are not when the other business are busy. The other tenants on site are DTM packing occupying Suites 3, 4, 5 & 7 for 20,000 sf of warehousing with 20 employees and requires 20 spaces, and Boxygen occupies Suite 2 and requires 11 parking spaces. Of the 74 spots available there are typically many unused spaces, and with the addition of 5 more parking spaces there will remain an excess of parking on site with a net parking quantity of 79 spaces.

Findings and Decisions:

The Applicant requested a limited waiver or partial waiver of Site Plan to waive the requirement for submittal of full site plans as typically associated with new construction. The Board found that the request for partial waiver of site plan was reasonable as there is no physical construction work proposed and this is a tenant fit up at a developed site. Full design plans as typically required for site plan review are not necessary to review this project. The Board then Moved, Seconded and SO VOTED to Approve the request for partial waiver of site plan to relieve the requirement for submittal of full design plans.

Board members then reviewed the project in accordance with the Site Plan Review Criteria contained in Section I-I (6) as follows, making findings and identifying conditions:

- a. *protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;*

The Board found that the site is fully developed and that the parking will be striped to show 79 spaces.

- b. *convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;*

The Board found that the site is developed and the project entails interior tenant fit-up only. No changes to the existing circulation or access is proposed with this project.

- c. *adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;*

The Board found that the project was originally approved for office and industrial use. The tenants are now DTM packaging which requires 20 parking spaces and Boxygen which requires 11 parking spaces. 79 spaces are approved for this site and only 74 were required to be striped previously.

- d. *adequacy of open space and setbacks, including adequacy of landscaping of such areas;*

The Board found that no exterior work is proposed.

- e. *adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;*

The Board found this was not applicable.

- f. *prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;*

The Board found that the May 17, 2017 email from Bruce Capman indicates the adequacy of the septic system.

- g. *assurance of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Stormwater Management Policy and Standards, and Massachusetts Erosion and Sediment Control Guidelines.*

The Board found that there is no exterior construction work proposed. The Board also found that a snow storage/snow removal plan has not been submitted.

- h. *protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;*

The Board found that this is not applicable.

- i. *minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.*

The Board found that this is not applicable.

DECISION AND VOTE:

It was Moved, Seconded and SO VOTED to Approve Site Plan Review for Phys-Ex, as presented at the hearing and within the application materials, with the partial waiver, based on the findings and subject to the following conditions:

1. The parking lot shall be striped prior to issuance of the Certificate of Occupancy.
2. A Special Permit A3 parking determination is required.
3. The parking table shall be revised and submitted to the Planning and Zoning Boards.
4. The Applicant shall submit a snow storage plan and snow removal plan for the file.

Gordon M. Carr
Chairman, Hingham Planning Board

Cc: Town Clerk; Building Department; ZBA; S. Golding, DTM; Assessor; BOH;