



TOWN OF HINGHAM
PLANNING BOARD

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NOTICE OF DECISION

Special Permit A3 with Site Plan Review

Applicant: South Shore Industrial Park Trust
20 Winthrop Square
Boston, MA 02110

Project Site: 4 Pond Park Road
Hingham, MA

Plan References: “South Shore Industrial Park Trust, 4 Pond Park Road Hingham, MA” prepared for the South Shore Industrial Park Trust, prepared by CHA, dated 5/17/19 , revised to 5/28/19, 8 sheets.



PROCEEDINGS

On April 25, 2019, South Shore Industrial Park Trust (the “Applicant”) filed an application (“Application”) for a Site Plan Review under §I-G and §I-I in conjunction with Special Permit A3 parking waiver under §V-A of the Zoning By-Law and such other relief as necessary to allow a modification to the approved permits for the creation of 24 additional parking spaces and the related drainage improvements. A public hearing of the Planning Board was duly noticed and held on June 3, 2019. The Applicant was represented by Jay DiPasquale, South Shore Industrial Park Trust and Scott Arnold, CHA. The Planning Board hearing was conducted by Gordon Carr, Judith Sneath, Kevin Ellis, Gary Tondorf-Dick and Associate Member Ted Matthews was seated for the Special Permit A3.

BACKGROUND AND DISCUSSION

Mr. Arnold explained that this project consists of site and drainage improvements associated with the construction of 24 additional parking spaces and the related drainage improvements in support of re-tenanting of the building which was built in 1980 and has been vacant since late 2015. This site is immediately adjacent to the Bone & Muscle Center. The Board reviewed the improvements to the site and were supportive of the proposed scope of the work. They noted that a comprehensive review of the site was conducted in 2018 and this is a minor modification to that approved permit simply to create more parking.

FINDINGS - SITE PLAN REVIEW

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 Hydrant locations are sufficient, trees are being removed to create parking spaces, and there will be negligible alteration of drainage patterns and the Building is existing.

- 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 driveway openings and sidewalks are not changing and the sight distance at exit driveway exceeds standards.

- 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 Special permit A3 parking waiver is needed to allow 102 spaces where 78 exist and 154 are required.

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

The Board found that this is a developed site with existing landscaping and resource areas and the applicant is providing supplemental landscaping as requested.

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

The Board found that a new dumpster is shown on the plan.

- 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 Conservation Commission has determined this modification to the approved plans can be handled as a field change by Conservation staff.

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 this is a redevelopment of an existing site. The drainage system is existing. Applicant is improving the existing conditions and has prepared an O&M plan to guide ongoing operations. In addition, the peer review memo of May 28, 2019 notes that the proposal is in compliance with the MA Stormwater Standards, and that the erosion controls shown will mitigate potential erosion during construction.

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 and that the site is developed.

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 as this is an existing building on an existing site.

WAIVERS

The Board discussed the following waivers and made findings:

1. Section V-A.2 to allow 102 spaces where 154 are required
 - a. Finding: Applicant feels that the existing parking is sufficient and does not want to build more at this time. One reason for granting parking waivers is to not require the "over-paving" of a site.
 - b. Finding: Meeting the current parking standards for quantity of spaces would require more extensive site alteration for the re-tenanting of this existing office building. The proponent feels that the existing parking will be sufficient, and, if it proves not to be they will return for a site plan modification, or, proposed shared parking with an adjacent property in the same ownership.

After discussion the Board moved, seconded and so voted to approve the waiver.

FINDINGS – SPECIAL PERMIT A3

a) The parking is sufficient in quantity to meet the needs of the proposed Project;

The Board found that a waiver is required to accept 102 spaces where 154 are required. This is an increase of 24 spaces over the previous approval. The Applicant feels this will be sufficient as they work to re-tenant the building.

b) Pedestrian access and circulation has been provided for;

The Board found that yes, sidewalks exist on site.

- c) New driveways have been designed to maximize sightline distances to the greatest extent possible;*

The Board found that the sight distances exceed requirements and no new driveways are proposed.

- d) It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and*

The Board found that meeting the current parking standards for quantity of spaces would require more extensive site alteration. The proponent feels that the existing parking will be sufficient, and, if it proves not to be they will return for a site plan modification, or, proposed shared parking with an adjacent property in the same ownership.

- e) The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.*

The Board found that one intent of providing waivers is to minimize pavement, applicant feels parking supplied is adequate. Seems reasonable to not construct additional parking until and unless it is indicated. Additionally, this is an existing site.

VOTE AND CONDITIONS

Upon a motion made by Gary Tondorf-Dick and seconded by Judith Sneath, the Board voted 5-0 to APPROVE the Approve the Special Permit A3 parking waiver and associated 4-0 to approve the Site Plan Review for South Shore Industrial Park Trust, as represented at the hearings and as shown on the plans titled “South Shore Industrial Park Trust, 4 Pond Park Road Hingham, MA” prepared for the South Shore Industrial Park Trust, prepared by CHA, dated 5/17/19 , revised to 5/28/19, 8 sheets, pursuant to the findings, with the waiver and subject to the following conditions:

1. Applicant shall plant not less than 4 evergreens of not less than 6’ in height in the island in the northwest corner of the site.
2. The O & M plan should be updated as needed for the expanded system and a copy shall be provided to the Planning Board and the Conservation Commission.
3. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing is required.
4. Inspections are required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction and the approved drainage and stormwater system installed for the project.
5. Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.
6. Applicant shall submit a revised Summary Parking Table to reflect square footage of 30,711 and parking demand of 154 spaces

7. Applicant shall provide the Board, through staff, a parking utilization analysis at 6 months post Certificate of Occupancy. If parking is not adequate applicant shall apply to modify the Special Permit A3 to meet parking needs.



Gary Tondorf-Dick
Clerk, Hingham Planning Board

EXECUTED this ____ day of June, 2019

Votes:

In favor: Matthews, Carr, Tondorf-Dick, Sneath, Ellis

Opposed: none

Cc: Town Clerk, Conservation, Building, Scott Arnold