


TOWN OF HINGHAM
PLANNING BOARD

Certified Mail #7018 1830 1813 2562

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

Applicant: Falconeiri Construction
88 West Grove Street
Middleboro, MA 02346

Project Site: 6 Station Street
Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 35269 Page 271 and Book 45607 Page 291



Plan References:

“Site Phasing Plan” Proposed Retail and Residential Units, 6 Station Street, Hingham, MA, prepared by Strekalovsky Architecture, dated January 8, 2019, 2 sheets.

“Site Plan Set, 6 Station Street, Assessor Map 61 Lot 79, Hingham, MA 02043” prepared by Cavanaro Consulting, prepared for Falconeiri Construction, 88 West Grove Street, Middleboro, MA 02346, dated 11/21/18, revised to 1/4/19, 5 sheets.

“Preliminary Landscape Plan” prepared by Sean Papich landscape architecture, prepared for 6 Station Street, Hingham, MA, dated December 10, 2018, and revised to January 23, 2019, 1 sheet.

PROCEEDINGS

On November 29, 2018, Falconeiri Construction (“Applicant”) filed an application (“Application”) for a Special Permit A2 under §§ I-F, III-A (4.22), and III-G of the Zoning By-Law, along with Site Plan Review under §§ I-G and I-I and a Special Permit A3 Parking Determination and/or Waivers under §§ III-G and V-A, and such other relief as necessary to construct a Commercial/Residential Building at in Business District A and the Downtown Hingham Overlay District.

A public hearing of the Planning Board was duly noticed and opened on December 18, 2018 jointly with the Board of Appeals and closed on January 28, 2019 at a joint hearing with the Board of Appeals. The Applicant was represented by John Cavanaro, Cavanaro Consulting; Sean Papich, Papich landscape architecture; Attorney Richard Henderson; Jack Gillon, Traffic Engineer; and Matthew Falconeri, owner. The Planning Board hearings were conducted by

Judith Sneath, Gordon Carr, and Gary Tondorf-Dick. The Planning Board consulted with Patrick Brennan, Amory Engineers (civil engineering) and Jeffrey Dirk, Vanasse and Associates, (traffic engineer) who acted as a consultants to the Planning Board pursuant to Section I-I (2) of the Zoning By-Law.

BACKGROUND AND DISCUSSION

This property located at 6 Station Street has an area of 10,532 square feet and is in the Business District A District and the Downtown Overlay District as well as the Flood Plain Protection Overlay District. The site was previously developed with a gas station and more recently the location of the one story Settles Glass building. The proposed building is a 3 story building that will serve a combination of retail and residential uses. The retail will be on the first story facing North Street and the residential use will be on the second and third stories with residential garages and surface parking on the rear of the lot facing Station Street. The project is a redevelopment of an existing vacant long blighted site which will result in the reduction of impervious surfaces, and filling in an existing gap in the streetscape between the harbor and downtown Hingham with a new mixed use project and restored green area and improvements in the public way.

The Historic Districts Commission issued a Certificate of Appropriateness for the project in October 2018. Town departments reviewed and commented on the project identifying their requirements should the project advance. The Board heard public comment during the process, both in writing and at the hearings. The Planning Board had the project reviewed for civil engineering as well as parking and traffic considerations. The project will also require approvals from the Selectmen for work that is within the public way and thus not in the purview of the Planning Board. Jeffrey Dirk reviewed his findings and suggested potential conditions for the Planning Board and the Zoning Board of Appeals at the January 28, 2018 meeting. The Boards discussed the internal site circulation and traffic patterns entering and exiting the site in depth. The Board spoke at length regarding traffic calming and sight lines in the area and expressed interest in maintaining safety for pedestrians during and after construction of this project and acknowledged that the Board of Selectmen will be considering this project in the future.

FINDINGS - SITE PLAN REVIEW

The Applicant submitted a Request for Waiver from the Site Plan application requirement I-I.4.i requiring submittal of a lighting plan, advising the Board that they have not selected lighting fixtures yet and will be discussing the fixtures with the Historic Districts Commission at a future meeting. They also noted that the fixtures would be dark sky compliant. The Board discussed the waiver request and found that the impacts of the lighting on the abutters cannot be reviewed without a lighting plan, however they understand that not all of the lighting related details of the project have been finalized at this time. They also stated that they had received comments from abutters on lighting and noted that this site is situated in a residential area and lighting could be a potential negative impact to neighbors and abutters. After additional discussion the Board voted to deny the request for a waiver from the site plan application requirement I-I.4.i requiring the submittal of a lighting plan. The Board then began deliberation on the Site Plan Review criteria.

Based on the information submitted and presented during the hearing, and subject to satisfaction of the conditions set forth below, the Board made the following findings under Section I-I, 6 of the By-Law:

- 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 drainage was peer reviewed by Amory Engineering and that the project as designed complies with the Stormwater Management Standards. In addition, the project is a net reduction in impervious surfaces. The design of the drainage system is satisfactory, subject to redesign of the landscape areas with depressions to promote infiltration. A lighting plan is a required submission prior to issuance of a building permit so that it can be reviewed for impacts on abutters and the lighting shall be dark sky compliant. The project includes two retaining walls which have not been designed yet, and an access easement or other rights may be needed for work on the eastern retaining wall.

- 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 Peer review engineer Jeff Dirk reviewed the project and in his January 15, 2019 letter states that access to the site from Station Street can be provided in a safe manner based on the sight distance plans that have been provided and recognizing that the access will serve residents of the project and their guests only and that the associated volume of traffic that will use the access is relatively minor (less than 5 vehicles per hour). This project includes work in the public way which will or may require permits and/or approvals from the Board of Selectmen and the DPW. The Fire Department requirements are listed in letter dated December 5, 2018. It is important to minimize disruption to nearby businesses during construction and to ensure that the construction workers for this project park on site or in a remote location and not in the adjacent on street parking that is intended to support nearby businesses. And, in an effort to further reduce the traffic and parking demands of the project and due to the availability of public transportation and existing sidewalk network the Applicant has agreed to implement a Transportation Demand Management (TDM) program as part of the 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 a Special Permit A3 with waivers is required for this project to allow 12 residential spaces where 8 are required; to waive strict adherence to Sections III-G, 7 and V-A to allow the 10 commercial parking space requirement to be provided in the Station Street parking lot; and to allow a partial waiver to Section V-A.5.e. The Applicant has indicated that they do

not expect to receive deliveries by tractor semi-trailer combinations. To the extent that there is a need to accommodate an occasional delivery by a large truck, the property manager will need to coordinate with the Town to obtain the necessary permits and approvals to allow temporary use of on-street parking.

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

The Board found that the Project includes a reduction in impervious surfaces with introduction of grass areas, landscape beds and decorative brick walks.

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

The Board found that the dumpster enclosure is shown on site plans and dumpsters will be emptied by smaller contract vehicles. In addition, during construction all materials and dumpsters shall be located on site.

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 Sewer Department has identified specific requirements in the email dated December 18, 2018 from Steve Dempsey. The HMLP has submitted a letter regarding modification dated December 11, 2018. Police details may be required at the discretion of the Police Chief during construction.

g. assurance of positive storm water 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 storm water 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 Storm Water Management Policy and Standards, and Massachusetts Erosion and Sediment Control Guidelines.

The Board found that The Long Term Pollution Prevention Plan states that snow will be removed from the site, and that the erosion controls have been found to be adequate but the review engineer recommends the existing catch basin in Station Street have a silt sack installed during construction. A preconstruction meeting in town hall with town staff is required prior to the start of work as well as a field inspection of installed erosion controls in the field.

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 the project is a redevelopment of an unoccupied but developed site. This redevelopment will fill the gap that exists in the streetscape now and help provide a connection between the harbor and downtown. The Historic Districts Commission issued a Certificate of Appropriateness for the proposal in October 2018.

- 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 the Historic Districts Commission issued a Certificate of Appropriateness for the proposal in October 2018.

VOTE AND CONDITIONS

Upon a motion made by Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted to Approve Site Plan Review in association with an application for a Special Permit A2 for 6 Station Street- Falconeri Construction as presented at the hearings and as shown on the following plans: "Site Phasing Plan" Proposed Retail and Residential Units, 6 Station Street, Hingham, MA, prepared by Strelakovsky Architecture, dated January 8, 2019, 2 sheets; "Site Plan Set, 6 Station Street, Assessor Map 61 Lot 79, Hingham, MA 02043" prepared by Cavanaro Consulting, prepared for Falconeri Construction, 88 West Grove Street, Middleboro, MA 02346, dated 11/21/18, revised to 1/4/19, 5 sheets; and "Preliminary Landscape Plan" prepared by Sean Papich landscape architecture, prepared for 6 Station Street, Hingham, MA, dated December 10, 2018, revised to January 23, 2019, 1 sheet; based on the findings and subject to the following conditions.

Conditions

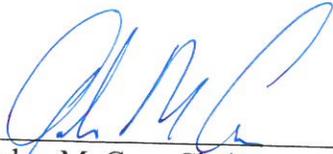
1. A lighting plan shall be submitted to the Planning Department prior to issuance of a building permit so that it can be reviewed for impacts to abutters, and the photometric plan shall show that the lighting levels at the property line do not exceed 1 foot candle. If this standard cannot be met the applicant must modify the approval. The specifications for the light fixtures shall be submitted to the Historic Districts Commission for review prior to issuance of a building permit. Fixtures shall be dark sky compliant.
2. Prior to issuance of a building permit, a revised grading plan shall be submitted showing landscape areas designed to include depressions to temporarily pond storm water runoff to allow more of it to infiltrate.
3. Prior to issuance of a building permit, the applicant shall obtain an access easement or other satisfactory rights from the abutter at 44 North Street necessary for the construction of retaining walls along the property boundary and provide copies to the Building Department, Planning Department and ZBA.
4. Prior to issuance of a building permit, Applicant shall secure all required permits and approvals for any work proposed in the public right of way.
5. Applicant shall satisfy the requirements in the Fire Department letter dated 12-5-18 prior to issuance of a CO.
6. Construction worker vehicles shall be parked on site. Any offsite parking of construction worker vehicles shall require approval of the Board of Selectmen.

7. Any modification to the site as proposed, or increase in density shall require the modification of permits and further review of the traffic engineering.
8. Prior to the issuance of the first Certificate of Occupancy the Applicant shall prepare a traffic calming plan for Station Street and North Street in an effort to maintain safe travel speed along Station Street at and approaching the Project site driveway. Said plan shall consider the following potential measures:
 - Installation of a radar speed feedback sign for westbound motorists on Station Street east of the Project site in combination with a speed advisory sign (20 mph suggested).
 - Sign and pavement marking plan improvements to include: pedestrian crossing warning signs; “share the road” signs; curve warning signs; advisory speed signs; regulatory signs (where warranted) as well as the usefulness of a painted island at the intersection of Station Street and North Street.
 - Evaluate the advisability of eliminating the on street parking space on North Street in front of 1 Station Street to improve sight lines looking south from Station Street,
 - Installation of pedestrian crossing warning signs with integral solar powered flashing LED lights in the sign border.

The traffic calming plan shall be provided to the Department of Public Works, the Police Department, the Board of Selectmen and the Director of Community Planning for review and comment. Prior to implementation of any traffic calming measures approval from the Board of Selectmen will be required. The Applicant shall construct the elements of the approved traffic calming following the schedule as agreed upon with the Selectmen, the DPW and the Chief of Police.

9. The applicant shall implement a TDM program which includes the following:
 - The Applicant or property manager should become a MassRIDES employer partner to facilitate and encourage healthy transportation options for residents and employees of the Project, and to coordinate a carpool/vanpool matching program;
 - A packet should be provided to new residents and employees detailing available public transportation services, bicycle and walking alternatives, and commuter options available through MassRIDES and their Bay State Commute (formerly NuRide) program which rewards individuals that choose to walk, bicycle, carpool, vanpool or that use public transportation to travel to and from work;
 - Information regarding public transportation services, maps, schedules and fare information should be posted in a central location and/or otherwise made available to residents and employees;
 - Employees should be made aware of the Emergency Ride Home (ERH) program available through MassRIDES, which reimburses employees of a participating MassRIDES employer partner worksite that is registered for ERH and that carpool, take transit, bicycle, walk or vanpool to work;
 - The Applicant will incorporate infrastructure for electric vehicle charging stations into the Project; and
 - Bicycle parking will be provided at an appropriate location that is accessible to residents, employees and customers.

10. A Special Permit A3 parking determination is required for this project as proposed.
11. The parking requirements table on the plans shall be revised to state commercial parking provided in the Station Street parking lot.
12. To the extent that there is a need to accommodate an occasional delivery by a large truck, whether for tenant moves or for the commercial spaces, the property manager will coordinate with the Police Department to obtain the necessary permits and approvals to allow temporary use of on-street parking. This requirement shall be included in the Traffic Management Plan.
13. Prior to the issuance of the first certificate of occupancy for the site, the Applicant shall discuss with the Board of Selectmen as part of the Right of Way improvements application the potential installation of "No Stopping Any Time" signs along the Project site frontage on both Station Street and North Street (where on-street parking is not provided).
14. Prior to issuance of a building permit, specifications for the dumpster enclosure shall be submitted to the Director of Community Planning and the Historic District Commission for review and approval.
15. During construction all materials and dumpsters shall be located on site. If a staging area is needed in the Station Street lot the applicant must request approval from the Board of Selectmen.
16. Applicant shall satisfy the requirements of the Sewer Department listed in the 12-18-18 email from Steve Dempsey prior to the issuance of the CO.
17. Applicant shall work with the HMLP regarding modification of the existing easement as detailed in the December 11, 2018 letter prior to the issuance of a building permit.
18. Applicant is responsible for working directly with the Police Chief or his designee to discuss and coordinate police details.
19. Snow plowed from the driveways or parking areas shall be promptly removed from the site in accordance with the Long Term Pollution Prevention Plan.
20. Prior to issuance of a building permit, the Applicant shall seek approval for, and prior to commencement of construction install and maintain during construction, installation of a silt sack in the existing catch basin in Station Street adjacent to 44 North Street. No construction work may commence prior to inspection of the erosion controls by designated Town staff.
21. At least two weeks prior to the start of work the Applicant shall coordinate with the Planning office to schedule a preconstruction meeting with staff including from DPW, Planning, Zoning, Historic, Police, Fire, Building, and BOH. Regular job meetings shall continue for the project duration and the schedule for these meetings will be discussed and agreed upon at the preconstruction meeting.



Gordon M. Carr, Chairman

Hingham Planning Board

EXECUTED this 2nd day of February, 2019

Votes:

In favor: Carr, Sneath, Tondorf-Dick

Opposed: none

Cc: Clerk; Board of Selectmen; ZBA; Fire; Police; Sewer Department; Assessor; DPW;
Building; BOH; P. Brennan; Susan Murphy; J. Cavanaro; J. Dirk; V. Strekalovsky; S. Papich; R.
Henderson; J. Gillon; S. Girardi, HMLP.